

PROPOSED AGENDA

Meeting of the Town of Biltmore Forest Board of Commissioners

To be held Tuesday, August 13, 2019 at 4:30 p.m.

A. Roll Call by the Clerk

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

B. Approval of the Minutes

1. The minutes of the Regular meeting held on July 9, 2019 will be considered for approval.

C. Reports of Officers

1. Chief of Skyland Fire and Rescue
2. Police Department
3. Public Works Director
4. Town Manager

D. New Business

1. Consideration of 2019-07 – A Resolution regarding the Surplus of Town Equipment
2. Consideration of FY19-20 Budget Amendment
3. Consideration of Resolution 2019-08 – A Resolution Approving Financing Terms
4. Consideration of Order for Tax Settlement for FY18-19
5. Consideration of Order for Tax Collection for FY19-20
6. Consideration of Ordinance 2019-01 – An Ordinance to Amend the Biltmore Forest Town Code regarding Chapter 93: Town Beautification
7. Consideration of Ordinance 2019-02 – An Ordinance to Amend the Biltmore Forest Town Code regarding Chapter 130: Town Offenses
8. Consideration of Agreement with Beverly-Grant for Police Department Painting

E. Petitions, Motions, and Other Business

F. Public Comment

G. Adjourn

MINUTES OF THE MEETING OF THE MAYOR AND THE TOWN COMMISSIONERS OF
BILTMORE FOREST HELD JULY 9, 2019.

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 by the Clerk:

Mayor George F. Goosmann, III, present

Commissioner Doris P. Loomis, present

Commissioner E. Glenn Kelly, present

Commissioner Fran Cogburn, present

Mr. Jonathan Kanipe, the Town Manager was also present. Mr. William Clarke, the Town Attorney was also present.

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

Mayor Goosmann asked for a motion to approve the June 11, 2019 minutes. A motion was made by Commissioner Cogburn. The motion was seconded by Commissioner Kelly and unanimously approved.

Chief Ryan Cole gave the monthly report for Skyland Fire Department. The Fire Department had 26 calls for service. Chief Cole said the 4th of July parade went very well. Chief Cole also presented the annual report for the Fire Department and pointed out page 9 regarding the total number of incidents last year which was 4,939 calls. Forty one percent of these calls included other calls that were going on at the same time. Mayor Goosmann thanked Chief Cole for the Fire Department and their hard work.

Chief Chris Beddingfield gave the monthly report for the Police Department and said it has been a busy summer so far. The power outage at Stuyvesant and Holly Hill was handled well and the outage was resolved.

Commissioner Kelly asked if the new police vehicles have arrived. Chief Beddingfield told Commissioner Kelly the vehicles will not arrive until the end of September. Mayor Goosmann thanked Chief Beddingfield for all Police Department's hard work.

Mayor Goosmann thanked all the Town employees for their hard work at the 4th of July parade.

Mr. Terry Crouch gave the monthly report for Public Works. Mr. Crouch did not have any additional information to add to the report. Commissioner Kelly asked Mr. Crouch what the process is for the Town Arborist, Mr. Charles Tesner regarding tree inspections. Mr. Crouch said Mr. Tesner gets a phone call and inspects the tree(s). Mr. Kanipe added to this and said Mr. Tesner was certified for this position in January and he has been a huge asset to the Town. He looks at the trees very thoroughly to determine their health and whether they need to be removed. Commissioner Cogburn said that Mr. Tesner is very knowledgeable and extremely helpful in this position as the Town Arborist.

Mayor Goosmann introduced Mr. Jason Walls, Mr. Landon Williams, and Ms. Sarah Lutz from Duke Energy. Mayor Goosmann expressed his support regarding the plan to install underground lines. Mr. Walls said about 2-3 years ago, Duke Energy conducted quite a bit of research on areas that experienced multiple and significant power outages. The Town of Biltmore Forest came up as one of those areas that often experienced multiple outages. One of the main reasons for the numerous outages within the Town is due to the high volume of trees. Ms. Lutz is the project manager for Duke Energy. Mr. Williams is the public engagement specialist for Duke Energy and is there to answer questions and concerns for the customers.

There are many poles and wires that will have to be buried underground during this project. Mr. Walls showed the Board what steps Duke Energy will take in order to bury the lines. The plan is to take all of the lines that are hard to access and bring them closer to the street. It will make it much easier to maintain the vegetation. It will make it less susceptible for the trees to come in contact with the power lines. The project will be broken up into two sections. They will start on

the south end first which has the most outages and then north and west of the golf course for the second phase. They will start the project in 2019 and hope to finish by 2022 or 2023. It is a long project and Mr. Walls asked for Town residents to be patient. Mr. Williams is extremely knowledgeable when working with homeowners and engineering staff. Mr. Walls said they try and accommodate the homeowner as much as possible.

Mayor Goosmann asked the Duke Energy staff if a resident does not want their yard dug up to have the lines buried, and if the homeowner changes their mind in the future, will the homeowner be responsible for paying that in the future. Mr. Walls said yes. Ms. Lutz elaborated and said they will have to find an electrical design that could possibly go around the house, however, this is not always possible. Ms. Lutz said most people are compliant with past projects. Ms. Lutz also added Charter is interested in doing the same and AT&T is not sure at this time.

PUBLIC COMMENT

Mr. George Beverly, Ms. Cindy Holman, Ms. Heather Koch, Mr. Tom Young, Ms. Laura Wrenn, Ms. Mary Goodkind, Mr. Phil Hardin, and Ms. Evelyn Pfeiffer engaged in Public Comment regarding the underground burial of the power lines.

Mr. Walls said the reason Duke is doing this project is not for aesthetics, the reason they are doing this is for reliability of service. Mr. Williams said Duke Energy does employ a landscaping company to do the work to put things back the way they were before the area went under construction.

Mayor Goosmann thanked Mr. Walls, Ms. Lutz, and Mr. Williams for attending the meeting.

The next topic of discussion was the Tree Protection Ordinance. Mr. Billy Clarke discussed if the Town can require replacement of dead, diseased or hazardous trees. Mr. Clarke said Towns have the authority to define, prohibit, regulate, or abate conditions detrimental to the health, safety, or welfare of the citizens and the peace and dignity of the City. The limitations are an ordinance

cannot be passed if the ordinance denies liberty guaranteed to someone by the Constitution. There are a lot of trees in throughout the Town and he suggested the Ordinance be tied to the tree history.

Mr. Clarke used an example regarding a case from the Town of Chapel Hill. Mr. Kanipe provided the Board the current Tree Protection Ordinance. The International Society of Arborists has certain criteria and a breakdown of what each tree standards are. This may be a good reference for the replacement of trees within the Town of Biltmore Forest. Having a certified Arborist on staff is certainly beneficial. Mr. Clarke added that if there is concern about a significant removal of trees, a comprehensive plan may be a requirement. A requirement for replacement might also be set.

Commissioner Loomis asked if the comprehensive plans would go to Mr. Kanipe or to the Board of Adjustment. Mr. Kanipe said that would be the decision of the Board of Commissioners but Mr. Kanipe suggested having the Arborist review it for technical revision. Commissioner Kelly asked if Mr. Kanipe can present some examples of other municipalities that do this comprehensive plan at the meeting next month.

Mr. Kanipe gave an update on the construction of the new Public Works building. The project is almost finished and there are a few final inspections left. The Town is under budget currently and the furniture purchase was also under budget. The open house for the new Public Works building is scheduled for Tuesday, September 17th from 6pm-8pm.

Mr. Kanipe gave the report for the Town and mentioned the Budget Reallocations included in the packets. Mr. Kanipe asked the Board if there were any questions regarding any of these. The Board did not have any questions.

The new traffic pattern was discussed and the first change was made Monday, July 1st with the 25 mph speed limit signs. The large electronic message boards are up and will be running 4 weeks. They will be taken out on Monday, August 5. The all-way stop implementation date is July 29. There will be an increase in signage to notify people when the change will occur. The police have increased presence during the transition to the 25 mph speed limit and will also be out for the all-way stop as well. The CodeRed message was also sent out to notify residents. A separate

mailing will also be issued. The Greenwood Park stream restoration project was recommended for funding by the DEQ staff. If we are awarded that loan, it will be at 0 percent interest loan for 20 years.

The Stormwater Master Plan is nearing completion. Last month, Mr. Kanipe had a conference call to review the preliminary plans as well as reviewing financial details. The Board previously approved a \$100,000 infrastructure plan in the current year's budget and we are working on those items right now.

The Volkswagen clean diesel and electric vehicle recharging station grant workshop is next Monday. The Town is working with Land of Sky and hoping to receive one new heavy duty dump truck. Mr. Kanipe will keep the Board informed on the status of this grant.

The Department of Transportation has also installed the base of the traffic light along Hendersonville and Eastwood Road.

The 2014 inoperable Ford Interceptor police vehicle was sold for \$3,100. A light bar was also sold for \$112. Another inoperable Ford Interceptor will be for sale next month.

Commissioner Kelly asked how many miles are put on each police vehicle per year. Chief Beddingfield estimated around 30,000 miles per vehicle, per year.

Ms. Adrienne Isenhower composed a monthly Planning report that was issued to the Board. Mr. Kanipe asked if the Board had any questions regarding this report. The Board did not have any questions.

Ms. Wrenn informed the Board about the many cases of Lyme disease throughout Buncombe County.

Mayor Goosmann adjourned the meeting at 5:40 p.m.

The next Board of Commissioners meeting is scheduled for Tuesday, August 13, 2019 at 4:30 p.m.

ATTEST:

Jonathan B. Kanipe
Town Manager

George F. Goosmann, III
Mayor

BILTMORE FOREST POLICE DEPARTMENT

Department Head Report

August 13th, 2019 Board of Commissioners Meeting

Chris Beddingfield, Police Chief

Police Dept. Monthly Report 07/01/19 to 07/31/19

Calls for Service: 679

Officers responded to the following calls for service:

Accident -4	Accident - PI -0
Alarm - 44	Animal Carcass - 0
Assist EOC – 5	Assist Motorist - 12
Assist Other Agency - 9	Assist Resident - 13
Bear Report - 3	Business Check -104
Busy - 11	Crime Prev. - 1
Chase- 1	Direct Traffic -4
Distressed Animal - 1	Disturbance - 1
Dog Complaint -15	Domestic disturbance- 1
Fire – 1	Fight- 1
Hit and Run - 0	House Check - 74
Improper Parking-11	Incomplete 911-0
Investigation – 2	Intoxicated Driver-0
Mental Patient - 0	Missing Person - 0
Noise Disturbance – 1	Ordinance Violation - 6
Out of Service - 1	Out of Town - 3
Person Down – 0	Power Outage -2
Radar Operation – 28	Road Blocked -7

Service of Car -1	Sign Ord Violation -7
Special Assignment – 5	Special Check - 1
Speed/Reckless Driving- 1	Suspicious Person - 19
Suspicious Vehicle – 26	Vandalism - 0
Vehicle Stop – 81	Well-being Check – 1

Total Number Of Calls: 679

Arrests:

4-Felony Arrests-1 Obtain property by false pretense, 1 Burglary, 1 Possession of methamphetamine, 1 Deliver controlled substance on school property

1-Misdemeanor Arrest-1 DWI, Reckless Driving

Time Consumption Summary:

Approximations

Business Checks- 14 hours

House Checks- 10 hours

Radar Operation- 20 hours

Vehicle Crash Investigation- 2 hours

Notable Calls and Projects:

Held a Pill Drop Event-received 22lbs of discarded medicines

National Night Out- First one, great turnout and successful. Hope to become annual event

Numerous situations involving homeless persons



Biltmore Forest Public Works Department

Terry Crouch
Director Of Public Works
355 Vanderbilt Road
Biltmore Forest NC, 28803

Phone: 274-3919
Fax: 274-3921
Mobile: 777-4466
Email: tcrouch@biltmoreforest.org

PUBLIC WORKS MONTHLY REPORT **JULY 10, 2019 TO AUGUST 13, 2019**

- Completed all of the normal routine services to the residents on schedule, garbage collection, recycling and brush removal.
- Completed a white goods collection on August 1st. We collected 5 items.
- We have collected a total of 20 loads of brush for the residents and transported them to Asheville Stump and Dump.
- We have repaired and reinstalled the streetlight at Frith and Stuyvesant due to being hit by a vehicle.
- We had to locate the entire south end of Town for Duke Energy to see which Town utilities are underground.
- Completed 74 special requests from the residents, extra garbage collection, meter rereads, house no. signs, recycling request, etc and completed 132 utility locate request.
- Completed the 2 monthly bacteriological water samples for July 2019 and both were in compliance with the state and completed the quarterly TTHM's and Haa5 water samples required by the state.
- Charles has inspected 30 trees for the residents and has reinspected 51 trees that Rusty Rhea has previously looked at.
- Completed repairs to several pieces of Public Works equipment.

- We collected a total of 36.40 tons of garbage and 17.77 tons of recycling for the month of July.
- We have completed all of the necessary signage and removal for the new 4 way stop at Vanderbilt and Cedar Cliff intersection as planned out by the engineers.
- We have installed a new fire hydrant at no. 8 Cedar Hill due to the old one being very hard to operate.
- We are still working on the annual inspections of the residents RPZ devices (backflow)
- A total of 575 hours were spent maintaining the Towns roads and road shoulders.
- 93 hours were spent maintaining the Town's parks and pond.
- Repaired 5 streetlights (general repairs).
- We are continuing to repair road shoulder ruts and road shoulders all over the Town due to vehicles.
- We delivered Night Out door hangers to every resident and helped the Police Dept. set up for the event.
- We are continuing to clean up the fallen debris out of the woods off Brookside road when time allows.
- Completed all of the daily chlorine samples for the month of July and sent to the state as required.
- Mowed all of the road shoulders and parks as needed.
- We are finished with the annual fire hydrant inspections and only found one fire hydrant that had problems and it has been replaced.
- We have checked several residents meters for leaks.
- We completed 2 water taps and 2 road bores and set 2 water meter boxes for the new house at 2 Southwood road.

Sincerely

Terry Crouch

Terry Crouch

Director of Public Works

355 Vanderbilt Rd | Biltmore Forest, NC
Po Box 5352 | Biltmore Forest, NC 28803
P (828) 274-0824 | F (828) 274-8131

www.biltmoreforest.org



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

Jonathan B. Kanipe,
Town Manager

MEMORANDUM

To: Mayor and Board of Commissioners

From: Jonathan Kanipe, Town Manager

Re: Town Manger's Report

Date: August 7, 2019

Public Works Building

The Public Works building is complete with punch list items being finalized by sub-contractors. The Town anticipates receiving a final certificate of occupancy at the conclusion of this week. The first round of furniture delivery and installation occurred Monday and Tuesday this week, and final furniture installation is likely to occur in the 3rd week of August. The Town has planned an Open House for residents to see the new building on Tuesday, September 17th. This will be advertised in the Town's newsletter that will be mailed out prior to Labor Day.

Traffic Pattern Change Update

The traffic pattern change was fully implemented Monday, July 29, 2019. The Town followed the engineer's recommendations regarding appropriate on-road signage and the Public Works staff did an excellent job ensuring compliance with these recommendations. The electronic message board signs were taken down and returned Monday, August 5, 2019, and the "New Traffic Pattern" signs along the eastern and western stretches of Cedarcliff Road will be removed Monday, August 12, 2019. The Town did receive some questions regarding the implementation of both the all-way stop sign and reduced speed limit, and endeavored to answer each question with as much data and information as possible. Town staff has received feedback from residents along Vanderbilt Road and Cedarcliff Road in support of this change and indicating their belief that safety has improved as a result.

NC DEQ Green Infrastructure Loan Program

The Greenwood Park Stream Restoration project was awarded funding by the Department of Environmental Quality. This project is focused specifically on improving the stream banks and riparian buffers in Greenwood Park. The green infrastructure loan program provides funding for the project at zero percent interest over 20 years. The project is projected to cost \$300,000. I have included a copy of the award letter for your reference. The next milestone for the Town to complete is to provide an Engineering Report to the State no later than December 2, 2019. Staff has initiated

a conference call with WithersRavenel and our project manager from the state to address our project implementation schedule. I hope to have a full update at next month's meeting.

Volkswagen Clean Diesel Grant Program

The Town has begun answering the State DEQ's request for proposals (RFP) regarding the Volkswagen Clean Diesel grant program. Town staff met Friday, August 2 with program managers from the Land of Sky Regional Council to review applicable vehicles in the Town fleet and methods for ensuring we attain as many points as possible during the grant application process. Just over \$3 million will be awarded state wide for the replacement of Classes 4-8 heavy-duty trucks. The Town is currently evaluating other portions of our fleet to see if any other vehicles may comply with the RFP requirements.

Eastwood Road Traffic Light Update

The mast arms for the traffic light at Eastwood and Hendersonville Roads were installed in late July. The light will be turned on to flash mode next week (August 12-16) before being fully activated the following week. This will allow motorists a chance to get fully accustomed to the change. The Town will notify residents via CodeRED and Nixle messaging to alert residents to this change.

Greenwood Park PARTF Grant Status

Grant awards for the PARTF project have yet to be announced. There was some belief this would occur toward the middle or end of August, with a formal announcement being made after Labor Day. I will alert the Board when this announcement occurs.

CodeRED Text to Enroll Feature

CodeRED has rolled out a new feature that will allow users to text "BiltmoreForestNC" to a certain number and receive directions on setting up an account. We will begin promoting this within the next week and include an article in the Town's newsletter dedicated to this improvement. We hope that this improvement will offer an opportunity for more users to enroll their cell phones and email addresses and provide a more direct way of communication.

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

Jonathan B. Kanipe,
Town Manager

PLANNING AND CODE ENFORCEMENT JULY 2019

Staff completed 65 site inspections for potential ordinance violations or for active zoning permits.

We have been experiencing problems with ineffective mud mat controls at several construction sites in Town. Staff has been in discussions with the respective contractors in an effort to bring these sites into compliance.

One demolition permit was issued for 61 Forest Road. The house has been demolished and construction on a new home will begin soon.

Four zoning permits were issued this month after approval from the Board of Adjustment and/or the Design Review Board as follows:

26 Stuyvesant Road - Additional solar modules to an existing array. The original permit was approved in 2015.

28 Hilltop Road - Replacement windows and new covered front entry. The project was approved by the Design Review Board.

61 Forest Road - New single family residence. A Variance for extension of deer fencing into the side yard setback and a Conditional Use Permit for a detached garage, deer fencing replacement and retaining walls approved by the Board of Adjustment. The project was also approved by the Design Review Board.

9 Holly Hill Road - Addition of a 7'x7' storage building. A Conditional Use Permit was approved by the Board of Adjustment.

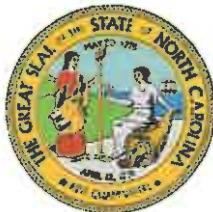
The Board of Adjustment will meet on August 26th at 4:00 p.m. at Town Hall to review two requests.

82 Chauncey Circle – A variance is requested for fencing around the perimeter of the property.

25 Park Road – A Conditional Use Permit is requested for construction of a detached garage. A variance is requested for location in the side/rear yard setbacks and for exceeding the maximum allowed roof coverage.

The Design Review Board will meet on August 29th at 5:30 at Town Hall to review the projects listed above as well as:

4 Ridgefield Place – New siding, new roof, and new entryway/front porch.



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

Kim H. Colson
Director

July 19, 2019

Mr. Jonathan Kanipe, Town Manager
Town of Biltmore Forest
PO Box 5352
Asheville, NC 28813

Subject: Letter of Intent to Fund
Greenwood Park Stream Restoration
April 2019 Application Cycle
Project No.: CS370872-01

Dear Mr. Kanipe:

The Division of Water Infrastructure has reviewed your application, and the State Water Infrastructure Authority has approved your project as eligible to receive funding. The Clean Water State Revolving Fund (CWSRF) loan amount will be \$292,600 at zero interest. A loan fee of 2% will be invoiced after bids have been received.

Please note that this intent to fund is contingent on approval of the loan through the Local Government Commission and on meeting **all** of the following milestones:

<u>Milestone</u>	<u>Date</u>
Engineering Report Submittal	December 2, 2019
Engineering Report Approval	May 1, 2020
Bid and Design Package Submittal	November 2, 2020
Bid and Design Package Approval	March 1, 2021
Advertise Project, Receive Bids, Submit Bid Information, and Receive Authority To Award	July 1, 2021
Execute Construction Contract(s)	August 2, 2021

The first milestone is the submittal of an Engineering Report by close of business on December 2, 2019. The Engineering Report must be developed using the guidance found on our website (<https://deq.nc.gov/about/divisions/water-infrastructure/i-have-funding/engineering-reportenvironmental-information>). **Failure to meet any milestone may result in the forfeiture of funding for the proposed project.**



Mr. Jonathan Kanipe, Town Manager

July 19, 2019

Page 2 of 2

Upon detailed review of the project during the funding process, it may be determined that portions of your project are not eligible for funding and the total funding amount may be reduced. Additionally, changes in the scope or priority points awarded – based on additional information that becomes apparent during project review – may also result in changes to the total funding amount and loan terms.

Davis-Bacon Requirements and American Iron and Steel Provisions

Projects funded through the State Revolving Fund (SRF) program must comply with Davis-Bacon wage requirements and American Iron and Steel provisions. You can find standard specifications covering these requirements on our website.

Brooks Act Compliance

Projects funded through the CWSRF program must comply with the federal Brooks Act for the selection of architectural and engineering services. SRF projects cannot be exempted from qualification-based selection of these services under N.C.G.S. 143-64.32. Any services provided that were not selected in compliance with federal requirements will be ineligible for reimbursement.

If you have questions, please contact Anita E. Robertson, PE, Wastewater Projects Unit Supervisor, at 919-707-9174.

Sincerely,



Vincent Jude Tomaino, PE, Acting Chief
State Revolving Fund Section

CC: Todd St.John, WithersRavenel, Cary
Catherine Renbarger, WithersRavenel, Raleigh
Anita E. Robertson, PE
Mark Hubbard, PE
Project File (COM_LOIF)



Monthly Financial Report

JULY 2019

CASH ACCOUNTS

First Citizens Money Market Checking	495,106.32
NCCMT General Fund Term	2,384,793.29
NCCMT General Fund Government	712,068.60
NCCMT Water Fund Government	96,434.70
TOTAL	3,688,402.91

FIRST CITIZENS CHECKING (Monthly Transaction Report)

Beginning Balance	496,701.66
Cleared Checks	(516,991.93)
Cleared Deposits	117,921.03
Cleared Credits	808,401.72
Cleared Debits	(171,353.79)
Cleared E-payments	(219,145.19)
Change in Account Balance	18,831.84
Prelim balance	515,533.50
Outstanding Items	(20,427.18)
Ending Balance (F/L Balance)	495,106.32

NORTH CAROLINA CASH MANAGEMENT TRUST

GENERAL FUND Government

Beginning Balance	1,416,936.44
Local Gov't Distribution (NCDOR)	93,282.41
Transfer to First Citizens Checking	(800,000.00)
Interest Earned	1,849.75
Ending Balance	712,068.60

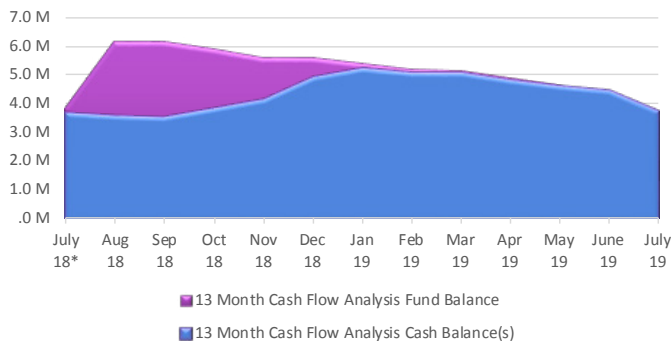
GENERAL FUND Term

Beginning Balance	2,380,176.25
Interest Earned	4,617.04
Ending Balance	2,384,793.29

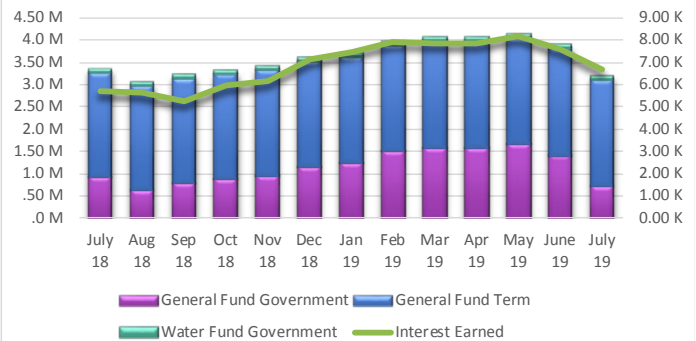
WATER FUND Government

Beginning Balance	96,253.21
Interest Earned	181.49
Ending Balance	96,434.70

13 Month Cash Flow



Investment Balances



2019 TAXES

The Annual Tax Settlement and Order for Collection for 2019 and Prior Year Taxes are included as separate documents with this report. The Town anticipates receiving the 2019 tax scroll from Buncombe County on or after August 15th. It will take approximately 10-14 days to enter the data from the scroll and generate the Town tax bills.

REVENUE & EXPENDITURE STATEMENT FOR 10 GENERAL FUND

Town of Biltmore Forest

07/01/2019 To 07/31/2019

FY 2019-2020

	Current Period (\$)	YTD (\$)	Encumbrance (\$)	Budget (\$)	% Used	
10 General Fund						
Revenue						
3010 Ad Valorem Tax Subtotal	\$8,376.45	\$8,376.45	\$0.00	\$2,697,389.00	0	
3020 Unrestricted Intergovernm Subtotal	\$93,282.41	\$93,282.41	\$0.00	\$1,367,252.00	7	
3030 Restricted Intergovernmen Subtotal	\$0.00	\$0.00	\$0.00	\$63,450.00	0	
3040 Permits & Fees Subtotal	\$2,551.00	\$2,551.00	\$0.00	\$26,500.00	10	
3050 Investment Earnings Subtotal	\$6,492.06	\$6,492.06	\$0.00	\$59,953.00	11	
3060 Miscellaneous Subtotal	\$491.00	\$491.00	\$0.00	\$43,000.00	1	
Revenue Subtotal	\$111,192.92	\$111,192.92	\$0.00	\$4,257,544.00	3	
Expenditure						
4200 Administration Subtotal	\$35,191.20	\$35,191.20	\$0.00	\$428,816.00	8	
4300 Subtotal	\$146.75	\$146.75	\$0.00	\$36,728.00	0	
5100 Police Department Subtotal	\$109,056.65	\$109,056.65	\$5,705.00	\$1,539,625.00	7	
5200 Fire Services Subtotal	\$106,250.00	\$106,250.00	\$0.00	\$425,000.00	25	
5600 Public Works Subtotal	\$32,377.38	\$32,377.38	\$1,059.30	\$914,157.00	4	
5700 Streets & Transportation Subtotal	\$11,687.80	\$11,687.80	\$321.00	\$351,678.00	3	
5800 Sanitation & Recycling Subtotal	\$15,211.67	\$15,211.67	\$0.00	\$292,704.00	5	
6600 General Government Subtotal	\$87,268.61	\$87,268.61	\$0.00	\$349,400.00	25	
6700 Debt Service Subtotal	\$8,928.75	\$8,928.75	\$0.00	\$195,436.00	5	
Expenditure Subtotal	\$406,118.81	\$406,118.81	\$7,085.30	\$4,533,544.00	9	
Before Transfers	Deficiency Of Revenue Subtotal	-\$294,925.89	-\$294,925.89	-\$7,085.30	-\$276,000.00	109
Other Financing Source						
3500 Other Financing Subtotal	\$0.00	\$0.00	\$0.00	\$276,000.00	0	
Other Financing Source Subtotal	\$0.00	\$0.00	\$0.00	\$276,000.00	0	
After Transfers	Deficiency Of Revenue Subtotal	-\$294,925.89	-\$294,925.89	-\$7,085.30	\$0.00	0

REVENUE & EXPENDITURE STATEMENT FOR 30 WATER & SEWER

Town of Biltmore Forest

07/01/2019 To 07/31/2019

FY 2019-2020

	Current Period (\$)	YTD (\$)	Encumbrance (\$)	Budget (\$)	% Used	
30 Water & Sewer Fund						
Revenue						
3290 Subtotal	\$181.49	\$181.49	\$0.00	\$1,500.00	12	
3350 Commissions, Sw Chg Coll Subtotal	\$1,587.20	\$1,587.20	\$0.00	\$8,000.00	20	
3710 Water Sales Subtotal	-\$951.53	-\$951.53	\$0.00	\$698,904.00	0	
3730 Water Tap & Connect Fees Subtotal	\$6,060.00	\$6,060.00	\$0.00	\$6,000.00	101	
Revenue Subtotal	\$6,877.16	\$6,877.16	\$0.00	\$714,404.00	1	
Expenditure						
8100 Water Dept. Subtotal	\$20,254.59	\$20,254.59	\$12,294.30	\$714,404.00	5	
Expenditure Subtotal	\$20,254.59	\$20,254.59	\$12,294.30	\$714,404.00	5	
Before Transfers	Deficiency Of Revenue Subtotal	-\$13,377.43	-\$13,377.43	-\$12,294.30	\$0.00	0
After Transfers	Deficiency Of Revenue Subtotal	-\$13,377.43	-\$13,377.43	-\$12,294.30	\$0.00	0

REVENUE & EXPENDITURE STATEMENT FOR 40 CAPITAL PROJECT

Town of Biltmore Forest

07/01/2019 To 07/31/2019

FY 2019-2020

	Current Period (\$)	YTD (\$)	Encumbrance (\$)	Budget (\$)	% Used	
40 Capital Project Fund						
Revenue						
4000 Subtotal	\$0.00	\$0.00	\$0.00	\$961,857.00	0	
Revenue Subtotal	\$0.00	\$0.00	\$0.00	\$961,857.00	0	
Expenditure						
5600 Public Works Subtotal	\$255.93	\$255.93	\$0.00	\$961,857.00	0	
Expenditure Subtotal	\$255.93	\$255.93	\$0.00	\$961,857.00	0	
Before Transfers	Deficiency Of Revenue Subtotal	-\$255.93	-\$255.93	\$0.00	\$0.00	0
After Transfers	Deficiency Of Revenue Subtotal	-\$255.93	-\$255.93	\$0.00	\$0.00	0

REVENUE & EXPENDITURE STATEMENT FOR 10 GENERAL FUND

Town of Biltmore Forest

07/01/2019 To 07/31/2019

FY 2019-2020

Account	Current Period (\$)	YTD (\$)	Encumbrance (\$)	Budget (\$)	% Used
10 General Fund					
Revenue					
3010 Ad Valorem Tax					
10-3010-0000 AD VALOREM TAXES (PROPERTY)	0.00	0.00	0.00	2,593,341.00	0
10-3010-0100 AD VALOREM TAXES (DMV)	8,376.45	8,376.45	0.00	101,548.00	8
10-3010-0200 TAX INTEREST & PENALTIES	0.00	0.00	0.00	2,500.00	0
3010 Ad Valorem Tax Subtotal	\$8,376.45	\$8,376.45	\$0.00	\$2,697,389.00	0
3020 Unrestricted Intergovernm					
10-3020-0000 FRANCHISE & UTILITIES TAX DIST.	0.00	0.00	0.00	215,488.00	0
10-3020-0100 ALCOHOL BEVERAGE TAX	0.00	0.00	0.00	6,000.00	0
10-3020-0200 BUNCOMBE COUNTY 1% TAX	48,275.50	48,275.50	0.00	597,047.00	8
10-3020-0300 1/2 CENT SALES TAX A.40	19,615.71	19,615.71	0.00	232,530.00	8
10-3020-0400 1/2 CENT SALES TAX A.42	25,391.20	25,391.20	0.00	312,187.00	8
10-3020-0700 GASOLINE TAX REFUND	0.00	0.00	0.00	4,000.00	0
3020 Unrestricted Intergovernm Subtotal	\$93,282.41	\$93,282.41	\$0.00	\$1,367,252.00	7
3030 Restricted Intergovernmen					
10-3030-0000 SOLID WASTE DISPOSAL TAX	0.00	0.00	0.00	950.00	0
10-3030-0100 POWELL BILL	0.00	0.00	0.00	62,500.00	0
3030 Restricted Intergovernmen Subtotal	\$0.00	\$0.00	\$0.00	\$63,450.00	0
3040 Permits & Fees					
10-3040-0000 BUILDING PERMITS	2,546.00	2,546.00	0.00	25,000.00	10
10-3040-0100 DOG LICENSE FEE	5.00	5.00	0.00	1,500.00	0
3040 Permits & Fees Subtotal	\$2,551.00	\$2,551.00	\$0.00	\$26,500.00	10
3050 Investment Earnings					
10-3050-0000 INTEREST EARNED	6,492.06	6,492.06	0.00	59,953.00	11
3050 Investment Earnings Subtotal	\$6,492.06	\$6,492.06	\$0.00	\$59,953.00	11
3060 Miscellaneous					
10-3060-0100 AMERICAN TOWER AGREEMENT	400.00	400.00	0.00	28,000.00	1
10-3060-0200 MISCELLANEOUS	91.00	91.00	0.00	15,000.00	1
3060 Miscellaneous Subtotal	\$491.00	\$491.00	\$0.00	\$43,000.00	1
Revenue Subtotal	\$111,192.92	\$111,192.92	\$0.00	\$4,257,544.00	3
Expenditure					
4200 Administration					
10-4200-0200 SALARIES	19,012.49	19,012.49	0.00	215,249.00	9
10-4200-0300 OVERTIME	0.00	0.00	0.00	1,000.00	0
10-4200-0500 FICA	1,398.66	1,398.66	0.00	16,543.00	8
10-4200-0600 HEALTH INSURANCE (MEDICAL)	2,503.42	2,503.42	0.00	25,852.00	10
10-4200-0650 DENTAL, VISION, LIFE INSURANCE	412.56	412.56	0.00	4,361.00	9
10-4200-0675 HEALTH REIMBURSEMENT ACC	375.00	375.00	0.00	3,750.00	10
10-4200-0700 LGERS RETIREMENT	2,940.20	2,940.20	0.00	33,299.00	9
10-4200-0800 401K SUPP RETIREMENT	950.95	950.95	0.00	10,762.00	9
10-4200-1000 ACCOUNTING & TAXES	2,200.00	2,200.00	0.00	45,000.00	5
10-4200-1200 POSTAGE, PRINTING, STATIONARY	295.75	295.75	0.00	5,000.00	6

REVENUE & EXPENDITURE STATEMENT FOR 10 GENERAL FUND

Town of Biltmore Forest

07/01/2019 To 07/31/2019

FY 2019-2020

Account	Current Period (\$)	YTD (\$)	Encumbrance (\$)	Budget (\$)	% Used
10-4200-1400 MILEAGE & BOARD SALARY	3,600.00	3,600.00	0.00	22,000.00	16
10-4200-3300 SUPPLIES AND EQUIPMENT	597.49	597.49	0.00	5,000.00	12
10-4200-5300 DUES & FEES	341.00	341.00	0.00	5,000.00	7
10-4200-5700 MISCELLANEOUS	0.00	0.00	0.00	1,000.00	0
10-4200-6500 STAFF DEVELOPMENT	563.68	563.68	0.00	15,000.00	4
10-4200-6600 CAPITAL IMPROVEMENT & AMORT	0.00	0.00	0.00	20,000.00	0
4200 Administration Subtotal	\$35,191.20	\$35,191.20	\$0.00	\$428,816.00	8
4300					
10-4300-1000 CONTRACT	0.00	0.00	0.00	34,128.00	0
10-4300-1200 POSTAGE, PRINTING & STATIONARY	146.75	146.75	0.00	1,500.00	10
10-4300-3300 SUPPLIES & EQUIPMENT	0.00	0.00	0.00	500.00	0
10-4300-5300 DUES & FEES	0.00	0.00	0.00	100.00	0
10-4300-6500 STAFF DEVELOPMENT	0.00	0.00	0.00	500.00	0
4300 Subtotal	\$146.75	\$146.75	\$0.00	\$36,728.00	0
5100 Police Department					
10-5100-0200 SALARIES	57,865.76	57,865.76	0.00	861,265.00	7
10-5100-0300 OVERTIME	7,980.99	7,980.99	0.00	42,000.00	19
10-5100-0400 SEPARATION ALLOWANCE	2,355.18	2,355.18	0.00	40,022.00	6
10-5100-0500 FICA	5,060.85	5,060.85	0.00	69,100.00	7
10-5100-0550 UNEMPLOYMENT INSURANCE	0.00	0.00	0.00	500.00	0
10-5100-0600 HEALTH INSURANCE (MEDICAL)	10,111.46	10,111.46	0.00	139,380.00	7
10-5100-0650 DENTAL, VISION, LIFE INSURANCE	1,142.56	1,142.56	0.00	19,358.00	6
10-5100-0675 HRA HEALTH REIMB ACCT	1,750.00	1,750.00	0.00	24,000.00	7
10-5100-0700 LGERS RETIREMENT	10,266.27	10,266.27	0.00	141,112.00	7
10-5100-0800 401K SUPP RETIREMENT	3,239.54	3,239.54	0.00	43,888.00	7
10-5100-1500 MAINT/REPAIR - BLDG/GROUNDS	0.00	0.00	0.00	10,000.00	0
10-5100-1600 MAINT/REPAIR - EQUIPMENT	0.00	0.00	0.00	15,000.00	0
10-5100-1700 MAINT/REPAIR - VEHICLES	0.00	0.00	1,841.83	20,000.00	9
10-5100-3100 MOTOR FUELS	962.94	962.94	0.00	18,000.00	5
10-5100-3300 SUPPLIES	356.67	356.67	0.00	10,000.00	4
10-5100-3600 UNIFORMS	0.00	0.00	1,471.25	12,500.00	12
10-5100-3700 TECHNOLOGY & SOFTWARE	2,590.50	2,590.50	0.00	15,000.00	17
10-5100-5700 MISCELLANEOUS	5,309.05	5,309.05	0.00	7,000.00	76
10-5100-5800 PHYSICAL EXAMS	0.00	0.00	0.00	1,500.00	0
10-5100-6500 STAFF DEVELOPMENT	64.88	64.88	535.00	15,000.00	4
10-5100-7400 EQUIPMENT PURCHASES	0.00	0.00	1,856.92	35,000.00	5
5100 Police Department Subtotal	\$109,056.65	\$109,056.65	\$5,705.00	\$1,539,625.00	7
5200 Fire Services					
10-5200-0000 FIRE CONTRACT	106,250.00	106,250.00	0.00	425,000.00	25
5200 Fire Services Subtotal	\$106,250.00	\$106,250.00	\$0.00	\$425,000.00	25
5600 Public Works					
10-5600-0200 SALARIES	19,751.97	19,751.97	0.00	293,310.00	7
10-5600-0300 OVERTIME	1,498.73	1,498.73	0.00	10,000.00	15

REVENUE & EXPENDITURE STATEMENT FOR 10 GENERAL FUND

Town of Biltmore Forest

07/01/2019 To 07/31/2019

FY 2019-2020

Account	Current Period (\$)	YTD (\$)	Encumbrance (\$)	Budget (\$)	% Used
10-5600-0500 FICA	1,626.34	1,626.34	0.00	23,203.00	7
10-5600-0600 HOSPITAL INSURANCE (MEDICAL)	2,599.56	2,599.56	0.00	39,628.00	7
10-5600-0650 DENTAL, VISION, LIFE INSURANCE	337.50	337.50	0.00	5,479.00	6
10-5600-0675 HRA HEALTH REIMB ACCT	500.00	500.00	0.00	7,500.00	7
10-5600-0700 LGERS RETIREMENT	3,234.36	3,234.36	0.00	46,922.00	7
10-5600-0800 401K SUPP RETIREMENT	1,062.97	1,062.97	0.00	15,165.00	7
10-5600-1000 OUTSIDE SERVICES	0.00	0.00	0.00	10,000.00	0
10-5600-1300 STREETLIGHTS ELECTRIC	573.99	573.99	0.00	7,000.00	8
10-5600-1500 MAINT/REPAIR - BLDG/GROUNDS	0.00	0.00	0.00	5,000.00	0
10-5600-1600 MAINT/REPAIR- STREETLIGHTS	0.00	0.00	1,059.30	10,000.00	11
10-5600-1700 MAINT/REPAIR - VEHICLES	0.00	0.00	0.00	20,000.00	0
10-5600-3100 MOTOR FUELS	770.35	770.35	0.00	15,000.00	5
10-5600-3300 SUPPLIES	399.25	399.25	0.00	10,000.00	4
10-5600-3400 STREET SIGNS & NUMBERS	22.36	22.36	0.00	1,000.00	2
10-5600-3600 UNIFORMS	0.00	0.00	0.00	10,000.00	0
10-5600-5200 PARKS	0.00	0.00	0.00	30,000.00	0
10-5600-5201 GREENWOOD PARK	0.00	0.00	0.00	324,950.00	0
10-5600-5900 MISCELLANEOUS	0.00	0.00	0.00	5,000.00	0
10-5600-6000 CAPITAL OUTLAY	0.00	0.00	0.00	20,000.00	0
10-5600-6500 STAFF DEVELOPMENT	0.00	0.00	0.00	5,000.00	0
5600 Public Works Subtotal	\$32,377.38	\$32,377.38	\$1,059.30	\$914,157.00	4
5700 Streets & Transportation					
10-5700-0200 SALARIES	3,297.83	3,297.83	0.00	49,898.00	7
10-5700-0300 OVERTIME	0.00	0.00	0.00	5,000.00	0
10-5700-0500 FICA	252.30	252.30	0.00	3,817.00	7
10-5700-0600 HEALTH INSURANCE (MEDICAL)	568.64	568.64	0.00	7,086.00	8
10-5700-0650 DENTAL, VISION, LIFE INSURANCE	52.42	52.42	0.00	664.00	8
10-5700-0675 HRA HEALTH REIMB ACCT	125.00	125.00	0.00	1,500.00	8
10-5700-0700 LGERS RETIREMENT	501.93	501.93	0.00	7,718.00	7
10-5700-0800 401K SUPP RETIREMENT	164.89	164.89	0.00	2,495.00	7
10-5700-1700 VEHICLE REPAIRS - STREET DEPT.	0.00	0.00	0.00	10,000.00	0
10-5700-2200 CONTRACTS- PAVING & STRIPING	5,300.00	5,300.00	0.00	80,000.00	7
10-5700-2300 SUPPLIES	192.57	192.57	0.00	20,500.00	1
10-5700-2400 TRAFFIC SIGNS	433.47	433.47	0.00	5,000.00	9
10-5700-2500 STORM WATER DRAINAGE	0.00	0.00	321.00	100,000.00	0
10-5700-6500 STAFF DEVELOPMENT	0.00	0.00	0.00	1,000.00	0
10-5700-7400 EQUIPMENT PURCHASES	0.00	0.00	0.00	7,000.00	0
10-5700-7500 ENGINEERING	798.75	798.75	0.00	50,000.00	2
5700 Streets & Transportation Subtotal	\$11,687.80	\$11,687.80	\$321.00	\$351,678.00	3
5800 Sanitation & Recycling					
10-5800-0200 SALARIES	7,420.91	7,420.91	0.00	105,855.00	7
10-5800-0300 OVERTIME	107.18	107.18	0.00	10,000.00	1
10-5800-0500 FICA	575.95	575.95	0.00	8,863.00	6
10-5800-0600 HEALTH INSURANCE (MEDICAL)	1,680.92	1,680.92	0.00	31,202.00	5

REVENUE & EXPENDITURE STATEMENT FOR 10 GENERAL FUND

Town of Biltmore Forest

07/01/2019 To 07/31/2019

FY 2019-2020

Account	Current Period (\$)	YTD (\$)	Encumbrance (\$)	Budget (\$)	% Used	
10-5800-0650 DENTAL,VISION, LIFE INSURANCE	154.74	154.74	0.00	4,068.00	4	
10-5800-0675 HRA HEALTH REIMB ACCT	375.00	375.00	0.00	4,500.00	8	
10-5800-0700 LGERS RETIREMENT	1,145.79	1,145.79	0.00	17,923.00	6	
10-5800-0800 401K SUPP RETIREMENT	376.39	376.39	0.00	5,793.00	6	
10-5800-1700 MAINT/REPAIRS - VEHICLES	0.00	0.00	0.00	15,000.00	0	
10-5800-3100 MOTOR FUELS	986.80	986.80	0.00	17,500.00	6	
10-5800-3300 SUPPLIES	61.05	61.05	0.00	1,000.00	6	
10-5800-5900 MISCELLANEOUS	0.00	0.00	0.00	1,000.00	0	
10-5800-8000 TIPPING FEES & BRUSH REMOVAL	2,326.94	2,326.94	0.00	55,000.00	4	
10-5800-8100 RECYCLING	0.00	0.00	0.00	15,000.00	0	
5800 Sanitation & Recycling Subtotal	\$15,211.67	\$15,211.67	\$0.00	\$292,704.00	5	
6600 General Government						
10-6600-0401 LEGAL SERVICES	0.00	0.00	0.00	40,000.00	0	
10-6600-1100 TECHNOLOGY	6,241.82	6,241.82	0.00	85,000.00	7	
10-6600-1300 MUNICIPAL UTILITIES	1,241.28	1,241.28	0.00	16,881.00	7	
10-6600-1500 GE. REPS. AND MAINT.	986.31	986.31	0.00	20,000.00	5	
10-6600-2800 ELECTIONS	0.00	0.00	0.00	100.00	0	
10-6600-3300 SUPPLIES & EQUIPMENT	0.00	0.00	0.00	2,000.00	0	
10-6600-5400 INSURANCE	75,227.23	75,227.23	0.00	80,000.00	94	
10-6600-6000 CONTINGENCY	0.00	0.00	0.00	4,919.00	0	
10-6600-6100 MISCELLANEOUS	545.00	545.00	0.00	10,000.00	5	
10-6600-6301 4TH OF JULY	3,026.97	3,026.97	0.00	15,000.00	20	
10-6600-6302 NATIONAL NIGHT OUT	0.00	0.00	0.00	5,000.00	0	
10-6600-6303 HOLIDAY LIGHTING	0.00	0.00	0.00	2,500.00	0	
10-6600-6304 ARBOR DAY EVENT	0.00	0.00	0.00	3,000.00	0	
10-6600-6400 WILDLIFE MANAGEMENT	0.00	0.00	0.00	5,000.00	0	
10-6600-6500 FOREST MANAGEMENT	0.00	0.00	0.00	60,000.00	0	
6600 General Government Subtotal	\$87,268.61	\$87,268.61	\$0.00	\$349,400.00	25	
6700 Debt Service						
10-6700-0100 Police Dept Renovations-Principal	5,833.33	5,833.33	0.00	23,333.00	25	
10-6700-0200 Street Improvements-Principal	1,666.67	1,666.67	0.00	6,667.00	25	
10-6700-0400 2017 Garbage Truck-Principal	0.00	0.00	0.00	34,327.00	0	
10-6700-0500 Public Works Building-Principal	0.00	0.00	0.00	84,211.00	0	
10-6700-1100 Police Dept Renovations-Interest	1,111.25	1,111.25	0.00	4,112.00	27	
10-6700-1200 Street Improvements-Interest	317.50	317.50	0.00	1,175.00	27	
10-6700-1400 2017 Garbage Truck-Interest	0.00	0.00	0.00	1,625.00	0	
10-6700-1500 Public Works Building-Interest	0.00	0.00	0.00	39,986.00	0	
6700 Debt Service Subtotal	\$8,928.75	\$8,928.75	\$0.00	\$195,436.00	5	
Expenditure Subtotal	\$406,118.81	\$406,118.81	\$7,085.30	\$4,533,544.00	9	
Before Transfers	Deficiency Of Revenue Subtotal	-\$294,925.89	-\$294,925.89	-\$7,085.30	-\$276,000.00	109
Other Financing Source						
3500 Other Financing						
10-3500-0000 SALE OF PERSONAL PROPERTY	0.00	0.00	0.00	15,000.00	0	

REVENUE & EXPENDITURE STATEMENT FOR 10 GENERAL FUND

Town of Biltmore Forest

07/01/2019 To 07/31/2019

FY 2019-2020

Account	Current Period (\$)	YTD (\$)	Encumbrance (\$)	Budget (\$)	% Used	
10-3500-0500 GRANT (GOVERNMENTAL) FUNDS	0.00	0.00	0.00	181,000.00	0	
10-3500-0600 DONATION (LAND)	0.00	0.00	0.00	80,000.00	0	
3500 Other Financing Subtotal	\$0.00	\$0.00	\$0.00	\$276,000.00	0	
Other Financing Source Subtotal	\$0.00	\$0.00	\$0.00	\$276,000.00	0	
After Transfers	Deficiency Of Revenue Subtotal	-\$294,925.89	-\$294,925.89	-\$7,085.30	\$0.00	0

REVENUE & EXPENDITURE STATEMENT FOR 30 WATER & SEWER

Town of Biltmore Forest

07/01/2019 To 07/31/2019

FY 2019-2020

Account	Current Period (\$)	YTD (\$)	Encumbrance (\$)	Budget (\$)	% Used
30 Water & Sewer Fund					
Revenue					
3290					
30-3290-0000 INTEREST EARNED	181.49	181.49	0.00	1,500.00	12
3290 Subtotal	\$181.49	\$181.49	\$0.00	\$1,500.00	12
3350 Commissions, Sw Chg Coll					
30-3350-0000 COMMISSIONS, SEWER CHARGE COLL	1,587.20	1,587.20	0.00	8,000.00	20
3350 Commissions, Sw Chg Coll Subtotal	\$1,587.20	\$1,587.20	\$0.00	\$8,000.00	20
3710 Water Sales					
30-3710-0000 WATER CHARGES	-216.91	-216.91	0.00	384,355.00	0
30-3710-0100 MSD CHARGES	-734.62	-734.62	0.00	306,849.00	0
30-3710-0200 AMI TRANSMITTER CHARGES	0.00	0.00	0.00	7,700.00	0
3710 Water Sales Subtotal	-\$951.53	-\$951.53	\$0.00	\$698,904.00	0
3730 Water Tap & Connect Fees					
30-3730-0000 WATER TAP AND CONNECTION FEES	6,060.00	6,060.00	0.00	6,000.00	101
3730 Water Tap & Connect Fees Subtotal	\$6,060.00	\$6,060.00	\$0.00	\$6,000.00	101
Revenue Subtotal	\$6,877.16	\$6,877.16	\$0.00	\$714,404.00	1
Expenditure					
8100 Water Dept.					
30-8100-0200 SALARIES	0.00	0.00	0.00	26,363.00	0
30-8100-0300 OVERTIME	0.00	0.00	0.00	1,200.00	0
30-8100-0400 PROFESSIONAL SERVICES	85.00	85.00	0.00	4,000.00	2
30-8100-0500 FICA	0.00	0.00	0.00	92.00	0
30-8100-0600 HEALTH INSURANCE (MEDICAL)	0.00	0.00	0.00	5,707.00	0
30-8100-0650 DENTAL, VISION, LIFE INSURANCE	0.00	0.00	0.00	884.00	0
30-8100-0675 HRA HEALTH REIMBURSEMENT ACCT	0.00	0.00	0.00	750.00	0
30-8100-0700 LGERS RETIREMENT	0.00	0.00	0.00	4,078.00	0
30-8100-0800 401K SUPP RETIREMENT	0.00	0.00	0.00	1,318.00	0
30-8100-1200 POSTAGE, PRINTING,& STATIONARY	0.00	0.00	0.00	5,000.00	0
30-8100-1500 GENERAL REPAIRS	0.00	0.00	288.90	10,000.00	3
30-8100-3300 SUPPLIES & EQUIPMENT	133.80	133.80	12,005.40	10,000.00	121
30-8100-4800 WATER PURCHASES	19,954.67	19,954.67	0.00	239,636.00	8
30-8100-4900 SEWER PURCHASES	0.00	0.00	0.00	309,259.00	0
30-8100-5000 AMI TRANSMITTER FEES	0.00	0.00	0.00	7,700.00	0
30-8100-5700 MISCELLANEOUS	31.12	31.12	0.00	1,500.00	2
30-8100-6000 CAPITAL RESERVE	0.00	0.00	0.00	5,000.00	0
30-8100-6500 STAFF DEVELOPMENT	50.00	50.00	0.00	81,917.00	0
8100 Water Dept. Subtotal	\$20,254.59	\$20,254.59	\$12,294.30	\$714,404.00	5
Expenditure Subtotal	\$20,254.59	\$20,254.59	\$12,294.30	\$714,404.00	5
Before Transfers	Deficiency Of Revenue Subtotal	-\$13,377.43	-\$13,377.43	-\$12,294.30	\$0.00
After Transfers	Deficiency Of Revenue Subtotal	-\$13,377.43	-\$13,377.43	-\$12,294.30	\$0.00

REVENUE & EXPENDITURE STATEMENT FOR 40 CAPITAL PROJECT

Town of Biltmore Forest

07/01/2019 To 07/31/2019

FY 2019-2020

Account	Current Period (\$)	YTD (\$)	Encumbrance (\$)	Budget (\$)	% Used
40 Capital Project Fund					
Revenue					
4000					
40-4000-0000 FUND BALANCE	0.00	0.00	0.00	719,250.00	0
40-4000-1000 INSTALLMENT FINANCING	0.00	0.00	0.00	242,607.00	0
4000 Subtotal	\$0.00	\$0.00	\$0.00	\$961,857.00	0
Revenue Subtotal	\$0.00	\$0.00	\$0.00	\$961,857.00	0
Expenditure					
5600 Public Works					
40-5600-1000 DESIGN (ARCHITECTURAL SERVICES)	0.00	0.00	0.00	10,267.00	0
40-5600-2000 CONSTRUCTION (CONST MGR AT RISK)	255.93	255.93	0.00	951,590.00	0
5600 Public Works Subtotal	\$255.93	\$255.93	\$0.00	\$961,857.00	0
Expenditure Subtotal	\$255.93	\$255.93	\$0.00	\$961,857.00	0
Before Transfers	Deficiency Of Revenue Subtotal	-\$255.93	-\$255.93	\$0.00	0
After Transfers	Deficiency Of Revenue Subtotal	-\$255.93	-\$255.93	\$0.00	0

355 Vanderbilt Rd | Biltmore Forest, NC
Po Box 5352 | Biltmore Forest, NC 28803
P (828) 274-0824 | F (828) 274-8131
www.biltmoreforest.org



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

Jonathan B. Kanipe,
Town Manager

MEMORANDUM

To: Mayor and Board of Commissioners

From: Jonathan Kanipe, Town Manager

Re: Consideration of Resolution 2019-07

Date: August 5, 2019

The attached resolution will permit the Town to sell, via GovDeals online auction, the 2012 Ford Explorer Interceptor. This Police Department vehicle is no longer operable.

If you have additional questions regarding this surplus sale, please let me know.

STATE OF NORTH CAROLINA)
COUNTY OF BUNCOMBE)

TOWN OF BILTMORE FOREST
BOARD OF COMMISSIONERS

RESOLUTION 2019-07

WHEREAS, the Board of Commissioners of the Town of Biltmore Forest desires to dispose of certain surplus property of the Town;

NOW, THEREFORE, BE IT RESOLVED by the Biltmore Forest Board of Commissioners that the following described property is hereby declared to be surplus to the needs of the Town of Biltmore Forest:

2012 Ford Explorer Interceptor
Mileage: 132,512
VIN: 1FM5K8AR0DGA42172

BE IT FURTHER RESOLVED that the Town Manager is authorized to receive on behalf of the Biltmore Forest Board of Commissioners bids at electronic auction for the purchase of the described property. The highest bid, if it complies with the terms of sale, may be accepted by the Town Manager and the sale consummated.

The Town Manager shall cause a notice of the electronic auction to be published in accordance with G.S. 160A-270(b).

This the 13th day of August, 2019.

George F. Goosmann, III
Mayor

Attest:

Jonathan B. Kanipe
Town Manager

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

Jonathan B. Kanipe,
Town Manager

MEMORANDUM

To: Mayor and Board of Commissioners
From: Jonathan Kanipe, Town Manager
Re: Consideration of FY19-20 Budget Amendment
Date: August 7, 2019

Background

The Board approved a budget for FY19-20 at their June meeting. Budget amendments are not typical for this early in the fiscal year, however, two projects that had undetermined costs are now known and need to be accounted for properly. The two projects were both reviewed and planned for by the Board during the FY20 budget process.

The first is the financing for three (3) new police vehicles. These vehicles will replace two (2) vehicles that experienced severe mechanical breakdowns at the conclusion of FY19 and the third is the police vehicle that was scheduled for replacement in FY20. The Town's plan is to finance \$85,000 of the vehicle cost with funds from the Police Department's equipment line item offsetting the difference. The Police Department did not receive grant funding for an electric powered motorcycle, for which \$7,000 was budgeted in FY20. This \$7,000 will now be utilized to offset the cost of the three new police vehicles. The budget amendment request (to match the financing proposals in the next agenda item) is for \$85,000.

The second project is the Greenwood Park stream restoration project. As noted in the Manager's Report, this project was approved for funding by the State Revolving Fund Section of the Department of Environmental Quality. The total amount funded, \$300,000, will be utilized for protection and restoration of riparian buffers in Greenwood Park. The budget amendment request reflects the \$300,000 loan award with anticipated construction cost to equal this amount.



FY 2019-2020 BUDGET ORDINANCE AMENDMENT

BE IT ORDAINED by the Governing Board of the Town of Biltmore Forest, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2020.

Section 1. To amend the General Fund Revenues as follows:

<u>Account #</u>	<u>Account Description</u>	<u>Increase</u>	<u>Decrease</u>
10-3500-1000	Installment Financing	85,000	0.00
10-3030-0200	Restricted Intergovernmental Loan	300,000.00	0.00
Net Increase in General Fund Revenues:		385,000.00	

Section 2. To amend the General Fund Expenditures as follows:

<u>Account #</u>	<u>Account Description</u>	<u>Increase</u>	<u>Decrease</u>
10-5100-7400	Equipment Purchases	85,000	0.00
	Greenwood Park Stream		
10-5600-5202	Restoration Project	300,000.00	0.00
Net Increase in General Fund Expenditures:		385,000.00	

Copies of this budget amendment shall be furnished to the Clerk, to the Governing Board, and to the Finance Officer for their direction.

Adopted this 13th day of August, 2019.

George F. Goosmann, III
Mayor

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

Jonathan B. Kanipe,
Town Manager

MEMORANDUM

To: Mayor and Board of Commissioners

From: Jonathan Kanipe, Town Manager

Re: Consideration of Resolution Approving Financing Terms

Date: August 7, 2019

Background

Town staff solicited bids from three (3) financial institutions for financing the purchase of three (3) new patrol vehicles. The requirements for the proposal included a three year term, initial payment to commence in FY21, and no prepayment penalty. The proposals received are listed below, along with their terms, annual payments, and full principal and interest cost. The full proposals from each finance institution are attached to this memo.

Financial Institution	Financed Amount	Financing Term	Interest Rate	Annual Payment	Full P&I Payment
BB&T	\$85,000.00	3 years	2.75%	\$29,905.76	\$89,717.28
Carolina Alliance	\$85,000.00	3 years	2.96%	Not Available	Not Available
First Citizens	\$85,000.00	3 years	3.29%	\$30,217.78	\$90,653.34

Based upon the proposals submitted, staff recommends financing this purchase with BB&T. The Town currently has several successful loans financed through BB&T's governmental finance division, including the Public Works building renovation project. I have attached the resolution for awarding the bid to BB&T if the Board approves. Please let me know if you have any questions.

STATE OF NORTH CAROLINA)
)
COUNTY OF BUNCOMBE)

**TOWN OF BILTMORE FOREST
BOARD OF COMMISSIONERS**

RESOLUTION 2019-08

WHEREAS The Town of Biltmore Forest (the "Town") has previously determined to undertake a project for the financing of police vehicles, (the "Project"), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Town hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated July 25, 2019. The amount financed shall not exceed \$85,000.00, the annual interest rate shall not exceed 2.75% and the financing term shall not exceed three (3) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and a Project Fund Agreement as BB&T may request.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The Town shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The Town hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section.

5. The Town intends that the adoption of this resolution will be a declaration of the Town's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The Town intends that funds that have been advanced, or that may be advanced, from the Town's general fund, or any other Town fund related to the project, for project costs may be reimbursed from the financing proceeds.
6. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

This the 13th day of August, 2019.

George F. Goosmann, III
Mayor

Attest:

Jonathan B. Kanipe
Town Manager

SEAL



Branch Banking & Trust Company

Governmental Finance

5130 Parkway Plaza Boulevard
Charlotte, North Carolina 28217
Phone (704) 954-1700
Fax (704) 954-1799

July 25, 2019

Mr. Jonathan Kanipe
TOWN OF BILTMORE FOREST, NC
355 Vanderbilt Rd.
BILTMORE FOREST, NC 28803

Dear Mr. Kanipe:

Branch Banking and Trust Company ("BB&T") is pleased to offer this proposal for the financing requested by the TOWN OF BILTMORE FOREST, NC ("Borrower").

PROJECT:	Police Vehicles
AMOUNT:	\$85,000.00
TERM OR MATURITY DATE:	3 years
INTEREST RATE:	2.75%
TAX STATUS:	Tax Exempt-Bank Qualified
PAYMENTS:	<u>Interest:</u> Annual, in arrears <u>Principal:</u> Annual, in arrears
INTEREST RATE CALCULATION:	30/360
SECURITY:	Vehicles and Equipment
PREPAYMENT TERMS:	Prepayable in whole at any time without penalty
RATE EXPIRATION:	September 6, 2019
DOCUMENTATION/ LEGAL REVIEW FEE:	N/A
FUNDING:	Proceeds will be deposited into an account held at BB&T pending disbursement unless equipment is delivered prior to closing.

DOCUMENTATION: BB&T proposes to use its standard form financing contracts and related documents for this installment financing. We shall provide a sample of those documents to you should BB&T be the successful proposer. In the event that the Borrower's counsel prepares documentation, all documentation must be deemed acceptable to BB&T and its counsel.

REPORTING

REQUIREMENTS: BB&T will require financial statements to be delivered within 270 days after the conclusion of each fiscal year-end throughout the term of the financing.

Should we become the successful proposer, we have attached the form of a resolution that your governing board can use to award the financing to BB&T. If your board adopts this resolution, then BB&T shall not require any further board action prior to closing the transaction.

BB&T shall have the right to cancel this offer by notifying the Borrower of its election to do so (whether or not this offer has previously been accepted by the Borrower) if at any time prior to the closing there is a material adverse change in the Borrower's financial condition, if we discover adverse circumstances of which we are currently unaware, if we are unable to agree on acceptable documentation with the Borrower or if there is a change in law (or proposed change in law) that changes the economic effect of this financing to BB&T.

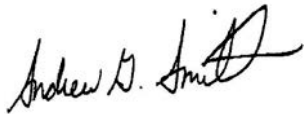
Costs of counsel for the Borrower and any other costs will be the responsibility of the Borrower.

The stated interest rate assumes that the Borrower expects to borrow no more than \$10,000,000 in the current calendar year and that the financing will qualify as qualified tax-exempt financing under the Internal Revenue Code. BB&T reserves the right to terminate this bid or to negotiate a mutually acceptable interest rate if the financing is not qualified tax-exempt financing.

BB&T appreciates the opportunity to offer this financing proposal. Please call me at (803) 251-1328 with your questions and comments. We look forward to hearing from you.

Sincerely,

Branch Banking & Trust Company

A handwritten signature in black ink, appearing to read "Andrew G. Smith", with a stylized flourish at the end.

Andrew G. Smith
Senior Vice President

Resolution Approving Financing Terms

WHEREAS: The TOWN OF BILTMORE FOREST, NC ("City") has previously determined to undertake a project for the financing of police vehicles, and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The City hereby determines to finance the Project through Branch Banking and Trust Company ("BB&T"), in accordance with the proposal dated July 25, 2019. The amount financed shall not exceed \$85,000 the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.75%, and the financing term shall not exceed three (3) years from closing.

2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The City intends that the adoption of this resolution will be a declaration of the City's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The City intends that funds that have been advanced, or that may be advanced, from the City's general fund or any other City fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this _____ day of _____, 2019

By: _____

By: _____

Title: _____

Title: _____

SEAL

Biltmore Forest, NC Estimated Payment Schedule

Nominal Annual Rate: 2.750%

	Event	Date	Amount	Number	Period	End Date
1	Loan	7/22/2019	85,000.00	1		
2	Payment	7/22/2020	29,905.76	3	Annual	7/22/2022

AMORTIZATION SCHEDULE - Normal Amortization, 360 Day Year

	Date	Payment	Interest	Principal	Balance
Loan	7/22/2019				85,000.00
2020 Totals		0.00	0.00	0.00	
1	7/22/2020	29,905.76	2,337.50	27,568.26	57,431.74
2021 Totals		29,905.76	2,337.50	27,568.26	
2	7/22/2021	29,905.76	1,579.37	28,326.39	29,105.35
2022 Totals		29,905.76	1,579.37	28,326.39	
3	7/22/2022	29,905.76	800.41	29,105.35	0.00
2023 Totals		29,905.76	800.41	29,105.35	
Grand Totals		89,717.28	4,717.28	85,000.00	



August 1, 2019

Mr. Jonathan Kanipe
Town Manager
Town of Biltmore Forest
355 Vanderbilt Road
Biltmore Forest, NC 28803

*Re: RFP Financing Request Proposal
Vehicle Purchase*

Dear Mr. Kanipe:

Carolina Alliance Bank is pleased to submit this proposal for financing for the purchase of three new police vehicles in order to meet needs of the Town of Biltmore Forest, NC. The terms and conditions of our proposal are outlined below.

BORROWER: Town of Biltmore Forest, NC
Attention: Mr. Jonathan Kanipe, Town Manager
355 Vanderbilt Road
Biltmore Forest, NC 28803

LENDER: Carolina Alliance Bank
1127 Hendersonville Road
Biltmore Forest, NC 28803

COLLATERAL: 1st lien on 2 Ford AWD Interceptors and 1 sedan.

FINANCED AMOUNT: \$85,000.

DATE OF CLOSING: TBD.

TERM: Three years.

FIXED INTEREST RATE OPTIONS: Tax exempt rate of 2.96%. This rate is guaranteed through August 31, 2019.

REPAYMENT TERMS: Three annual principal and interest payments, with the initial payment in August, 2020.

PREPAYMENT: Prepayment of the loan will be at the discretion of the Town of Biltmore Forest and without penalty.

FEES: No Bank closing costs.

ACCEPTANCE: The terms of this proposal are available for your acceptance until August 14, 2019, after which time the terms offered are available subject only to the bank's extension of the proposal, in its sole discretion.

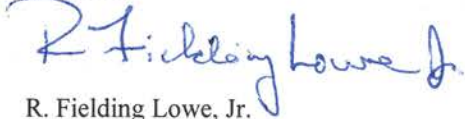


This letter is not intended to contain or describe all of the terms and conditions of the loan, nor does it constitute a loan commitment. Carolina Alliance Bank reserves the right to require such other terms and conditions as may be needed to affect the loan as contemplated. The loan is subject to the completion of due diligence and documentation satisfactory to the bank.

As a community bank located in your town, we are particularly pleased to be in a position to offer competitive loan financing terms to the Town of Biltmore Forest. It would be a privilege to provide this service.

Thank you for the opportunity to offer a proposal. Should you have any questions please contact Fielding Lowe, at 828-398-2182 or flowe@carolinaalliancebank.com.

Sincerely,

A handwritten signature in blue ink that reads "R. Fielding Lowe, Jr." with a stylized flourish at the end.

R. Fielding Lowe, Jr.
Senior Vice President





August 9, 2019

To: Jonathan Kanipe, Town Administrator

Re: Proposal for 2019 Installment Purchase Contract, Town of Biltmore Forest, North Carolina

Dear Jonathan,

Following is our offer for the financing requested in the amount of \$85,000 to purchase a police vehicles:

Interest Rate	Final Maturity	Proposed Payment Structure
3.29% BQ	3 years	Annual principal & interest payments

This transaction can be closed using draft documents provided by First-Citizens Bank & Trust Company. In addition to executed transaction documents in form satisfactory to the Bank, you must provide an opinion of your attorney addressing certain matters, including, but not limited to:

1. The Installment Purchase Contract is valid, legal, binding, and enforceable;
2. The tax status of the interest component of payments due under the financing. The attorney's opinion must state that the borrowing is designated as a "qualified tax-exempt obligation" under Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended.

The borrowing entity must also designate the obligation as a "qualified tax-exempt obligation" prior to closing. It is recommended that this designation be included or recited in the borrowing ordinance/resolution. You or your advisors will be responsible for preparing and filing any IRS required documents.

The rate contained in this proposal is subject to change unless the loan is closed within 45 days of the date hereof. If you have any questions, please contact Courtney Dunlap at 803-931-1721 or me at 803-931-1723.

Thank you for the opportunity to submit this proposal.

First-Citizens Bank & Trust Company



By: Steve Groth
Director of Government Lending

The foregoing proposal is
accepted and approval of
rate and funding is requested:

Town of Biltmore Forest, North Carolina

By: _____

Title: _____

Date: _____

Town of Biltmore Forest 2019 IPC

Compounding Period: Annual

Nominal Annual Rate: 3.290%

Cash Flow Data - Loans and Payments

	Event	Date	Amount	Number	Period	End Date
1	Loan	09/18/2019	85,000.00	1		
2	Payment	09/18/2020	30,217.78	3	Annual	09/18/2022

TValue Amortization Schedule - Normal, 30E3/360

	Date	Payment	Interest	Principal	Balance
Loan	09/18/2019				85,000.00
2019 Totals		0.00	0.00	0.00	
1	09/18/2020	30,217.78	2,796.50	27,421.28	57,578.72
2020 Totals		30,217.78	2,796.50	27,421.28	
2	09/18/2021	30,217.78	1,894.34	28,323.44	29,255.28
2021 Totals		30,217.78	1,894.34	28,323.44	
3	09/18/2022	30,217.78	962.50	29,255.28	0.00
2022 Totals		30,217.78	962.50	29,255.28	
Grand Totals		90,653.34	5,653.34	85,000.00	

ANNUAL PERCENTAGE RATE	FINANCE CHARGE	Amount Financed	Total of Payments
The cost of your credit as a yearly rate.	The dollar amount the credit will cost you.	The amount of credit provided to you or on your behalf.	The amount you will have paid after you have made all payments as scheduled.
3.290%	\$5,653.34	\$85,000.00	\$90,653.34

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www.biltmoreforest.org



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

Jonathan B. Kanipe,
Town Manager

MEMORANDUM

To: Mayor and Board of Commissioners
From: Jonathan Kanipe, Town Manager
Re: Consideration of Tax Settlement for FY18-19
Date: August 5, 2019

Pursuant to N.C.G.S. 105-373, the attached Tax Settlement must be approved by the Board of Commissioners prior to ordering the collection of taxes for the coming year. Please let me know if you have any questions regarding this settlement.



TAX COLLECTOR ANNUAL SETTLEMENT FY 2018-2019

August 05, 2019

Pursuant to the provisions of NCGS 105-373, the following is the Tax Collector's Report of Settlement for 2018 taxes for Fiscal Year 2018-19 as of August 5th, 2019.

2018 Levy from Scroll (Real & Personal Property Tax)	2,512,400
Exemptions, Releases & Deferrals	(46,827)
Afterlist	-
Public Service Companies	16,349
2018 Total Levy	2,481,921
Penalties, Cost & Interest	3,181
2018 Total Charges	2,485,103
Collected (2018 Real & Personal)	2,486,706
Uncollected (2018 Real & Personal)	598
Percentage of Levy Collected	99.976%
Prior Years Collected During Period	7,927
Overpayments/Prepayments	3,777

List of 2018 Delinquent Taxes - Real Property

Rector, Judith Eller	965608142100000	593.91
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Total Delinquent Taxes by Year

Year	2011	2012	2014	2015	2016
Amount	48.34	163.08	18.24	248.26	35.78

NCGS 105-373(3) requires that this settlement be submitted to the governing board. The settlement shall be entered into the minutes of the governing body as required by statute.

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

Jonathan B. Kanipe,
Town Manager

MEMORANDUM

To: Mayor and Board of Commissioners
From: Jonathan Kanipe, Town Manager
Re: Consideration of Order for Tax Collection
Date: August 5, 2019

Pursuant to N.C.G.S. 105-321, the Board of Commissioners must issue an order directing the Tax Collector to collect taxes as set forth in the Town's records. Helen Stephens, Town Tax Collector, will send out tax notices to all property owners after the scroll is received from Buncombe County.



ORDER OF COLLECTION

State of North Carolina
Town of Biltmore Forest

Order of the Board of Commissioners
Pursuant to NCGS 105-321 for the
Collection of 2019 and Prior Years' Taxes

To the Tax Collector of the Town of Biltmore Forest:

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of Administration and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the Town of Biltmore Forest, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

Witness my hand and official seal, this 13th day of August, 2019:

George F. Goosmann, III
Mayor, Town of Biltmore Forest

Attest:

Jonathan B. Kanipe
Clerk, Town of Biltmore Forest

The Order of Collection shall be entered into the minutes of the governing body as required by statute (NCGS 105-321(b)).

355 Vanderbilt Rd | Biltmore Forest, NC
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George F. Goosmann, III, Mayor
Fran G. Cogburn, Mayor-Pro Tem
E. Glenn Kelly, Commissioner
Doris P. Loomis, Commissioner

Jonathan B. Kanipe,
Town Manager

MEMORANDUM

To: Mayor and Board of Commissioners

From: Jonathan Kanipe, Town Manager

Re: Consideration of Ordinance 2019-01 – An Ordinance to Amend Town Code Chapter 93:
Town Beautification

Date: August 5, 2019

Last month, the Board discussed the Town's existing tree protection ordinance and methods of strengthening it to ensure the forest environment is protected. Staff presented ideas from other jurisdictions that require replanting when trees are removed. After additional analysis, staff now recommends a replanting plan that would be based on the numbers removed and whether they are protected or unprotected trees as noted in the new chart in section 93.38.

Additional changes include the following:

- Added a term for trees that are not in a protected status and called these “unprotected” trees.
 - The definition used for “unprotected trees” comes from the existing ordinance language related to trees that are dead, diseased, or hazardous.
- Increased fee from \$25 to \$50 for Board of Adjustments review of protected tree removal between 10 and 30 trees.
- The chart in section 93.38 (noted above) covering replacement is adapted from a simple replacement guideline recommended by the NC Forest Service (NCFS). I increased the replacement threshold for our specific use as I believed that we would want to have more trees replanted (particularly when in a protected class) than what would be typical.
- I also included language in Section 93.38 that requires a minimum 2” caliper (measured 1 foot above ground) for replacement OR an eight foot minimum height for evergreen trees. This was also included in the NCFS recommended language and I think makes sense for our ordinance.
 - The reference to Section 153.070 includes a plant list that is held in the Town Hall, and this is something that I will work with Charles to update for the Town.
- Numbering is changed to reflect our existing Code numeration system from American Legal Publishing.
- Sections 93.32 and 93.34 includes verbiage allowing the Manager to request documentary evidence, such as a survey, to prove trees are on the property of the person requesting removal.

These changes will result in trees being replanted, regardless of their status as protected or unprotected trees, and ensure the Town's forested nature is preserved. These potential changes are also clear and provide specific guidelines for residents to replace trees per the ordinance requirement and the recommended species list that will be kept at the Town Hall.

The amendments to the tree protection ordinance are attached to this memo in draft form for the Board's review, discussion, and consideration. The ordinance as attached would fully replace the existing ordinance if adopted.

ORDINANCE 2019-01
AN ORDINANCE TO AMEND CHAPTER 93 OF THE TOWN CODE
OF THE TOWN OF BILTMORE FOREST

WHEREAS, the Town of Biltmore Forest first created a Tree Protection Ordinance in 1989 to preserve the forested environment of the Town; and

WHEREAS, the protection and preservation of trees are vital to the natural habitat of animals, enhance the beauty of the Town, and provide shade, cooling, noise and wind reduction, prevent soil erosion, produce oxygen, filter dust, and absorb carbon dioxide.

NOW, THEREFORE BE IT ORDAINED, by the Board of Commissioners for the Town of Biltmore Forest that the following language known as the “Tree Protection Ordinance” replace the existing Town Code, Chapter 93 Section 93.30-93.41 in their entirety, as of the effective date of this ordinance.

TREE PROTECTION ORDINANCE

Section 93.30 Purpose

In order to maintain the unique characteristics of the Town of Biltmore Forest as a residential neighborhood with a history beginning as part of the Vanderbilt Estate, it is necessary to preserve the quality and flavor that form so much of the traditional appearance of Biltmore Forest as a true forest. This is particularly true of trees along the roads and around the perimeter of lots. Reference is hereby made to Section 153.034 of the Town Zoning Ordinance relating to removal of natural vegetation, which section is routinely involved when residences or other structures are placed on a lot.

Preservation of trees is the intent of this Ordinance. This Ordinance shall apply to all properties within the Town of Biltmore Forest except properties owned, leased or controlled by the Town. Trees provide shade, cooling, noise and wind reduction, prevent soil erosion, produce oxygen, filter dust and absorb carbon dioxide. Trees also provide natural habitat and aesthetic enhancement in the Town. Trees provide buffer and a natural canopy, and are a hallmark of the Town requiring protection. Damage to and removal of trees requires regulation and control.

Section 93.31. Identification

For purposes of this Ordinance, a protected tree ("Protected Tree") is any tree six inches or more in diameter at a height of 4 ½ feet from the ground (DBH-Diameter at Breast Height), that is in sound, healthy condition. A tree that is dead, produces no foliage during normal growing season, or a tree that is diseased or storm damaged to the extent that it is structurally compromised and, thus, poses a safety hazard, or a tree that, for any other reason, poses a safety hazard, is an “Unprotected Tree.”

Section 93.32. Removal of Protected Trees

No person shall remove or in any way damage any Protected Tree on a property without first filing an application for said removal, receiving approval from the Town Manager or Town Arborist for the removal, and paying any applicable fee. The Town Manager, in his or her discretion, may allow the removal of up to three Protected Trees on the perimeter of a property or lot within the front, side or rear yard setbacks, as such setbacks are defined in the Town's Zoning Ordinance. Within the remaining central portion of a property or lot, and the portion on which structures or improvements may be located, the Town Manager, in his or her discretion, may allow up to ten Protected Trees to be removed. Any Protected Trees removed shall be replaced as outlined in Section 93.38 below.

If the Town Manager concludes that the removal of the number of Protected Trees requested would be undesirable, and not within the letter or intent of this Ordinance, he may refuse to approve such removal, or permit the removal of a lesser number of Protected Trees. Further, in his or her discretion, the Town Manager may require that the applicant provide a survey showing the location, size and type of Protected Trees on a property, including common scientific names. The survey shall clearly indicate which Protected Trees are indicated for removal and which will be left undisturbed. In the case of new construction, the site plan must show the location of building, driveways, terraces and other structures on the property. All Protected Trees must be clearly tagged as to retention or removal. The Town Manager may also require an applicant to provide documentary evidence, in the form of a survey or other documentation sufficient, in the opinion of the Town Manager, to confirm that the Protected Tree(s) are on the Applicant's property. An Applicant has the right to appeal a decision of the Town Manager to the Board of Adjustment within five (5) days of the Town Manager's decision.

Section 93.33. Applications for Removal of Protected Trees in Excess of Ten (10)

An application for a permit to remove more than ten (10) Protected Trees on a property must be presented directly to the Board of Adjustment. A non-refundable fee of \$50.00 shall accompany the application. Such applications will be considered on a case-by-case basis. As a part of its review, the Board of Adjustments may require replacement and replanting of trees as the Board determines necessary, including the specific location of replacement trees.

An application for the removal of thirty (30) or more Protected Trees on a property must be submitted to the Board of Commissioners for review and approval. A non-refundable fee of \$ 100.00 plus \$5.00 for each Protected Tree requested for removal shall accompany the application. Such applications will be considered on case-by-case basis. The cumulative removal of thirty (30) or more Protected Trees from a single property in one year will result in a formal review and must be approved by the Board of Commissioners. As a part of its review, the Board of Commissioners shall have the authority to require replacement and replanting of trees as the Board determines is necessary, including the specific location of replacement trees. The decision of the Board of Commissioners shall be final.

Section 93.34. Removal of Unprotected Trees.

An Unprotected Tree may be removed by the property owner after notifying the Town Manager of the plans to remove said tree(s) and receiving approval to do so from the Town Manager or Town Arborist. The Town Manager may also require an applicant to provide documentary evidence, in the form of a survey or other documentation sufficient, in the opinion of the Town Manager, to confirm that the Protected Tree(s) are on the Applicant's property. An Applicant has the right to appeal a decision of the Town Manager to the Board of Adjustment within five (5) days of the Town Manager's decision.

The Town Manager may require the property owner to retain a certified arborist to render an opinion as to the health and structural integrity of the tree(s) in question and report said findings, in writing, to the Town before final approval is given. The Town reserves the right to consult with its own tree specialist to confirm the health and condition of any tree(s) prior to removal.

Any Unprotected Trees removed shall be replaced as defined in Section 93.38 below.

Section.93.35. Pre-Construction Conference & Supervision

Prior to the commencement of any pre-construction land-clearing or soil disturbance, a pre-construction conference will take place between the responsible representative of the Town and the applicant to review procedures for protection and management of all Protected Trees and other landscape elements identified in the approved landscape plan. The applicant will designate one or more persons responsible for ensuring the protection of new or existing landscaping elements to be preserved. The responsible person shall be present on site whenever activity is taking place that could damage or disturb such landscape elements, and will notify the Town Manager that such activity is taking place.

The Town Manager shall have developed sites inspected frequently to ensure work is conforming to the approved landscape plan and the applicable sections of this ordinance.

Prior to the commencement of any pre-construction land-clearing or soil disturbance, the developer / contractor shall be required to sign a document agreeing to abide by the conditions stipulated in this ordinance. At the option of the town, a compliance bond may be required

Section 93.36. Enforcement

If any unauthorized removal, cutting or damage to trees takes place, the Town Manager may issue a Stop-Work Order which shall remain in effect until all corrections are made to bring the Property in compliance with this Chapter.

Section 93.37. Dip Line Protection

The health of Protected Trees requires the prevention of soil disturbance within the drip line of the trees. Covering this area with pavement or other materials, including excess soil, can

affect the health of the tree. Landscape plans, to the extent feasible, shall protect this area around the tree.

Section 93.38. Replacement of Trees

Any Protected or Unprotected Tree removed shall be replaced in that general area of the property as follows:

Minimum Size of Existing Tree	Replacement of Protected Tree	Replacement of Un-Protected Tree
6-12” DBH	2 trees	1 tree
13-18” DBH	3 trees	1 tree
19-30” DBH	4 trees	2 trees
30” DBH or greater	5 trees	3 trees

Any replacement tree shall be in the ground within eighteen (18) months of removal of the original trees.

The minimum size for replacement is two (2) inches diameter (measured from one foot above ground level) or eight (8) feet in height for evergreens. Additionally, the replanted trees shall meet the plant specifications of the Town Zoning Ordinance Section 153.070.

Depending on extenuating circumstances related to proximity of other trees and/or structures, lesser quantities of replacement trees may be authorized by the Town Manager or by the Board of Adjustment (in the case of an appeal from the Town) or the Town Manager may authorize the replanting or replacement of trees in a location or locations where such replacement trees are more likely to survive.

Section 93.39. Inspections

All Protected Trees designated to remain, pursuant to a tree survey, plus any replacement trees, shall be inspected by the Town Manager or his designee one year following any construction and/or replacement trees, to ensure the trees are in a healthy condition. The Town Manager can require replacement or replanting of replacement trees.

Section 93.40. Appeals

Any person aggrieved by a decision made under this Ordinance by the Town Manager or his designee may file, within five days after the date of such decision, a petition to have such decision reviewed and acted upon by the Board of Adjustment. The decision of the Board of Adjustment shall be subject to review by the Board of Commissioners.

Section 93.41. Penalties and Enforcement

A violation of this Ordinance is a Class 3 misdemeanor under North Carolina law. The penalty for violating this ordinance shall be \$250 per day. Each day of continued violation shall be a separate offense. The Town shall also have the right to pursue civil remedies for a violation of the Ordinance including injunctive relief, and a civil penalty of \$250.00 for each day's violation of the ordinance pursuant to N.C.G.S. 160A-175.

Upon determining that a violation has occurred, the Town Manager shall record the nature of the violation, and send a Notice of Violation to the responsible person or entity by regular and certified mail or by hand delivery. The responsible person or entity shall have 30 days from the date of the letter to correct the violation. If the violation is not corrected within 30 days, the Town Manager may proceed with criminal charges pursuant to N.C.G.S. 14-4, or may take such other enforcement action as may be necessary to carry out the purposes of this Ordinance.

Section 93.41. Bond

At the option of the Town, a bond or other type of guarantee can be required of the property owner when initiating new construction, to ensure that all permits and agreements are met, to the satisfaction of the Town.

This the 13th day of August, 2019.

George F. Goosmann, III
Mayor

Attest:

Jonathan B. Kanipe
Town Manager

SEAL

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

Jonathan B. Kanipe,
Town Manager

MEMORANDUM

To: Mayor and Board of Commissioners

From: Jonathan Kanipe, Town Manager

Re: Consideration of Ordinance 2019-02 – An Ordinance to Amend Town Code Chapter 130:
Town Offenses

Date: August 7, 2019

Town staff has worked with the area biologist for the State's Wildlife Resources Commission (WRC) on proper deer population management. The Town presently requests, and typically receives, a depredation permit from the State WRC each winter. After meeting with the area biologist, staff recommends changing the Town's program from a depredation permit to participation in the WRC's Community Deer Management Assistance Program (CDMAP).

CDMPAP is a voluntary program administered by the WRC throughout the State of North Carolina. The prime objective is to reduce or maintain deer populations in heavily populated residential areas to minimize human-deer conflicts while improving or maintaining herd health.

In order to participate in this program, the Town Attorney recommends an amendment to the existing ordinance regarding wildlife management. Staff recommends the following change as denoted in italics and underlined on the following page. Please let me know if you have questions.

ORDINANCE 2019-02
AN ORDINANCE TO AMEND CHAPTER 130 OF THE TOWN CODE
OF THE TOWN OF BILTMORE FOREST

WHEREAS, the Town of Biltmore Forest works in cooperation with the North Carolina State Wildlife Resources Commission to ensure proper wildlife management for the Town; and

WHEREAS, the State Wildlife Resources Commission has recommended a more effective program for the Town called the Community Deer Management Assistance Program (CDMAP).

NOW, THEREFORE BE IT ORDAINED, by the Board of Commissioners for the Town of Biltmore Forest that the following italicized and underlined language be inserted into the Town Code Chapter 130.01(B), as of the effective date of this ordinance.

§ 130.01 FIREARMS AND OTHER WEAPONS.

(A) No person shall shoot, discharge, or release within the corporate limits any firearms, spring-propelled devices, or guns, including a bow, which discharges sharp pointed arrows designed to penetrate. This section shall not apply to any law enforcement officer or representative of any governmental unit charged with the duties of protecting life or property or enforcing laws and regulations while engaged in the performance of official duties.

(B) It is further provided that this section shall not apply in defense of life; however, for promoting public health, safety, and welfare of the town, this section shall not preclude the discharge of weapons listed above for the purpose of taking wildlife by town law enforcement officers or persons designated by the town for this purpose pursuant to any depredation permit issued by the State Wildlife Resources Commission or pursuant to the Town's participation in the North Carolina Wildlife Resource Commission's Community Deer Management Assistance Program.

This the 13th day of August, 2019.

George F. Goosmann, III
Mayor

Attest:

Jonathan B. Kanipe
Town Manager

SEAL

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

Jonathan B. Kanipe,
Town Manager

MEMORANDUM

To: Mayor and Board of Commissioners

From: Jonathan Kanipe, Town Manager

Re: Consideration of Agreement with Beverly-Grant for Police Department Painting

Date: August 7, 2019

Last year, when the Board approved the Public Works Building project, it was discussed that the Town would paint the exterior of the Police Department building. This would provide a refreshed and renewed look for that Department next to the new building.

In order to keep the construction project work separate from this additional focus, the Town included this painting project as an alternate proposal of the construction project. The Certificate of Occupancy for the renovated building will likely be issued this week, and the painting contractor will be prepared to move on to the Police Department if the Board wishes.

Beverly-Grant provided the attached proposal for the Board's review in order to perform this work. In addition to the painting proposal, the Town will also remove the existing awnings on the building and replace these as part of the project. It is likely these awnings will be replaced with something much easier to clean that also provides the shade needed from early morning sun.

Staff recommends acceptance of this proposal and moving forward with painting the Police Department. Please let me know if you have any questions. The Board will need to accept the attached agreement from Beverly-Grant in order to move forward with this separate project. The amount is \$13,374.48 for this project. Staff recommends approval.



August 06, 2019

Town of Biltmore Forest
Attn: Mr. Jonathan Kanipe

Re: Police Department Exterior Painting Proposal

Dear Mr. Kanipe,

Thank you for the opportunity to provide you with a project proposal for the Town of Biltmore Forest regarding the exterior painting of the existing Police Department. This proposal is based on a verbal scope of work provided by the Town of Biltmore Forest staff. We propose to complete the exterior painting as listed below for the cost of \$13,374.48.

Scope of Work

General Conditions:

- Provide onsite Beverly-Grant supervision

Painting:

- Pressure wash exterior
- Hand Scrape Loose Remaining Paint
- Caulk Joints
- Spot Prime as required
- Paint single coat on all trim (Sherwin Williams Super Paint)
- Paint single coat on all Stucco (Sherwin Williams Luxon)

We appreciate the opportunity. Please do not hesitate to contact me our my office with questions.

Respectfully submitted,

Jason Wightman
Beverly-Grant, Inc.
Project Manager
jwightman@beverly-grant.com
828-747-9104