

MINUTES OF THE MEETING OF THE MAYOR AND TOWN COMMISSIONERS OF
BILTMORE FOREST HELD NOVEMBER 10, 2015.

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 Fran G. Cogburn, present

Commissioner E. Glenn Kelly, present

Commissioner Doris P. Loomis, present

Mr. Jonathan Kanipe, the Town Administrator and Mr. William Clarke, the Town Attorney, were also in attendance.

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

Motion was made by Commissioner Loomis to approve the minutes of the October 13, 2015 meeting. The motion was seconded by Commissioner Kelly and unanimously approved.

Mayor Goosmann called on Assistant Chief Ryan Cole of Skyland Fire Department. Mr. Cole said it was a quiet month. Mr. Cole said we just had daylight savings time so remember to change the batteries on your smoke detectors. Also, there will be an ISO inspection in May and we will be testing fire hydrants in April. Mayor Goosmann thanked Mr. Cole and the Skyland Fire Department for all of their hard work.

Levonía Reese with Carter PC presented the yearly audit. Regarding the Internal Control Letter, Ms. Reese indicated that, while not impossible, it was difficult with a small staff to achieve the appropriate segregation of duties. This is something the auditors note each year.

For the Letter to the Commissioners, Carter PC had no disagreements with Management and no difficulties in performing the audit. If they encountered those difficulties, they would come to the Board in order to get satisfaction. This was an unmodified audit opinion, which Ms. Reese noted was very good. Ms. Reese went on to note the following highlights from the audit report:

Audit entries resulted in an increase of \$246,000 in net assets due to the reclassification of debt payments and recorded transfers.

Total Assets and Deferred Outflows government wide decreased by \$670,000 due to the payoff of the debt in the water fund.

Liabilities and Deferred Inflows decreased by \$1.4 million which was also due to the payoff of the debt in the water fund. The overall net position of the Town increased by \$778,000 for the year. Ms. Reese stated that was a good year.

Overall, revenues increased by approximately \$158,000. This was a result in an increase in taxes, building permits, and water revenues as well. Expenses decreased by \$98,000. Decreases were seen in General Government, Public Safety, and water. Ms. Reese noted increases in Physical Development and Transportation. Those are from the Government wide standpoint.

Ms. Reese noted the General Fund Balance decreased by about \$275,000 which was mainly attributable to the transfer from the General Fund to the Water Fund.

Revenues increased about \$122,000 in the unrestricted intergovernmental line items and then Expenses increased by about \$142,000, mainly in Physical Development.

In the General Fund, revenues collected were about \$250,000 more revenue than what was budgeted. Expenses were under budget by about \$150,000.

In the Water Fund, assets decreased about \$665,000 in cash and depreciation. The Liabilities decreased about \$1,400,000 with the long term water line debt being satisfied.

The net position of the Water fund increased by about \$760,000. The Water Fund budget Revenues collected about \$19,000 more than budget. Expenses were about \$6,000 under.

Current year tax collection percentage was 99.74 percent. The prior year was 99.88 percent. The last point Ms. Reese wanted to make is that GASB 68 was implemented as of the prior year, so it was not a prior year period adjustment. It was implemented as if it were in effect for all of 2014. So, if you were to take these Financial Statements and compared it to the 2014 audited Financial Statements, you will see a difference in amount by that restatement. There is a note in the Financial Statement. It was considered a change in generally accepted accounting principles. The Financial Statements were restated and ten journal entries were added. There are several pages of notes and a few additional schedules in the Financial Statements for GASB 68 and that is all included within that package. That is the main difference, paying off the debt and GASB 68. Otherwise, it was a pretty routine year.

Ms. Reese thanked everyone for giving them an opportunity to work with the Town.

Mayor Goosmann called on Chief Tinsley for the Police Department monthly report. Chief Tinsley said we had two domestic disputes which do not occur often.

Lt. Davenport is retiring after 28 years of service with the Town. Mayor Goosmann asked about a replacement for Lt. Davenport. Chief Tinsley said he and the Town Administrator were working on finding a replacement for her. It is going to be a difficult decision, but we are working on it.

Commissioner Kelly asked if the cameras on the street are still working well. Chief Tinsley said yes, they are working very well. It is a good system.

We had 25 bear complaints this month. We try and move the bears along and keep them out of the way of the residents usually by blowing a horn. Mayor Goosmann thanked Chief Tinsley for the good work the officers do for the Town.

Commissioner Kelly asked about the orange light displayed in the room. Mr. Crouch indicated this was an example for a light to be placed on the crosswalk sign near the Biltmore Forest Country Club. Mr. Crouch indicated this was about as bright as you will get for a solar powered light. Mr. Crouch noted that the Town had found a person who wants the Town's leaves. He has an area the size of a football field where we can dump the leaves and he wants to use it as compost. Town public works employees have also finished painting all the fire hydrants. All water sampling has been completed. Mayor Goosmann said all of the Public Works employees do a great job.

Mayor Goosmann moved on to the resolution for Lieutenant Davenport. Chief Tinsley added as part of an Officer's retirement, we like to give them their service weapon and badge. Mayor Goosmann asked for a motion to approve a resolution to present Lt. Robin Davenport her badge and service weapon which is traditional in law enforcement. Commissioner Loomis moved for adoption of the resolution. Commissioner Cogburn seconded the motion and it was unanimously approved.

Mayor Goosmann asked Mr. Jonathan Kanipe to present the monthly report. Mr. Kanipe said there is an easement request from AT&T for the fiber optic telephone line to the Deerfield retirement community on Valley Springs Road. The offer was \$3,600 which is a little over \$2 per linear foot and that was standard. Mr. Kanipe asked Gary Davis to research the price a little bit. AT&T has now offered us \$4,000. Mr. Kanipe indicated that AT&T planned to bore under the road and the side of the road so there will not be much to harm the road. I feel like this is a fair price. Mr. Clarke said the document looks fine but he believes the Board needs to approve it subject to a survey. They do not have an actual survey and Mr. Kanipe can review it. This would allow them to have proper preparation of this survey in order for them to move on.

Mayor Goosmann said we need a motion to approve the easement for AT&T on Valley Springs Road and them paying us approximately \$4,000 and that they will repair everything and put the road back as it was to begin with and that they prepare an accurate survey. Commissioner

Kelly made a motion and Commissioner Cogburn seconded the motion. The motion was unanimously approved.

Mr. Clarke indicated that he and Mr. Kanipe met with the Buncombe County tax assessors. They showed us a map listing a number of parcels listed as public and we talked with them briefly about them. The Tax Office's position is that if the Town provides information about the parcels, they will list them if we think they need to be listed. Mr. Clarke's firm has performed title work and provided the report to the Board. The strip between 390 and 392 is going to be listed with the tax office and they can collect back taxes for up to 10 years.

There is also a strip of land between 410 & 412 Vanderbilt. From the best they can tell, the way these were all created were shown as reserved strips from the Biltmore Estate Company when it created Biltmore Forest. The title has gone down to several entities and now it is probably with Biltmore Farms but there may need to be additional conveying of quick claim deeds or non-warranty deeds conveying these interests. This one looks like the Biltmore Club is using it and they should be listed for taxes. The one on Park Road has sewer easements so that probably just needs to remain as public and non-taxable.

Mr. Clarke noted that a stretch of property between 426 and 430 Vanderbilt may still be part of Biltmore Farms. Mr. Clarke was unsure as to whether this one has much value. Between 23 & 25 Amherst Road, this one shows a ten foot walkway and there is another 30 foot reserve right of way to Hendersonville Road. Mr. Clarke does not think this one really needs to be listed for tax purposes. At some point, the Town may want to enforce its rights to these strips but he does not think there is any need to right now.

There is another parcel we talked about on Hendersonville Road that clearly looks like it is owned by Biltmore Farms that is being used by the Biltmore Club but we will tell the tax office what we know about that and ask them to list it properly. My recommendation would be giving them information about this strip between 390 & 392 Vanderbilt Road and also 410 & 412 Vanderbilt Road and that we not change the listing on anything else.

Commissioner Kelly asked about the property on Greenwood and Mr. Clarke said that one would be included as well. Mayor Goosmann thanked Mr. Clarke for his work on this project.

Commissioner Cogburn said there will be a Tree Lighting Ceremony on Friday, December 4th at 5:30pm in front of the Town Hall.

Mr. Kanipe continued with his report. The Board of Adjustment meeting will be next Monday for the month of November with the Board considering an application for solar panels from Dr. Brown Crosby at 26 Stuyvesant Road.

Mr. Kanipe mentioned the recodification project and that the Town received our legal and editorial review today. Mr. Kanipe and Mr. Clarke are going to sit down next week and go over that. Mr. Kanipe hoped to have more information at next month's meeting.

Mr. Kanipe mentioned that the Town was still working with VC3 for the Virtual Office Advantage (VOA) IT upgrades. The initial work should be finished in December. The next step is to put the hardware in place and begin testing the system.

Commissioner Cogburn mentioned the new website has been up for a while and noted that the Town has received a lot of positive feedback. Mr. Kanipe agreed and noted that staff has received many similar remarks from citizens.

Commissioner Kelly asked Mr. Kanipe where we are as far as the new garbage truck and the recycling program. Mr. Kanipe said we are still on track with getting the new truck in early December. Once we get the new truck in, we will get the old truck retrofitted. Once that is done, we hope to get the program started in February. What we are trying to decide now is a way to hear from residents about getting the carts to make sure we are not ordering too many and also how we will go about doing that.

Mayor Goosmann adjourned the meeting at 5:19 pm. The next Board of Commissioners meeting is scheduled for Tuesday, December 8th at 4:30 pm.

ATTEST:

Jonathan B. Kanipe
Town Administrator

George F. Goosmann, III
Mayor