

MINUTES OF THE MEETING OF THE MAYOR AND TOWN COMMISSIONERS OF
BILTMORE FOREST HELD JANUARY 12, 2016.

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 was 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 December 8, 2015 meeting. The motion was seconded by Commissioner Cogburn.

Mayor Goosmann introduced Chief Dennis Presley with the Skyland Fire Department. Chief Presley stated it was a fairly quiet month. Mayor Goosmann thanked Chief Presley for the fire department going out in the rain for the Christmas parade. Chief Presley introduced Mark Dillingham who will attend future meetings with Chief Presley and Assistant Chief Cole. Mr. Dillingham is going to be our public relations representative for the Fire Department. Every call the Department has had for the past two years, Mr. Dillingham has went to their house afterward and checks in on them. He knows them by name and they know him. Mr. Dillingham is going to do this for our entire district. Chief Presley made it clear that the Department wants to do their job well. Mayor Goosmann welcomed Mr. Dillingham.

Mayor Goosmann introduced Mr. Rob McArthur from Carolina Day School. Mr. McArthur referenced the construction going along on campus and noted they have made good

progress. The first phase was refurbishing the gym which took 95 days. The second phase should be done by the end of June. This will be a revamp of the old lower school and also adding a wing on to it. Mr. McArthur discussed the request for new, temporary signage and noted that a student entering the campus and she lost control of her car. The front entrance sign ended up being obliterated, and CDS would like to show a short term sign approach for what the signs would like on Hendersonville Road.

Ms. Jane Murray from Carolina Day School discussed the design of the signage. They would like to replace the one knocked out on Hendersonville Road and put in several other signs. Carolina Day officials provided estimated measurements for each sign as well. Ms. Murray noted they have had some success with heavy vinyl mounted to a heavy duty wood background. Ms. Murray asked if there were any questions or concerns from the Board regarding these signs. Everything proposed today will be done on a temporary basis. Commissioner Loomis said she liked the idea of alerting people about the changes at Carolina Day School, but asked whether the current temporary sign could be phased out when the new signage was installed. Mr. McArthur indicated their agreement to this. The issue was discussed and they explained where all the signs would need to be placed.

Commissioner Kelly made a motion to allow the installation of the signs proposed on a temporary basis for one year or until completion of renovations at Carolina Day School. Commissioner Cogburn seconded the motion and it was unanimously approved.

Mayor Goosmann called on Detective Sergeant Mark Allen to discuss the Police Department monthly report. Chief Tinsley was not in attendance. We had a few break-ins last month, three at construction sites and one at 919 Hendersonville Road. Someone stole some copper from that location. It is a rental house. Det. Sgt. Allen also checked with the rental company who rents that property and the tenants have no criminal record. The construction sites within our jurisdiction have cameras now. The night shifts are also doing extra patrols in that area. Det. Sgt. Allen noted that The Ramble security company contacted the BFPD for a prowler at the main gate. The security guard thought he saw someone but officers were unable to find anyone. We also assisted the Parkway with two vehicle accidents.

Mayor Goosmann called on Mr. Terry Crouch for the Public Works monthly report. Discussion began around the recent stormwater issues in the Town. The Town's consulting engineer, Mr. Gary Davis of Davis Civil Solutions, spoke about a flat area at Hemlock and Cedar Hill. There are two pipes and both are dumping into the swale that goes down next to the road. Over the years, the water is encroaching further and further over to the roadside. There are two ways to fix this. The first is to place rip rap stone and armor the sides of the embankment. The other method is to install a storm drain box so the two pipes have a place to discharge, then have a pipe coming out of that extending all the way down to Cedar Hill and replacing that pipe under the road and discharging it on the other side. We would cover it all up and smooth it out and there would not be a ditch on the side of the road. Mr. Davis estimated the cost to be \$34,000. Mr. Davis noted that if the Town just did the pipe under Cedar Hill Road and repaved that area right there the cost would be approximately \$18,000 right now. Surveying and engineering would cost about \$5,000-\$6,000. Mr. Davis summarized the amount and indicated that to do the whole thing from one end to the other would cost about \$40,000.

Commissioner Kelly asked for some rough preliminary sketches of what this would look like. Mr. Davis agreed to get something together for next month's meeting. Mr. Davis also went into greater detail about this project. Commissioner Loomis asked if the cost would be the same when comparing option one and option two. Mr. Davis said yes, they would cost very similar. Mr. Davis also explained a piping issue around the area of 1 Stuyvesant Road that keeps flooding. It is at the corner of Vanderbilt and Lone Pine. Storm drain boxes would be ideal for that area too. Mr. Davis believes that either the downstream pipe has collapsed or it could be a combination of several things. These metal pipes are over 40 years old and need to be replaced. The last area Mr. Davis has looked into is the "Block T" Pond. This will have to be surveyed and topographical data utilized from the last survey to verify how much sediment has been deposited into the pond.

Mr. Kanipe mentioned the issues with the phone lines being down, the flooding in the Public Works Department and also the Police Department flooding. Mr. Kanipe indicated that alternatives were being reviewed for the phone lines so they can be moved out of the basement and find a better location for them. The sump pump behind the police department failed and that

is what pushed the water into the Police Department and Terry's office. I called the League of Municipalities in regards to an insurance claim, and our insurance policy did not allow for that type of flood damage. However, we are in Flood Zone X, so we would qualify for coverage but the deductible is \$50,000 which we are unlikely to meet. We are looking for some different options for the telephone system in particular. We don't want to lose phone service especially for the Police Department. Mark worked really hard trying to work it out with AT&T. Mr. Kanipe said we might want to consider for the next Budget year renovations to the Public Works building.

Mr. Kanipe said the recycling carts should be delivered within the next two weeks. The truck should be finished and delivered next week. The Town will have it up and going as soon as possible. The BB&T financing terms have changed. The interest rate went from 1.98% to 2.21% at a three year term. The good news is the actual cost of the truck is less than anticipated, so we will save \$5,000 a year even though interest rates have gone up. This will allow us to move forward with the three year term. Billy has reviewed this as well and has prepared the attorney closing letter. We are scheduled to do the closing January 27th.

Commissioner Cogburn made a motion to approve the financing of the truck and the new Resolution. Commissioner Loomis seconded the motion and was unanimously approved.

The Board discussed the review of the draft changes on the Town Code and Zoning Ordinance. Mr. Kanipe referred to the updated changes that Mr. Clarke prepared. Mr. Kanipe indicated that American Legal Publishing had gone through and done a statutory check to make sure we have everything in proper conformity with the North Carolina General Statutes. The questions remaining are really are related to accessory structures and making sure that our regulations are clear. Commissioner Loomis suggested sitting down and reviewing these by having a work session. The Board asked Mr. Kanipe to determine an acceptable work session date.

Mayor Goosmann reviewed the 2016 holiday schedule for Town employees. Motion was made by Commissioner Loomis for the holiday schedule to be approved as presented. Commissioner Cogburn seconded the motion and was unanimously approved.

Sgt. Allen addressed Ms. Toya Hauf, 335 Vanderbilt Road, who was concerned about speeding on that road. Sgt. Allen reported that there were eleven citations and the speed trailer was placed in that vicinity. The batteries in the speed trailer went bad but that is being fixed. Ms. Hauf expressed her gratitude to the Police Department. Sgt. Allen said we are going to stay on this issue with the speeding.

Mr. Kanipe updated the Board on the last Board of Adjustment meeting. Mr. William Barkley, 124 Stuyvesant Road, had a Conditional Use Permit and Variance approved for a detached garage. The Board also approved a Conditional Use Permit and Variance for Dr. Steven and Mrs. Melissa Mendelsohn at 25 Busbee Road.

In regards to the recycling, we hope to get information sent out to the residents shortly during garbage pickup. We will also send out a Nixle message to inform residents and post the information on our website. Ms. Hauf asked if the recycling containers will be removed from outside the Town Hall. Mr. Kanipe suggested keeping the cardboard recycling container for now until we determine how effectively cardboard can be picked up at the home.

The only other thing going on is the Virtual Office and IT upgrades. The Town is scheduled to go live with the Virtual Office on Monday, January 25th and is currently in the beta testing phase to work out any kinks.

Sgt. Allen responded to Commissioner Kelly's request about the old Biltmore Forest fire truck. The truck is in Crestline, North Carolina which is near the coast. The lettering and the paint is exactly as the truck left here years ago. Mr. Kanipe was asked to work with Chief Dennis Presley about the possibility of procuring the truck.

Mayor Goosmann adjourned the meeting at 5:43 pm. The next Board of Commissioners meeting is scheduled for Tuesday, February 9th at 4:30 pm.

ATTEST:

Jonathan B. Kanipe
Town Administrator

George F. Goosmann, III
Mayor