

MINUTES OF THE MEETING OF THE MAYOR AND TOWN COMMISSIONERS OF
BILTMORE FOREST HELD APRIL 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, and Mr. Billy 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 Cogburn to approve the minutes of the March 15th, 2016 meeting. The motion was seconded by Commissioner Kelly and unanimously approved.

Mayor Goosmann asked Mr. Ed Bleynat, attorney representing Mr. Harry and Mrs. Debra Stonecipher of 15 East Forest Road, to come forward to discuss their petition. Mr. Bleynat discussed the Town's Animal Control ordinance being amended in 1982 and that since then animal ordinances have become more streamlined and progressive. Mr. Bleynat referenced the care for Mrs. Stonecipher's cats and noted this care had been undergone for previous years. Mrs. Stonecipher has a book for her cats that she has raised and wants to provide a positive impact to the community so that cats are welcomed into the household and the community. Mr. and Mrs. Stonecipher have an area in their house where they provide for their cats which includes an area for wet food and medical care if needed. Mr. Bleynat reiterated that their petition would allow Mrs. Stonecipher to have all twelve of her cats in her household.

Mr. Bleynat proposed an impact fee that may offset the cats presently and allow them to be moved onto the property. Mr. Bleynat indicated that the Stoneciphers do not believe there would be a negative prejudicial impact to the Town by allowing this waiver or amending the ordinances. Mr. Bleynat explained his belief that there would be no negative externalities.

Mayor Goosmann asked where the cats are currently. Mr. Bleynat said the cats are currently staying at the Stonecipher's other home in Asheville at Poplar Ridge.

Commissioner Kelly moved that the Board of Commissioners deny Mrs. Stonecipher individually and as Trustee, written approval to keep on her lot or premises, located at 15 East Forest Road or 68 Forest Road, more than three household pets. Commissioner Loomis seconded the motion to deny and the motion was unanimously approved by the entire Board.

Mr. Bleynat indicated that he was disappointed with the result but thanked the Board for their time and consideration.

Mayor Goosmann asked Deputy Chief Ryan Cole from the Skyland Fire Department to present the monthly report. Mr. Cole said it was a fairly quiet month. Mr. Cole thanked the Police Department for handling incidents as they could and cancelling their calls when the fire department is not needed. There were a few medical calls with assistance to EMS. There are quite a few brush fires in the area, luckily none around Town, but the area is very dry and humidity is low. One fire started as a result of an ember escaping from a chimney.

Mr. Cole also went over the hydrant flushing that will occur in Town the first two weeks in May. Mr. Cole said this may result in discolored water and the remedy is to flush it out would be by turning the water on for a few minutes. This will help flush the water and clear the sediment. Skyland Fire Department would like to maintain the lower insurance rating by doing this as well. The times of the hydrant flushing will occur between work hours of 9-4 during the first two weeks of May. We plan to tell residents via a hand delivered message and also post information on water bills. Deputy Chief Cole hoped to have the testing completed the first week and not have to go into the second week. Commissioner Cogburn asked about pinpointing locations for the hydrant

testing. Mr. Kanipe stated we will most likely update our website for what locations will be pinpointed for that day. Mr. Kanipe said there would also be something put on the water bills. Ms. Toya Hauf, 335 Vanderbilt Road, asked how long it has been since the last hydrant flush. Mr. Crouch said it has been about seven years. Ms. Hauf asked what is done with bad hydrants. Mr. Kanipe stated they are replaced or fixed as necessary.

Mayor Goosmann thanked Skyland Fire Department for all they do for the Town.

Mayor Goosmann asked Chief Eric Tinsley to present the monthly report for the Police Department. Chief Tinsley said there was a door kicked in on Amherst Road a few days ago. Nothing was stolen or disturbed at the home. The suspects are probably not local. At this particular house, the homeowner may have walked in and scared them away. The homeowner also has a large dog which could have also scared them away. Witnesses have reported an older model white sedan with Illinois tags in the area which looked suspicious. We checked our tag reader camera and the car never passed that area so we were unable to pick up the plate number. Chief Tinsley also suggested putting up more cameras throughout Biltmore Forest. The approximate cost is \$5,000 per camera.

Mayor Goosmann asked Mr. Terry Crouch to present the Public Works monthly report. Mr. Crouch said it was a good month and everything ran smoothly. Regarding recycling, the average usage is 222 tons per year. Mr. Kanipe said the cardboard bin will stay for a while but the mixed recycling will go away on April 15th. Commissioner Loomis asked if the home recycling containers were overflowing after two weeks of use and Mr. Crouch said only a few people so far had that issue. Mayor Goosmann thanked Public Works for all the hard work they do.

Mayor Goosmann asked Mr. Jonathan Kanipe for the Town report. Mr. Kanipe provided the Board members with a copy of the RFQ packet soliciting qualifications from architectural firms in the area. This was released on March 24th so it will allow a full month for people to review the RFQ. Mr. Kanipe hoped to provide the Board with additional information in May

Mr. Billy Clarke asked the members to look at the revised ordinance language enclosed in their packets and discussed the proposed revisions. On the front page located at the bottom, the highlighted language has information on fencing. No new chain link fences and existing chain link fences may be replaced with other fencing material and vegetative buffering is required. Mr. Clarke also mentioned that fencing used for dogs shall not be considered sufficient purpose for building a fence if other options such as underground fences are available. Mr. Clarke also stated fences are not allowed in front yards. The current Ordinance does not prohibit fences, but it does prohibit fences in backyards and side yard setbacks. We made some revisions to the Ordinance about three years ago that says no new chain link fences and existing chain link fences could be replaced but that was taken out. These revisions are for the Board to review and please let me know if you have any further revisions. The Planning Committee will also have to review this.

Commissioner Loomis addressed the issue of replacement fences. She asked whether a resident who wants to replace an existing fence has to meet the same standards. Mr. Kanipe stated, yes, that is how we have been proceeding with this and used an example of a residence on Hilltop Road. Commissioner Loomis suggested having something more clearly stated in writing.

Mr. Clarke also stated deer fencing is still allowable and that the deer are definitely an issue. People want to fence their property for deer. The Board of Adjustment has been addressing this issue with types of materials.

Mr. Clarke said he can revise these suggestions and let the Board review them.

Commissioner Cogburn had a concern about the front yard. Mr. Clarke addressed the issue by saying the intent of that language was to treat both of them as the front yard. The restrictions on a corner lot would be greater than on other lots. Mr. Clarke said he will try and revise the language a bit to make it sound clearer. What should be avoided is visibility to the street and visibility across the street. Mr. Clarke also suggested to have the Board of Adjustment look at this in addition to the Planning Commission.

The definition of exotic animals was also mentioned in the revisions to the Animal Ordinance. We define it by excluding any animal that is not a domesticated, livestock, or wild animal. It does not include feral animals.

Mayor Goosmann thanked Mr. Clarke for the revisions.

Mayor Goosmann asked Mr. Kanipe for the Town report. Mr. Kanipe plans to present the budget next month, and went on to mention several larger scale projects. Mr. Kanipe mentioned the plan from the current fiscal year to replace a quarter or a fifth of the Town's water meters with automatic read meters. The idea behind this was to allow public works employees to drive by in a truck and a signal would go to the meter and have it read the meter at that specific moment. It turned out that we already behind in the times by looking at that project. There is now something called Advanced Metering Infrastructure, or AMI technology. This would allow us to put a new retrofitted meter in and put it on top of the water meter as it is. The meter is continually sending information to the Town server that is dedicated to the water.

The great news about this it is constantly telling us what the usage is in that particular meter. If a leak occurs, we get an alert immediately. They have other pieces of technology which allow the resident to download an app on their phone to monitor their water usage. Not only does the Town get an alert but the resident gets an alert as well. This should result in a significant cost savings for the Town. One example of where this would be beneficial was a 900,000 gallon leak we had which ended up costing thousands. It would pay for itself in a short period of time, and it is a much safer practice too. This is truly a beneficial service we can provide to our residents. I think it would definitely be worth doing this all at once instead of a certain portion of Town at a time. There is a monthly charge that goes along with each meter. It is 89 cents per meter which I would like to propose go on their water bill. The \$1.78 charge on their bi-monthly water bill is worth it to have that ability to know what is going through and to know whether that leak is there.

The Public Works building design that you saw in the architectural RFQ is included. I really think this next fiscal year will be the design itself. It will take a while for an architect to develop a site plan, develop recommendations, and for everyone to have input. I think the bulk of

our expenses next year will be related to architectural fees. Mr. Kanipe indicated that in January or February next year the Board could implement a Capital Project Ordinance for the actual construction.

Mr. Kanipe mentioned another project which was to digitize the majority of paper records at Town hall. Mr. Kanipe has spoken with OneSource Document Solutions which is a nationwide firm. I think there are some cost effective methods we can put all of our Town records in including each property file and do a digital format which would allow us to free up a lot of space of records that are here. It would allow us to preserve documents as well. We could allow people access to their property files electronically this way. It is an opportunity for us to get ahead.

We also talked about some beautification projects for the Town. My hope is that we can put together some ideas and get some plans together for what we may want to do for some different flowers and shrubs at entrances and throughout the Town.

Another item Mr. Kanipe discussed was looking at the phone system and a way we can avoid what we went through last time when the Police Department flooded. Part of this issue is moving it up and out of the basement of the Police Department. I have worked with VC3 regarding telephone options, in addition to our existing IT network they handle.. The telephone system would work similarly but it would provide full redundancy in the event of a power outage or other natural disaster event. The switch that VC3 installed is already in place so that if our fiber line goes down, it connects to a cellular line with our 4G network and makes that connection just like a generator would do during a power outage. They were able to run the Town of Emerald Isle for 3-4 days during a hurricane event. The cost itself is not that tremendous. To do the capital upgrade as well as the recurring cost for next year would be about \$9,000, with recurring costs of about \$5,000 annually

Mr. Kanipe noted the cost to repair the phone system was about \$4,500. ITS, which is the State phone system we currently have, is located in Raleigh. If something happen to our phones, someone from Raleigh would be dispatched and then come out here. We are losing a day of service because they were not able to repair it until they got here. Another piece of this solution is to

recable the lines. My thought about relocating the phone lines would be to move what is currently in the basement at the Police Department to the extra storage closet that we have here in this building. The main switches would be located here in the storage closet next to the shower room. This would allow us to have everything based in a secure location so we can access it if we need to and no risk of flooding. The remaining lines at the Police Department and Public Works Department would all be elevated and improved with redundancy in place. This would be a \$30,000 fix but would certainly provide us adequate data and phone lines.

We have talked before about the Storm water program. I have also talked with Eric about also upgrading the radios. We are moving forward with these items in next year's budget as well.

Ms. Hauf asked how the document company will store the Town information. Mr. Kanipe stated the company we plan on using, One Source, would store the information through their server and it would be secure. Some information would not be public record such as property files. There are different layers of confidentiality. Personnel records would be accessible to only department heads and the personnel director, so a patrol officer, for example, would not have access to that.

Mrs. Joyce Young, 1 Frith Drive, asked about pedestrians running or walking with traffic. Chief Tinsley indicated officers would remind pedestrians about the rules of walking/running with traffic if they observed this behavior.

Mayor Goosmann adjourned the meeting at 5:55 pm. The next Board of Commissioners meeting is scheduled for Tuesday, May 10th at 4:30 pm.

ATTEST:

Jonathan B. Kanipe
Town Administrator

George F. Goosmann, III
Mayor