

MINUTES OF THE MEETING OF THE MAYOR AND TOWN COMMISSIONERS OF
BILTMORE FOREST HELD MAY 10, 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 April 12, 2016 meeting. The motion was seconded by Commissioner Loomis and unanimously approved.

Mayor Goosmann asked Chief Tinsley to give the monthly report for the Police Department. Chief Tinsley mentioned the chase listed on the monthly report. Officer Matt Kelly stopped a car near the Parkway. A car came up to him and ran into his car twice around 9:00 p.m. The officers followed and boxed him in the driver of the vehicle. As it turns out, the driver was in diabetic shock. The driver was taken to the hospital by ambulance. Chief Tinsley commended our officers on a very good job and was proud of them. Mayor Goosmann thanked Chief Tinsley for all the Police Department does.

Mayor Goosmann asked Mr. Terry Crouch for the Public Works monthly report. Mr. Crouch said everything is going fairly well. The recycling truck broke down but was repaired. Commissioner Kelly asked if the recycling figures went up since getting the new recycling containers. Mr. Crouch said no, the figures are about the same when compared to having the

recycling bins out by Town Hall. Mr. Crouch believed those figures may change when we get rid of the cardboard bin outside Town Hall. Mayor Goosmann thanked Mr. Crouch for all the Public Works Department does for the Town.

Mayor Goosmann asked Mr. Kanipe about new business items. Mr. Kanipe spoke of the architectural qualifications that were received and noted that three were submitted. Mr. Kanipe made a suggestion for the Board to review them over the course of the next month and indicated that he would provide a recommendation at the next meeting. Mayor Goosmann said the Public Works building will be replaced due to it being over 90 years old and the RFQs are for deciding who the architect will be for this project. Commissioner Cogburn said they all look like great companies. Mr. Kanipe agreed and noted that Stewart-Cooper-Newell performed the design work at Skyland Fire Department. Mr. Kanipe mentioned that Clark Nexsen were the architects for the Carolina Day School construction and was a good company to work with from the permitting side. Mr. Kanipe said he would be comfortable working with any of them.

Mr. Ryan Cole presented the monthly report for the Skyland Fire Department. Skyland Fire Department tested the hydrants this month and we were able to get them all tested. The water system looks very strong and everything is well maintained. Public Works should be commended for the maintenance and upkeep to the fire hydrants, and they do a good job.

Mr. Kanipe presented a budget amendment for FY 15-16. Mr. Kanipe explained the amendments and noted that the State change the retirement rate percentage mid-year so that required some increase. Mr. Kanipe indicated these amendments were made through revenue line item increases. The Tax Collection and Franchise Utilities Tax, Sales Tax Refund, and Personal Property Tax were all higher than anticipated already and the sales tax receipts will likely increase.

The decrease listed on the revenue side was in regards to the installment agreement on the garbage truck. Mr. Kanipe asked for a reallocation of the water fund side on the last page of the Budget Amendment. It would move some funds that we had allocated and transferred to the Water Fund Balance to Capital Outlay. The hope is to get started with the changes to the advanced

metering infrastructure (AMI) technology for the Water Meter Technology change as discussed previously. That would allow us to move forward and defer some costs for next year.

Motion was made by Commissioner Loomis to approve the Budget Ordinance Amendment. The motion was seconded by Commissioner Cogburn and unanimously approved.

FY 15-16 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, 2016.

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

<u>Account #</u>	<u>Account Description</u>	<u>Increase</u>	<u>Decrease</u>
10-3010-0000	Tax Collection (Current)	\$7,706.00	-0-
10-3360-0000	Franchise & Utilities Tax	\$41,357.00	-0-
10-3670-0000	Sales Tax Refund	\$4,428.00	-0-
10-3700-0000	Sale of Personal Property	\$5,500.00	-0-
10-3900-0000	Installment Agreement	-0-	(\$26,261.00)
Net Increase in General Fund Revenues:			\$32,730.00

This will result in a net increase in the General Fund Revenues of \$32,730.00. To appropriate these funds, and to serve as reallocations within the budgeted line items, the following amendments to the FY15-16 budget are provided.

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

<u>Account #</u>	<u>Dept</u>	<u>Account Description</u>	<u>Increase</u>	<u>Decrease</u>
10-4200-0700	Admin	Retirement	\$5,223.00	-0-
10-5100-0700	Police	Retirement	\$5,000.00	-0-
10-5100-1700	Police	Car Repairs	\$2,000.00	-0-
10-5600-0700	Pub Wks	Retirement	\$22,887.00	-0-
10-5600-1500	Pub Wks	Gen. Repairs/Maint.	\$2,000.00	-0-
10-5600-3600	Pub Wks	Uniforms	\$1,000.00	-0-
10-5600-5900	Pub Wks	Miscellaneous	\$500.00	-0-
10-5600-8100	Pub Wks	Recycling	\$5,000.00	-0-
10-5700-0700	Powell Bill	Retirement	\$3,000.00	-0-
10-5700-2200	Powell Bill	Contracts	\$2,000.00	-0-
10-6600-5400	Gen Gov't	Insurance	-0-	(\$13,000.00)
10-6600-1500	Gen Gov't	Gen. Repairs/Maint.	-0-	(\$2,880.00)
Net Increase in General Fund Expenditures:			\$32,730.00	

Section 3. To reallocate the Water Fund Expenditures as follows:

<u>Account #</u>	<u>Account Description</u>	<u>Increase</u>	<u>Decrease</u>
30-8100-0700	Retirement	\$3,500.00	-0-
30-8100-0700	Postage	\$500.00	-0-
30-8100-7400	Capital Outlay	\$33,624.00	-0-
30-8100-9000	Transfer to Water Fund Balance	-0-	\$37,624.00

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 10th day of May, 2016.

Mayor George F. Goosmann, III

Mayor Goosmann discussed the reappointment of some Design Review Board and Board of Adjustment members. Board of Adjustment member reappointment is Robert Chandler, Rhoda Groce and Lynn Kieffer. Mrs. Gay Coleman will be appointed to the Design Review Board.

Commissioner Cogburn made the motion to reappointment the Board of Adjustment members and appoint the Design Review Board member. Commissioner Kelly seconded the motion and was unanimously approved.

Mr. Kanipe presented the Fiscal year 2016-17 Proposed Budget and noted that the Town is in good fiscal health heading into next year. Mr. Kanipe's proposed budget does not include a tax increase and keeps the rate at 38.5 cents. The total proposed budget in the General Fund is \$3,848,004. This represents an increase of 1.86 percent from FY15-16. This increase, however, represents significant service upgrades for citizens while maintaining our current high level of service in other areas. Projects for FY16-17 in the General Fund include the following:
Mr. Kanipe went through specific projects and programs to be funded in the coming fiscal year for both the General Fund.

Mr. Kanipe then began discussion of the Water Fund and noted that the overall budget was \$796,595. This is an increase of 3.92 percent of the actual budget approved for FY15-16. Mr. Kanipe noted the two largest projects included in the budget. The first is the relocation and repair of a 12 inch water line along the northern end of Vanderbilt Road which has experienced two significant water breaks in this location in the past year. These breaks have resulted in a loss of water service to MAHEC as well as significant cost for repair. This project, estimated at \$50,000, will fix the issue with the water line in this location. The second project is the planned transition to AMI cellular meter technology. This technology will allow real time reading of water meters in

the Town and enable Town employees, and residents if they choose, to receive instant notifications of leaks in the water system. The final cost of the project is approximately \$146,000, but the budget amendment approved earlier in the meeting will offset some of the costs in the coming fiscal year.

In regards to water and sewer rates, there is a planned increase of 5 percent and 2.5 percent in the water and sewer billing, respectively. This is in line with proposed increases from the City of Asheville and Metropolitan Sewerage District. There is a planned “pass through” of a monthly 89 cents per meter charge that will facilitate the cellular coverage for the meters.

Finally, Mr. Kanipe noted the changes in formatting to the budget for the coming year. Staff has presented this year’s budget with a new departmental budget for “Sanitation” which breaks up more accurately the Public Works department budget. This change will more accurately reflect what the Town spends on our solid waste and recycling services provided to citizens.

Staff also created a separate departmental budget for Fire Services which reflects the annual payments made to Skyland Fire Department. Debt service schedules were also pulled out to a separate departmental budget (from the General Government department) and engineering and legal fees were moved from the Administration department into the General Government department. These changes allow more transparency and accurately reflect where Town revenues are being allocated.

There were no questions related to the proposed budget.

Motion was made by Commissioner Loomis to go into Closed Session to preserve the Attorney-Client privilege pursuant to N.C.G.S. 143-318.11(a)(3). The motion was seconded by Commissioner Cogburn and unanimously approved.

The Board of Commissioners returned to open session at 5:29 pm. Mr. Clarke asked the Board if everyone had a chance to look at the revisions. Not everyone had received the revisions so Mr. Clarke asked the Board to look over the changes. The changes that were made were put in a “text” format within the new proposed zoning ordinance changes from American Legal

Publishing. Mr. Clarke said he would also like the Planning Commission and the Board of Adjustment to look at the changes as well.

Commissioner Loomis asked about the front and side yard revisions. Mr. Clarke said he included language saying in ruling on applications for Conditional Use permits or variance approvals, the Board of Adjustment may consider the visibility of both sides.

Commissioner Loomis also spoke of the fencing guidelines in the proposed revisions. Mr. Clarke suggested adding language about fences not being used to confine dogs or children as a reason for a hardship.

Mr. Clarke said that he and Mr. Kanipe will work together and see what they can come up with regarding the Animal Ordinance.

Mayor Goosmann adjourned the meeting at 5:40 pm. The next Board of Commissioners meeting is scheduled for Tuesday, June 14th at 4:30 pm.

ATTEST:

Jonathan B. Kanipe
Town Administrator

George F. Goosmann, III
Mayor