

PROPOSED AGENDA

Meeting of the Town of Biltmore Forest Board of Commissioners

To be held Tuesday, April 12, 2016 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.

1. The minutes of the March 15, 2016 meeting will be presented for approval.

C. Reports of Officers

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

D. New Business

1. Town Hydrant Flushing and Pressure Testing Presentation – Skyland Fire Department
2. Architectural Firm RFQ Process Update – Jonathan Kanipe
3. Recodification Project Draft Presentation – Billy Clarke
4. FY 16-17 Budget Planning Update – Jonathan Kanipe

E. Petitions, Motions, and Other Business

1. Petition from Debra Stonecipher, 15 East Forest Road

F. Public Comment

G. Adjourn

MINUTES OF THE MEETING OF THE MAYOR AND TOWN COMMISSIONERS OF
BILTMORE FOREST HELD MARCH 15, 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 February 9th, 2016 meeting. The motion was seconded by Commissioner Kelly and unanimously approved.

Mayor Goosmann and the Board expressed their sympathies with the passing of Mr. Terry Crouch's father.

Mayor Goosmann asked Chief Dennis Presley from the Skyland Fire Department to present the monthly report. Chief Presley said it was a fairly quiet month. There were a few more calls than usual but basically just routine assistance calls.

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 it was a busy month for the Police Department but no major crimes

occurred. Mayor Goosmann asked what “special assignment” meant on the police report. Chief Tinsley said it usually means the Officer conducts radar operation. Mayor Goosmann asked Chief Tinsley what the sign ordinance violation was on the police report and Chief Tinsley said it was a real estate sign that was too close to the road.

Commissioner Kelly asked how the body cameras and dash cameras are working. Chief Tinsley said they are working well. Chief Tinsley said he is working on telling the Officers to keep their cameras on when driving their Police vehicles.

Mayor Goosmann asked Mr. Terry Crouch to present the Public Works monthly report. Mr. Crouch said it was an average month. Mayor Goosmann had a question for Mr. Crouch regarding street number signs. Mayor Goosmann asked if the house number signs had to be ordered from the Town and is it common for residents to buy street number signs from somewhere else. Mr. Kanipe and Mr. Clarke both stated there is a provision in the Ordinance that allows for a house number sign but it does not specify where to buy one. Mayor Goosmann noticed one that did not look uniform on Eastwood Road. Mr. Crouch said he will take a look at the street number sign.

Commissioner Kelly asked Mr. Crouch how the new recycling program is going. Mr. Crouch said we had a few glitches but are doing well on just the fifth day of this program. We have collected 4.8 tons so far. Commissioner Kelly asked how that compares with what is being taken away in the bins outside of Town Hall. Mr. Crouch was unsure and Mr. Kanipe said we had yearly totals for that. Mr. Kanipe believed it to be around 700 tons and said we may be a little bit under that just based on initial consumption. Mr. Crouch said overall the new recycling program is running well. Mayor Goosmann thanked Mr. Crouch.

Mayor Goosmann asked Mr. Jonathan Kanipe for the storm water presentation plan. Mr. Kanipe stated the area around Hemlock Road and Cedar Hill Drive is a big concern. Also, the area around 56 Forest Road has been washed out underneath the road. Those are the two areas to focus on right now. Mr. Kanipe proposed a budget amendment which takes funds allocated already in the budget that will not be used this year. These funds are available as a result of the garbage truck purchase occurring a bit later so this debt service will begin in the next fiscal year. Additionally,

there was equipment purchased in the Streets department's equipment line item which had already been purchased in the Public Works line item so these funds are available. Additional funds for the amendment were pulled from the contingency line item.

The Town and Public Works Department requested quotes from several different contractors. Mr. Crouch and Mr. Kanipe feel confident with Buckeye Construction. They offer a good price and good construction. They also did a segment of the Town's water line replacement, and are also willing to start the project immediately.

Mr. Kanipe said that the agreement with Buckeye Bridge for the construction could be approved after the budget amendment was approved. This Budget Amendment allows us to create a line item within the Powell Bill Fund. It will focus on storm water and drainage repairs. Within the Budget you will see coming up, we will knock out the issue on Greenwood and the Vanderbilt/Lone Pine intersection. I would like to see some funds allocated in there annually for this type of work.

Commissioner Loomis moved for adoption of the Budget Ordinance Amendment creating storm water drainage transferring into that account. Commissioner Cogburn seconded the motion and was unanimously approved.

Commissioner Cogburn moved to have the bid accepted for Buckeye Construction. Commissioner Kelly seconded the motion and was unanimously approved.

As you all know, Gary Davis was here last month and he contacted Robin Kanipe to perform a structural review. Mr. Kanipe is retired from SKA Structural Engineers here in Asheville, but doing some consulting work on the side. He came out and reviewed the Public Works building and the storage building. He also took a look at the Police Department. His report is based on the Public Works building and the storage building. The building is almost 90 years old and is deteriorating rapidly. Mr. Robin Kanipe raised a lot of interesting points on whether it would be feasible to take it down to the walls and rebuild. Also, he raised issues with the cell tower behind it and what happens if we want to take it all down and rebuild on that same sight. Ideally,

we would like to use the space that we have on site and Mr. Jonathan Kanipe asked the Board to allow the creation of an RFQ to solicit information from architectural firms for these buildings. Mr. Kanipe did not know whether keeping the building in the same footprint was feasible, but said it would be a good idea to speak to various architects in further detail. The Board agreed and Mr. Kanipe indicated he would have something to present next month.

Mr. Billy Clarke went over a summary of the discussion of fences with the Board of Adjustment. Commissioner Cogburn and Commissioner Loomis also attended one of the Board of Adjustment meetings. Mr. Kanipe asked Mr. Kenny Armstrong, a former town intern, about the number of fences approved during the Board of Adjustments process. Mr. Armstrong said one-third of Conditional Use Permits applied for were for fences. Mr. Clarke said the current Ordinance does not prohibit fences, and denotes them as an accessory structure. Mr. Clarke listed the current fencing requirements in the Ordinance. Chain link fences are really not supposed to be in the front yard or side yard, they are also discouraged in the rear yard. There is no fencing allowed in the front yard or side/rear yard setbacks without variance approval. The Ordinance does not prohibit fencing. The Board of Adjustments asked for guidance and direction regarding the type and color of fencing. The Board of Adjustments does not like having to decide what color and what kind of fencing is acceptable. Another item pointed out at the meeting was there are a lot of justifications for fencing. As an example, people use dogs as justification for fencing. There was a general agreement that dogs and children are not really a justification for putting up a fence in the front yard. Commissioner Loomis asked if that was just for the front yard or if that is everywhere. Mr. Clarke clarified that it applies everywhere.

Mr. Clarke asked for direction from this Board regarding fencing. We can tweak the existing Ordinance. Another issue the Board of Adjustment talked about was buffering of the fences. They do not think that a fence should be allowed as a result of buffering, but if they do allow a fence, they require buffering.

Mayor Goosmann stated that Commissioner Loomis and Commissioner Cogburn both served as Chairman for the Board of Adjustment in the past. Mayor Goosmann also stated he served on the Board of Adjustment.

Commissioner Loomis stated that she would feel comfortable having us take the language from the Preamble and writing it into the Ordinance. Commissioner Loomis stated she was not confident when people need to replace a fence that they should actually replace it with a fence. Commissioner Loomis believes more thought should be given about why someone would consider a fence. Mr. Clarke said he would be happy to put something together about the fencing requirements.

An audience member asked to comment about electric fencing and wondered if it was allowed. It is around the entire property of a home in Biltmore Forest. Is there a way this can be dealt with or if this is addressed anywhere in the Ordinances. Mayor Goosmann said this is a matter we will look into. The audience member pointed out the electric fences are much more powerful than the battery operated fences and this could be very dangerous.

Another audience member asked how the Board was going to mitigate the issue of people who would like to put up a new fence when compared with people who have existing fences. The audience member said it should be an all or nothing issue. Either allow everyone to have fences or do not allow residents with existing fences to replace them. Everyone needs to feel like they are given the same consideration. Mr. Clarke agreed and said that he will draft some language together and the Board will make the decision on this.

Mayor Goosmann thanked the audience members for their comments and feedback.

Mr. Clarke reminded everyone that we still have a limit of accessory buildings to one. There is not a limit on the number of accessory structures and we have discussed this at the Board of Adjustment meeting. It is primarily regarding new houses. They have a lot of proposed accessory structures. They have walls and landscaping features. There was concern about the impact to the Town. Mr. Clarke was not recommending any change but said this matter has come up. Mr. Kanipe stated the newer homes particularly on the larger lots have had quite a bit of those features that have been included in their design.

In terms of schedule, Mr. Clarke said he will try and get something out before the next Board meeting.

Mr. Kanipe said he has been in touch with American Legal Publishing and there is no issue with extending the deadline. The deadline is currently April 29th.

Commissioner Cogburn asked if there are any gates previously presented before the Board of Adjustment. Mr. Kanipe said yes, the gates are presented along with fences but are considered a separate item.

Mayor Goosmann adjourned the meeting at 5:27 pm. The next Board of Commissioners meeting is scheduled for Tuesday, April 12th at 4:30 pm.

ATTEST:

Jonathan B. Kanipe
Town Administrator

George F. Goosmann, III
Mayor



MEMORANDUM

APRIL 12, 2016

To: Mayor and Commissioners
From: Jonathan Kanipe, Town Administrator
Re: Town Hydrant Flushing and Pressure Testing Presentation
Date: April 5, 2016

Skyland Fire Department hopes to conduct a hydrant flushing and pressure testing for the entire Town water system in early May. Their goal is to ensure that all hydrants in the Town work properly and to ensure appropriate flow pressures in the event of a fire. This will be done in conjunction with a visit from the North Carolina Department of Insurance. A successful report from DOI could lower the Town fire insurance rating, which would result in the lowering of insurance rates for homes in the Town.

This will certainly cause some disruption in water service and result in some frustrations among residents. Skyland has prepared the attached information for the hydrant testing program and will discuss the program in greater detail with the Board. It has been quite a long time since this last occurred, and moving forward, Skyland will only need to flush approximately 30 or so hydrants each year to keep them in proper service.



Skyland Fire & Rescue

Phone: (828) 684-6421 Address: PO Box 640 Skyland NC 28776 Fax (828) 684-1010
www.skylandfire.com

To: Biltmore Forest Board of Commissioners

Reference: Hydrant Testing

According to the North Carolina Department of Insurance Rating and Inspections Division, to receive full credit for the water distribution system records of hydrant flow data must be present for all hydrants as well as annual inspections and flow data.

Flow data must be provided while flowing the hydrant and obtaining a pitot and residual pressure. Every hydrant must have flow data.

To receive full credit each hydrant must be flow tested once every five (5) years.

Additional credit will be provided with hydrants having color coded markings on the hydrant which match the flow data.

Inspections include pressure testing, flushing and lubrication of caps which must be done annually on all hydrants to receive full credit.

Any acceptable hydrant must be capable of flowing 250 Gallons Per Minute (GPM) with a 20 psi residual pressure.

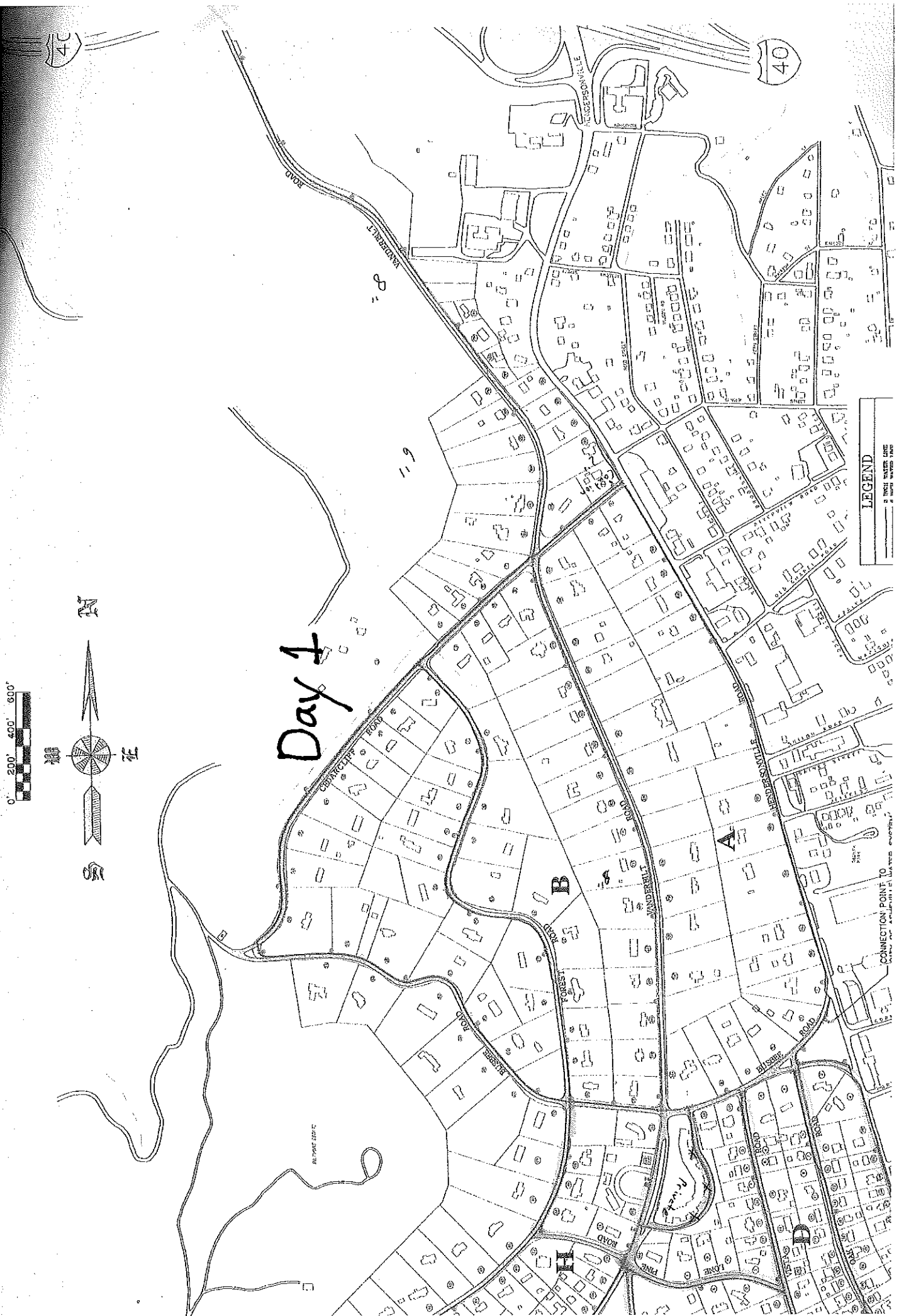
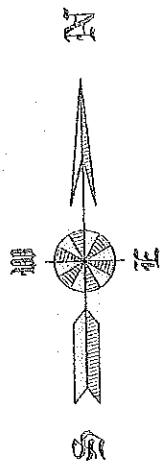
Starting on June 6th 2016, the North Carolina Department of Insurance Ratings and Inspections Division will be evaluating Skyland Fire Department, Skyland Fire District, and the Town of Biltmore Forest Fire District to determine the Insurance Rating for residences within each district.

To ensure the best possible insurance rates for the citizens of the Town of Biltmore Forest, Skyland is proposing to conduct a complete flow testing of all hydrants in the Town of Biltmore Forest during the first two weeks of May 2016. In a plan developed with the Public Works department the flow testing should be completed within 5 days (see attached), however one additional week is scheduled to anticipate any unforeseen issues.

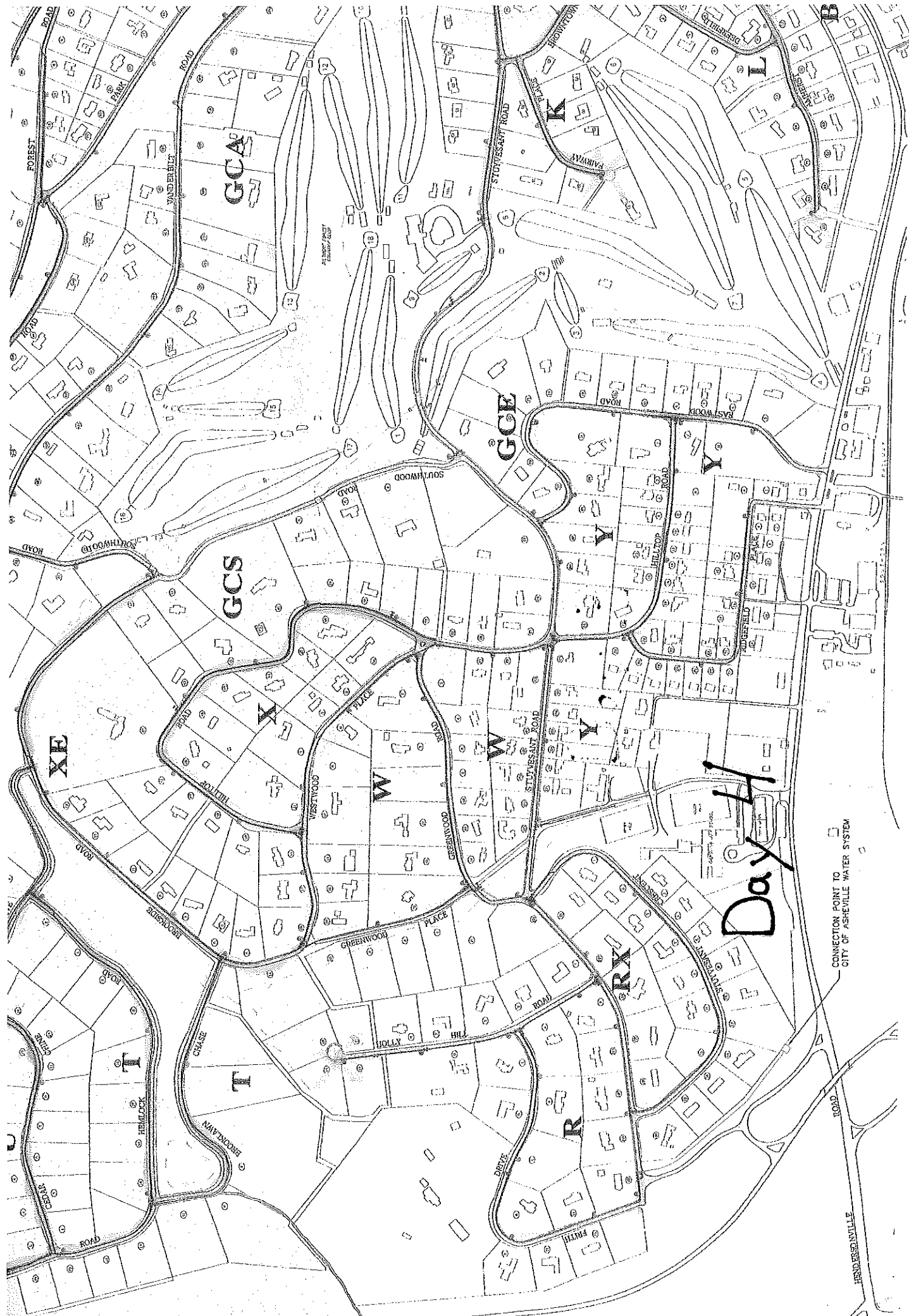
I will be at the next Board of Commissioners Meeting to answer any questions.

Ryan Cole
Deputy Chief
Skyland Fire & Rescue

Day 4







Day H

CONNECTION POINT TO
CITY OF ASHEVILLE WATER SYSTEM

HEAD RESERVOIR



MEMORANDUM

APRIL 12, 2016

To: Mayor and Commissioners
From: Jonathan Kanipe, Town Administrator
Re: Architectural Firm RFQ Process
Date: April 5, 2016

Per the Board's direction at our last meeting, I prepared the attached Request for Qualifications for Architectural Services. Upon completing the draft, Mr. Clarke reviewed and found it compatible with state purchasing and bidding guidelines. I submitted the RFQ to several local engineers for disbursement among architectural firms and contacted several firms that have performed work in the town previously. Additionally, I also submitted this information to the Asheville chapter of the American Institute of Architects (AIA) for disbursement to their membership.

The deadline of April 29th should allow ample time for interested firms to review the site and prepare qualifications for submission. Once those submissions are received, I will prepare a detailed memorandum for the Board and provide information at our May meeting for the next steps in the process. Please let me know if you have any questions about this RFQ or the proposed timeline included within it.



Request for Qualifications for Professional Architectural Services

in providing Design Services for the Construction of a New Public Works Building
and Storage Facility

March 24, 2016

Proposal Instructions and Requirements

The Town of Biltmore Forest Board of Commissioners is soliciting qualifications from selected architectural firms for professional architectural services in providing design services for the construction of a new Public Works Building and Storage Facility.

Proposals will be received in the Town Hall of the Town of Biltmore Forest until 3:00 p.m. on Friday, April 29, 2016.

Any proposal received after the specified time and date will NOT be accepted or considered. All proposals shall be sealed and marked as follows: **“Architectural Services for the Town of Biltmore Forest”** and delivered to:

Jonathan Kanipe, Town Administrator
Town of Biltmore Forest
355 Vanderbilt Road
Biltmore Forest, NC 28803

Project Scope

The Town of Biltmore Forest, North Carolina requests qualifications from qualified firms to provide architectural and construction design, including complete drawings, plans, construction cost estimates, site development and building specifications for the construction of a new Public Works Building and storage facility. The current building is on a 1.84 +/- acre parcel that also contains the Town Hall and Police Department. The existing Public Works Building was constructed in approximately 1929 and is in poor condition.

The selected architectural firm must take into account the Town's existing space needs at

the Town Complex when making a recommendation about the new public works building. Special consideration must be taken in regards to the design of a structure compatible with the Town of Biltmore Forest's historical character and natural setting.

Submittal Requirements

Statements of Qualification should clearly and concisely address the following:

- Firm name and location of office where work will be performed
- Brief overview and history of the firm
- Demonstrated firm experience in local government administrative and public works buildings, including experience in architectural planning, design and construction management, contract documents and specifications with designing new buildings for sites in comparable areas for organizations with a similar size.
- Resumes of the project architect and key personnel who will be involved with this project; their qualifications and experiences as related to the scope of work detailed above as well as their anticipated assignments related to this project. Specific information on their background, training, and experience with similar projects should be included.
- Other work commitments of the project architect and other specified key personnel during this project time frame.
- The extent of work on this project that will be done by consultants or subcontractors. Provide the name, location, discipline, experience, and training for each consultant.
- Provide a list of client references for related local governmental work done within the past five (5) years. Include name, address, telephone number, and contact person most involved with the project and person with your firm that participated in the design of the project.
- Historical data on all governmental projects (local, state, and federal) completed over the past five (5) years showing schedule performance and change order history. Include budget, pre-bid estimate, and final cost. Include experience in delivering publically funded projects on time and on budget.
- Documented evidence of professional, general liability errors and omissions policies and coverages.
- Document any history of litigation associated with project performance and/or professional liability. Litigation includes pre-suit dispute resolution and all matters settled out of court.
- An hourly rate schedule for each employee proposed for this project.

Please limit the submission to 20 pages or less on 8 ½ inch paper, which may be printed on front and back. Seven (7) copies and a digital PDF copy of the statement of qualifications are due no later than 3:00 p.m. on Friday, April 29, 2016. No statement of qualifications will be accepted after this time. All proposals shall be sealed and marked as follows: “**Architectural Services for the Town of Biltmore Forest**” and delivered to:

Jonathan Kanipe, Town Administrator
Town of Biltmore Forest
355 Vanderbilt Road
Biltmore Forest, NC 28813

Selection Timeline

1. **March 15, 2016** – Town Board of Commissioners directs staff to prepare architectural RFQ
2. **April 29, 2016** – Architectural Services RFQ due to the Town of Biltmore Forest by 3:00 p.m.
3. **May 10, 2016** – After staff and Board of Commissioner's review, top architectural firms are selected for further review and presentations
4. **June 14, 2016** – Town Board of Commissioners approves final architectural firm for the Public Works and Storage Building Project.

Note: Additional requests for meeting and presentations may occur between the May and June meeting dates per request of the Board of Commissioners. Applicants will be given a two (2) week notice prior to any meeting or presentation request.

Evaluation and Selection Procedure

Selection of the architectural firm will be determined by the Town Board of Commissioners with assistance from Town staff. Selection will be based solely on the best overall statement of qualifications that is in the best interest of the Town. The Town will enter into contract negotiations with this firm, and if negotiations fail, the Town will terminate negotiations and enter into negotiations with the next best qualified firm.

Proposal Costs

The Town is not responsible or liable for any costs incurred by the firm associated with the preparation of the proposal.

Economy of Preparation

Proposals should provide a straight forward, concise description of the firm's ability to meeting the requirements of the proposal. Emphasis should be on completeness and clarity of content. Proposals should limit themselves to twenty (20) pages or less and may be printed on both front and back sides. Eight (8) copies of the proposal and one electronic copy in PDF format should be provided.

Acceptance of Proposal Content

The contents of the proposal of the successful firm may become part of the contractual obligations, if a contract ensues. Failure of a successful proposer to accept these obligations may result in the Town entering into a contract with another firm.

Questions

Questions regarding this proposal or the project should be submitted electronically via email to Jonathan Kanipe at jkanipe@biltmoreforest.org. Please note in the subject line you are requesting information on the “Town of Biltmore Forest Public Works Building Architectural RFQ”. Deadline for questions is Friday, April 22, 2016. Any changes in the proposal may be sent by email and furnished to all proposers. Verbal information otherwise obtained will not be considered in the awarding of the proposal.

Commitment to Award

This solicitation does not commit the Town to award a contract, to pay costs incurred in the preparation of the proposal, or to procure or contract for the services listed herein. The Town reserves the right to reject any or all proposals received.

Contract Negotiations

This Request for Qualifications is not to be construed as a contract or as a commitment of any kind. If this Request results in a contract offer by the Town, the specific scope of work, associated fees, and other contractual matters will be determined during contract negotiations.

Public Records

All information contained in the proposal may be a public record open to inspection and copying by the public under State and Federal law.

Timing

Professional services work to begin immediately after execution of a contract with the Town.

Professional Liability Insurance

The successful proposer, upon award of contract, shall provide certificates of insurance of all appropriate liability insurance(s), written by an insurer authorized to transact insurance in the State of North Carolina.

Town of Biltmore Forest Vendor Application Packet

All proposals must include a completed vendor application packet for the Town of Biltmore Forest. This packet can be found on the Town’s website at <http://www.biltmoreforest.org/bids-and-rfps>

Applications submitted without this vendor application packet will not be considered.

E-Verify Employer Compliance

Contractors and their subcontractors with twenty-five (25) or more employees as defined in Article 2 of Chapter 65 of the NC General Statutes must comply with E-verify requirements to contact with governmental units. E-Verify is a Federal program operated by the United States Department of Homeland Security and other federal agencies, or any successor or equivalent program used to verify the work authorization of newly hired employees pursuant to federal law. Please understand that Contractors, as defined above, must use E-Verify. Therefore, all contractors must be in compliance with the E-Verify requirements to enter into contracts with the Town of Biltmore Forest. An E-Verify certification form is included in the vendor application packet and must be submitted for the proposal to be considered.

Iran Divestment Act Compliance

Pursuant to N.C.G.S. 147-86.59, any person identified as engaging in investment activities in Iran, determined by appearing on the Final Divestment List created by the State Treasurer pursuant to G.S. 147-86.58, is ineligible to contract with the State of North Carolina or any political subdivision of the State. A certification form related to the Iran Divestment Act is included in the vendor application packet and must be submitted for the proposal to be considered.

Points of Contact

All questions concerning this project should be directed to Jonathan Kanipe, Town Administrator. Mr. Kanipe can be reached at (828) 274-0824 or via email at jkanipe@biltmoreforest.org. No firm shall contact any member of the Town of Biltmore Forest Board of Commissioners during the selection process regarding this Request. Such contact may be a basis for disqualification.

Attachment A – Site Location

Attached to this Request for Qualifications is a Buncombe County GIS aerial map showing the location of the current Public Works Building and Storage Building.

Attachment B – Structural Engineer Report

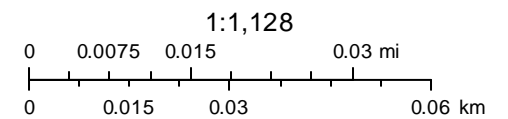
Attached to this Request for Qualifications is a report by Robin Kanipe, P.E., in regards to the existing public works building and storage building. This brief report was prepared at the request of the Town Board of Commissioners in order to gain a brief understanding of the current state of the two (2) structures, and is provided solely to assist the proposing firm with background on the existing site and buildings.

Biltmore Forest Municipal Complex

Attachment 1



March 23, 2016



Robin L. Kanipe, PE

33 Fox Hollow Ct., Arden, North Carolina, 28704
Telephone - 828-779-4906



February 26, 2016

Gary Davis, PE
134 Charlotte Hwy
Asheville, NC 28803

Re: Biltmore Forest Public Works Buildings

Dear Mr. Davis,

As per your firms request, I visited the subject building on February 22, 2016. The purpose of this visit was to conduct a visual structural assessment of the main building and the salt and sand storage buildings. This report is based solely on the observations made during the visit. No calculations or structural analysis have been performed.

MAIN BUILDING:

The Main Building consists of two stories and is constructed of clay tile bearing walls, a wood framed supported upper floor system, and wood framed roof system that has a relatively high pitch. The building's primary use at the time of the visit was the storage of miscellaneous items. The front of the building is at pavement level, while the rear of the building is recessed into the grade two to four feet. In other words, the rear wall retains two to four feet of soil. Behind the building, a precast concrete wall and cell phone tower have been constructed.

It is my understanding that during periods of moderate rainfall, substantial amounts of water seep through the rear wall and up between the joint of the rear wall and the slab on grade. During the time of my visit, moisture was noted on the interior face of the wall and it was not raining at that time. Numerous areas of wood decay were noted around the perimeter of the exterior of the building.

It is also my understanding that the Town of Biltmore Forest is interested in renovating the building. For the following reasons, it is my opinion that the economic feasibility of doing any moderate modifications to the structural elements of the structure are not reasonable:



1. The rear wall of the structure is constructed of clay tile. It is my professional opinion that this material is a poor choice for a retaining wall. Unlike today's concrete masonry units that have vertical open cells that can be reinforced, the open cells of clay tile units run horizontal, not allowing the ability to reinforce the wall for lateral loads such as the soil. It is my opinion that the reason the walls function properly at this time is due to the partition walls that intersect the rear wall at relatively short spacing. In structural terms, the rear wall is acting like a plate being laterally supported on three sides. The removal of any one of these walls, which may be required in order to make this area more functional, could lead to a failure of the rear wall.
2. The rear wall is showing indications of deterioration on the interior face where the moisture was noted. This deterioration is most likely due to the presence of the moisture during extreme cold temperatures. It is my opinion that this deterioration will continue.
3. One possible solution to the moisture issue of this building would be to install a functional waterproofing to the exterior of the walls below grade. Unfortunately, the presence and proximity of the precast concrete wall constructed for the cell phone tower makes this option a relatively costly venture. The excavation required to install the waterproofing may lead to an undermining of the precast wall foundations leading to a failure of the wall.
4. The existing structural elements do not meet the present North Carolina State Building Code requirements for seismic loads. While it is not required at this time to bring existing structures up to present seismic code requirements, the local building officials may require the building to be brought up to present code standards if in their opinion the amount of renovations warrant such action. Or, if the building were to be classified to a higher risk category, the local building officials may require the building to be brought up to present code. The latter being a more common occurrence.

STORAGE BUILDING:

The storage building consists of numerous building materials. The roof is constructed of plywood sheathing supported by prefabricated wood trusses spaced at 4'-0" o.c. supported by beams and columns. Various types of push walls have been added to the build to facilitate the loading of sand and salt. Some of the walls appear to be similar to the Ready Rock wall system provided by Southern Concrete Materials. The exterior of the building is sheathed with wood

material. Because of the presence of the sand and salt, many of the structural elements were not open to observation.

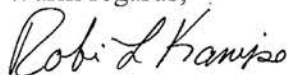
The following was noted:

1. The exterior sheathing appears to be in a deteriorating stage.
2. The added push wall elements appear to have been moved by the equipment operating in the structure. This was evidenced by the arrangement of the subject elements.

Due to the deteriorated conditions noted during the visit, it is my professional opinion that the existing facility should undergo major renovations or be replaced. This opinion is also based on what appeared to be movement of the push walls. This movement is a significant safety concern in my opinion. If the walls were to come into contact with a column or some other structural element it may cause a failure of that element. This is an even higher concern since some of the elements may have deteriorated over the years due to exposure of elements and a corrosive atmosphere.

Should you have any questions regarding this report, do not hesitate to contact me.

Warm regards,



Robin L. Kanipe, PE





MEMORANDUM

APRIL 12, 2016

To: Mayor and Commissioners
From: Jonathan Kanipe, Town Administrator
Re: Recodification Project Draft Presentation – Mr. Billy Clarke
Date: April 5, 2016

Mr. Clarke has prepared draft ordinance amendments related to our ongoing recodification project. We have used the feedback garnered from last month's Board meeting, as well as the earlier meeting with the Board of Adjustments and other discussions with the Commissioners as well. This draft represents those changes as best interpreted by those discussions.

These changes are presented in two forms: the first is the (now familiar) table showing the proposed changes and differences to each ordinance. This includes adding some of the language from the preamble into a new section dedicated to fencing within the Town. The second form is the proposed revisions to the animal control ordinance as discussed last fall. These changes relate to wild and exotic animals.

If there are additional changes you would like made based on this draft, please let us know. If this draft is agreeable to you, then we will likely prepare for a Planning Board hearing followed by a public hearing at the next Commissioners' meeting.

Proposed Changes to Biltmore Forest Code of Ordinances

<u>Chapter and Section</u>	<u>Title</u>	<u>Change</u>
150.02	Building Permit Fees	Jonathan Kanipe to propose schedule
150.03 – 150.03 06	Roof Coverage - Suggested Materials	Delete first sentence and replace with; " The following list of materials are suggested for roof coverage. Materials listed in sections 150.03 – 150.06 are suggested and not mandatory."
153.004	ACCESSORY STRUCTURE (new definition replacing Accessory Use. Chapter 151.05 (Flood Damage Prevention, Page 9) has a different definition for Accessory Structure. It is appropriate to have a different definition for flood purposes See 151.26 (on page 23)	ACCESSORY STRUCTURE – A structure incidental and subordinate to the principal use or building on the lot and located on the same lot with such principal use or building. Accessory Structures include, but are not limited to, fences, walls, curbs, pools, play sets, statues, water features, playhouses, decorative walls, sculptures, solar collectors, residential street lamps, rock and stone moved from its original location to any other location on the property, and the like.
153.004	BUILDING	Any structure having a roof supported by columns or by walls, and intended for shelter, housing, or enclosure of persons, animals or property. Two structures shall be deemed a single building only if connected by heated and enclosed living space.
153.004	BUILDING. ACCESSORY	BUILDING, ACCESSORY (comma instead of period) Delete last sentence.
153.004	Roof Coverage	Sixth row down, "healed" should be "heated"
153.004	STRUCTURE Revise definition	Delete everything after subparagraph (a) in this section.
<u>Insert new separate section on fencing</u> 153.029 (C)	FENCES	The town is a unique community concerned with historic continuity. The Town, originally part of the Vanderbilt Estate, was established 100 years ago. Since its inception, Biltmore Forest has been a forested residential community with substantial green open space. To that end, persons constructing new residences and renovating existing residences are encouraged to limit fences and walls. Fences are allowed only as a conditional use. Fences must comply with the following conditions: (1) Wooden fences should be of natural color or painted in a manner compatible with the color

		<p>of the primary residence. Non-wooden fencing material shall be black, dark green, or brown to blend with surrounding trees or vegetation.</p> <p>(2) No new chain link fences shall be allowed. Existing chain link fences may be replaced with fencing of other material subject to the approval of the Board of Adjustment.</p> <p>(3) The Board of Adjustment may require vegetative buffering of any fencing to conceal the fence from neighboring properties and the street as a condition of allowing the fencing.</p> <p>(4) No fencing shall be allowed in the front yard of a Lot, or within the side or rear yard setbacks.</p> <p>(5) Confining dogs shall not be considered sufficient purpose for building a fence if other options, such as underground electric fences are available.</p> <p><u>(6)</u> The Design Review Board shall develop standards and specifications for acceptable fencing material.</p>
153.004	YARD, FRONT	Change last sentence to read, "In the case of a lot with frontage on more than one street, street frontage on both streets shall be considered the Front Yard. "
153.004	VARIANCE – changing definition	VARIANCE – shall be as defined in G.S. 160A-388(d) together with any amendments thereto.
153.005 (C)	ZONING MAP OR BILTMORE FOREST ZONING MAP - editing	Revise to read as follows; A zoning map, entitled the "Official Zoning Map of the Town of Biltmore Forest, " depicts all approved use districts and their respective boundaries. Such map is hereby made a part of this chapter and shall be maintained in the Town Office and updated to reflect changes and amendments to this Zoning Ordinance. " Rest of the definition is fine.
153.005 (E)(1)(b) And 153.005 (D) (2)(b)	Punctuation and change paragraph designation to (E) as there are two subparagraphs (D)	Comma inserted after "including home occupations"
153.005(E)(3)(-b)	Residential District (R-3) – eliminating language stating that that this area is without public water and sewer service	Delete first sentence of subparagraph (b); add comma after "home occupations" in same paragraph.

153.005(E)(7)	Landscaping plans.	remove this paragraph from this section – include in revision of 153.034
153.006	Permitted Use Table	Remove footnotes from this section and put them in a new section, GENERAL PROVISIONS, before 153.007 – DIMENSIONAL REQUIREMENTS.
153.006.1	Permitted Uses	1 -6 notes under the Permitted Use Table
153.007	Dimensional Requirements	Remove Footnotes from this section and put in a new section immediately following DIMENSIONAL REQUIREMENTS. Footnote 2 should be deleted and included in the section on Planned Unit Developments (153.009 (C)(2))
153-007.1	Dimensional Requirements	Notes 1, 3-6 under Dimensional Requirements.
153.008(C)(6)(c)	Commercial services..	Removed stray "on" from fourth line down
153.027	Lot Frontage we could just end it after " All lots shall front on a public street." I think we can do that, but no more	Delete current section and replace with: "All lots shall front on a public street. It is suggested but not required that garage doors not face or be visible from the public street, that garage doors not be more than ten feet wide, and if there are multiple garage doors, that there be at least 18 inches of separation between them. "
153.029(A)	Accessory structures	This has been addressed by the revised definition of ACCESSORY STRUCTURES IN 153.004. Revise second sentence to read, "No accessory structure or building shall be constructed, erected, or located within any front yard or within any side yard or rear yard setback. I would recommend that we delete the third sentence of 153.029(A) and 153.029(B)(2) as modern satellite dishes are much smaller?
153.029 (B)(3)	Satellite Dishes	include "inches" after 24
153.029	Solar panels	Solar collectors are now included in the definition of ACCESSORY STRUCTURE. I recommend adding a new section, 153.029(B)(1)(h) " Solar collectors shall be regulated in accordance with North Carolina General Statutes 160A-201. "
153.032	Vacant structures and lot	Include reference back to Town Code section allowing tax liens as penalty.
153.034(A)	Land disturbance	Third line down, there should be a period after "approval" and before "prior"
153.044	Material & Color Requirements for Residential Dwellings	Revise first paragraph to read as follows: " (A) The town is a unique community concerned with historic continuity. The Town and its citizens are interested in the exterior appearance of residential structures, including the materials and color used in constructing and reconstructing such structures. To that end, those persons constructing new residences or renovating or expanding existing residences are encouraged to

		consider the provisions of this section regarding building materials." In sub paragraph (B)(b) 1. A., delete the word, "Permitted." In (B)(b)1.(b), delete the word, "Prohibited." In (B)(b)2. a., delete, " <i>Permitted Roofing Materials</i> ," and replace with, " <i>Suggested Roofing Materials</i> " in b. in same section, delete " <i>Prohibited Roofing Materials</i> , and insert, " <i>The following roofing materials are discouraged.</i> " In (B)(2) <i>Color</i> , second line, change "regulations" to "provisions" In (B)(2) (a), deleted "Permitted." In (B)(2) (b), delete " <i>Prohibited exterior colors</i> " and revise to read, " The use of day-glow or fluorescent colors is discouraged. "
153.045(B)(3)(b)	Roof form	153.045(B)(3)(b) 1. Delete "Permitted." Insert, " <i>The following roof forms are encouraged.</i> " In paragraph 2. Of this section, delete, " <i>Prohibited</i> ," and insert, " <i>The following roof forms are discouraged as inconsistent with existing structures in the Town.</i> "
153.046	Commercial Bldg Requirements	The Town can still regulate exterior materials etc. for commercial buildings.
153.061(A)(3)	Applicability	Revise this section to read; " new parking spaces or lots are not required to comply with the provisions of this section.
153.064(A)	Parking Lot Landscaping Requirements	Change "glass" to "grass"
153.065	Screening	Should be "docks" not "docs".
153.110 (C)	Conditional Uses	This is consistent with state law.
Chapter 90	Animals	To be provided separately
130.04	Solicitations and Peddlers	no change.

Revisions to Section 4 of Code of Ordinances

Reword Current Section 4-38: Wild Animals and Exotic Pets (90.09 in Blue Book)

- (a) Wild Animal – means any animal normally found in the wild state, particularly those feral, dangerous or non-domesticated animals which generally do not live in or about the habitation of humans, including but not limited to: bears, non-human primates, all felines (other than the domestic house cat), raccoons, skunks, squirrels, venomous snakes, elephants, camels, coyotes, wolves and any hybrid or crossbreed of such animals which have similar characteristics of the animals specified herein.
- (b) Exotic Pet – means any animal that is not classified as domesticated, livestock or a wild animal. This definition does not include feral animals.

Reword Section 4-39: No Keeping of Wild Animals (90.10 in Blue Book)

- (a) No person shall keep or permit to be kept on his or her premises a Wild Animal.
- (b) No person shall keep or permit to be kept on his or her premises an Exotic Pet unless having applied for and received a permit from the Town Administrator to do so.
- (c) Nothing in this ordinance shall prevent the taking or elimination of Wild Animals pursuant to a permit issued by the State of North Carolina or other regulatory authority with jurisdiction.
- (d) Nothing in this ordinance shall prevent town employees or other regulatory authority with jurisdiction from feeding a wild animal or animals for the purpose of controlling and regulating such animal(s).

Reword Section 4-40: Penalty for Violation (90.11 in Blue Book)

- (a) The violation of any portion of Section 4-32, 4-33 4-36 or 4-39 shall constitute a misdemeanor, and the violator shall be punished accordingly.



MEMORANDUM

APRIL 12, 2016

To: Mayor and Commissioners
From: Jonathan Kanipe, Town Administrator
Re: FY16-17 Budget Planning Update
Date: April 5, 2016

This year's budget process will allow the Town to improve and modernize services to a greater extent while also strengthening our Town assets and infrastructure. The highlights of the formal proposal you will receive in May include the following:

- Advanced Metering Infrastructure (AMI) technologies for the Town's entire water system
 - This technology will not only allow the Town to more efficiently and effectively read water meters, it will also enable us to find leaks in the system immediately and further allow customers the ability, if they wish, to monitor their water consumption via smartphone apps and other web based devices.
 - The Board approved automatic read meters (AMR) for a quarter of the Town's water meters last year. However, upon reviewing the prices and the efficiencies gained for both the Town and customer, it made more sense to recommend AMI technology. The price difference was not significant, but there is a recurring monthly charge of 89 cents per meter for the cellular connection. My proposal will include adding this \$1.78 charge every two months onto each bill to pass the continuing cost to the customer. The Town will absorb the capital investment of the new meters themselves, but passing along this small recurring charge will assist in improving the efficiency of the Town's water system for years to come.
 - One brief example of how this technology can benefit the customer is the following: we had a large leak on a property at the end of last year, where the customer lost just under 1 million gallons of water due to a break in the irrigation line. Even if this customer did not utilize the smartphone app or track water usage, the Town would have received an alert prompting us to check the meter and shut it off. This saves both the customer and Town a substantial amount of money while also ensuring that water is not lost.
- The Public Works building design and planning will mostly focus on the design costs for next year. While we may get to the construction portion in the spring of 2017, my belief at this point is that the majority of work and expenses will be on the design side. At this point, I anticipate allocating the majority of funds for this project to design. Staff will review

projections for the building and provide updates to the Board as we move forward, and likely will create a capital project ordinance for the construction project. This can be done during the next fiscal year as it is likely we will not have approximate numbers until fall 2016 at the earliest.

- In an effort to categorize and organize the Town's vast amounts of paper data, we have received project submissions from OneSource Document Solutions to digitize the Town's records. After reviewing their proposal and the volume of North Carolina counties and municipalities they serve, we believe they offer a cost effective way to digitize all records. The vast amount of all Town paper records would be digitized and stored by OneSource. In addition to this effort, there are also ways that OneSource can assist in making many of these documents open and available to the public. We get many requests from residents about the history of homes or the Town, and this would allow us the ability to digitize some old files and make those pieces of history available to the public at large.
- Beautification projects are a high priority for the Town, including entrance areas. We will propose funding for these areas that reflect the natural beauty and aesthetic of the Town and are reflective of how the Commissioners most want to improve these areas.
- Improvements to the Town's networking and phone infrastructure will also be included in the proposal. The flooding event at the Police and Public Works Department made it clear that modifications needed to be made – first and foremost among them, moving the phone and networking equipment out of the basement. VC3, who handles our entire information technology program, has recommended a cabling project that would result in moving the entire Town system up and away from the Police Department. This cabling project would last approximately one to two weeks, and involve moving most of the equipment over to the Town Hall and wiring both the Police and Public Works Departments from here. Most importantly, it would assure a safe and secure location for our equipment. I also spoke with VC3 regarding the potential Public Works building changes, and they will have this transition accounted for within their infrastructure design.
- One other aspect of the telephone operations that might be included in the budget proposal is moving away from the State of North Carolina's phone system and to VC3's Voice over IP (VoIP) network. This would allow redundancy if the phone lines were to go down, as they did in December, and allow an immediate transfer of all phone lines to mobile numbers as necessary. Further, the new networking infrastructure VC3 installed as part of the Virtual Office implementation in January is a dedicated cellular redundancy. This means that if our fiber connection to ERC is cut, we have a 4G cellular backup in place. This would allow the Town to run and maintain our internet networking, and telephone networking, for an indefinite time until the fiber lines were repaired. The Town of Emerald Isle has a similar set up and weathered a hurricane event for several days while their fiber connection was severed. In addition to the redundancies offered through cellular technology, the switch to VC3 for VoIP networking would result in cost savings versus the current ITS setup. While the base fees at the state are reasonable, any network or telephone repair service is exorbitant due to the fact that the contracted vendor for repairs has to come all the way from Raleigh. The repairs for the disconnection in December, for instance, took

over three days to assess and fix due to travel time and cost just over \$4,000 – this sum alone is close to the approximate price of the VC3 telephone program.

These are some of the larger highlights of the upcoming budget proposal that I wanted to provide ahead of time. My intent is to present the full budget proposal to you at our May meeting, with the goal to receive as much feedback and input from you over the next two months to adequately prepare for the June public hearing and budget consideration. If there are specific issues which you would like addressed, or specific areas for which you would like additional information, please do not hesitate to ask.



MEMORANDUM

APRIL 12, 2016

To: Mayor and Commissioners
From: Jonathan Kanipe, Town Administrator
Re: Petition from Mrs. Debra Stonecipher, 15 East Forest Road
Date: April 5, 2016

Mrs. Debra Stonecipher has delivered the attached petition for the Board's consideration.

For your information, I have also included a copy of the Town's current animal control ordinance. I have highlighted the specific ordinance from which Mrs. Stonecipher requests relief.

***Petition for Relief under Chapter 4, Article I, Section 4-5 of
the Town Ordinance of the Town of Biltmore Forest
presented by Debra Stonecipher, Individually and as Trustee
of the Debra A. Stonecipher Revocable Trust.***

Introduction:

The petition now before the Town of Biltmore Forest Board of Commissioners seeks advance written approval allowing the Property Owners a greater number of household pets than the number contemplated in Chapter 4, Article I, Section 4-5 of the Town Ordinance of the Town of Biltmore Forest.

Property, Property Owners, Project, and Location:

Debra Stonecipher as Trustee of the Debra A. Stonecipher Revocable Trust, is the owner of that certain real property and improvements located at 68 Forest Road in the Town of Biltmore Forest ("the Town") and more particularly described in Book 5247 at Pages 309-312 of the Buncombe County Registry (the "Property"). Debra Stonecipher individually is the beneficiary of the Revocable Trust. She and her husband, Harry C. Stonecipher (together, "the Stoneciphers"), have been working diligently to improve the Property in a way that best preserves or restores it to conditions appropriate for the Knight House ("the House"), one of the most historically rich homes in the Town of Biltmore Forest ("the Town"). The plaque below succinctly displays the place that the Knight House, one of the four oldest houses in Biltmore Forest, holds in the community:



Where possible, the Stoneciphers have used original materials, careful restorations, or contemporary re-creations of historical architectural features and standards dating to the 1927 construction of the House to maintain its historical integrity as much as possible while also renovating for livability. In their efforts, they have poured millions of dollars into the local economy and, once a tax revaluation of the improved Property has been completed, the tax revenue generated for the Town by their work will dwarf any additional burdens or costs that the Town might bear for any reasons related to the House or the Property.

Existing Ordinance Provision and Problems It Presents:

Chapter 4, Article I of the Town Ordinance sets forth standards relating to animals and fowl. This Chapter appropriately addresses concerns such as cruelty to animals, the presence of livestock, housing, and how to protect the public from dangerous animals. In addition, as currently worded, a section of the ordinance addresses matters that do not so much touch and concern the public health and welfare of the citizens as it tends to regulate personal and private household decisions.

Specifically, the Ordinance contains the following language:

Section. 4-5. Limitation on number of household pets. It shall be unlawful for any person to keep on any lot or premises more than three (3) household pets unless written approval of the board has first been obtained.

The foregoing section does not define household pets or differentiate numbers of pets based on the species, type, size, or age of the pet. Consequently, a litter of five puppies born to a mother without advance written consent of the Town would presumably violate the ordinance. Pit Bull Terriers would be considered as having equivalent impact on the town as hamsters or house cats. The numerical limitation on pets therefore appears to be arbitrary, and not susceptible to fair application when considering the impact of animals on the health and welfare of the residents generally, or even on the households that keep pets and their immediate neighbors.

Nor does the ordinance consider the size of a house or lot where pets might be kept, the impact of a particular kind of pet or number of pets on

the community, or other factors reasonably necessary for the Town best to regulate its affairs in a way that protects the privacy of homeowners without negatively affecting other members of the community.

The ordinance is procedurally problematic. It does not identify how to make application for written approval of a greater number of pets, nor does it set objective standards against which to measure an application. Consequently, homeowners are left to their own devices as they try to move their families, along with much loved pets, into a new home. They have the dilemma of seeking approval against this backdrop or simply moving in with their pets because the ordinance is too broad and vague to chart a navigable course.

In hopes that practice and custom would be of assistance in interpreting this Ordinance provision, the Stoneciphers secured a review of town records over the last decade. The review has not disclosed any petitions for approval of more than three household pets submitted by any homeowners in advance of moving pets to their properties. As a result, there is no opportunity to review any objective standards that the Town has applied in order to measure such a request or petition. Consequently, without objective standards to guide them, but still in the spirit of active and productive engagement with the Town and its system of governance, the Stoneciphers state their request below, offering their rationale for allowing the petition while still expressing their concerns about the soundness of the ordinance, including its absence of procedural guidance or any measurement of the impact of pets on the community (rather than simply setting a number of pets) in the current ordinance.

Request:

The Stoneciphers anticipate moving to the Property with twelve (12) indoor cats. Because this number exceeds the presumptive number of household pets described in Section 4-5, the Property Owners are respectfully seeking written approval from the Board to keep up to 12 cats at the Property, despite their reservations about the soundness of the ordinance. In addition, they are willing to commit to certain actions further limiting the already minimal impact on the community of keeping this number of cats in the House.

Impact Management:

Providing a safe and loving home for this number of cats is appropriate to the Property. The Property encompasses nearly four acres, and so is approximately quadruple the size of some of the lots in the Town. The heated living space in the House is 6672 square feet, or approximately three times the size of minimum square footage for a house in the Town.

In addition, an area has been specially prepared in the House that will comfortably accommodate twelve cats. It is a kitchen area, separate from the main kitchen and located in the basement of the home, where Ms. Stonecipher can store food and medication, and give the cats their twice daily wet food feedings. Most of the cats have never been outdoors. Since the time Ms. Stonecipher acquired them, they have always been indoors and still never go outdoors. In fact, they are not exit-seeking. All staff who have worked in the Stoneciphers' prior homes, e.g. maids, know the first rule is never to leave a door open so that the cats do not go out. Having worked in the animal rescue and rehabilitation field for many years, Ms. Stonecipher is all too aware what can happen to pets in an urban environment and has no desire to see her cats injured or killed, or infested with pests such as fleas or ticks.

The configuration of the House and the ability to restrict the range of any skittish cats on those occasions when needed (for example, large social gatherings or when workers are present) virtually eliminates risk of people who might come to the door, such as mail carriers or service personnel, accidentally allowing a cat to escape. Therefore, there is no greater risk of potential harm to the pets or to others under this petition than would be present if there were three cats living in another house that did not possess the characteristics described above.

In seeking written approval to maintain twelve cats in the House, the Stoneciphers are willing to commit to the cats continuing to be strictly inside cats, and otherwise to observe the reasonable precautions that a pet owner might take. All the cats have been spayed or neutered.

The Stoneciphers are willing to pay an impact fee. They propose a one-time payment of \$50 per cat in excess of three cats, for a total of \$450. The proposed fee amount recognizes that there is not currently a license fee for cats. However, there are license fees for dogs. A \$5 license fee

exists per spayed or neutered dog per year, and a \$10 license fee exists for each dog that has not been spayed or neutered. Given the lack of a scheduled fee for cats, the uncertain age of some rescue cats, and the greater longevity of cats, a one-time fee per cat in addition to the three contemplated in the ordinance is reasonable. Moreover, as indoor cats have virtually no noise impact on the Town (whereas outdoor dogs can have a considerable impact), and cats generally introduce a lower volume of byproducts and waste into the solid waste management stream, it appears that a \$50 per cat fee for numbers in excess of three is a reasonable life time impact fee in this situation.

The Stoneciphers are also willing to accept limits on the number of cats to be added to the home by offering an attrition provision. So long as the number of cats in the home is six or more, they will not add any further cats. If the number goes below six, they may add cats only up to a total number of six in the House, and will pay an impact fee of \$50 per each added cat so long as the total number after adding any such cats exceeds three (still limiting the post-attrition total of cats to be kept in the home to no more than six).

Citizen and Taxpayer Concerns: The Stoneciphers' views on the burdens and challenges that this Ordinance presents to them, as well as to other taxpayers, include the following concerns:

1. They do not understand the ordinance as it applies to indoor pets, particularly with quiet pets such as cats. If the pets are always kept indoors, then they view it as their family responsibility (and joy) to take care of them, and the pets are of no discernible impact to the community. If the concern is that the cats will get out (which has never happened in Ms. Stonecipher's 25 years of owning cats), then the Property Owners will immediately retrieve them. The Stoneciphers have already observed several cats in the community and in their yard, so while they see a need to assure that pets do not wander, they do not understand that there is an actual or potential problem with indoor cats in the circumstances as described above having a discernable impact on the health and welfare of the community.

2. While the Stoneciphers support wildlife rescue and rehabilitation and animal shelters and support organizations financially, they have never fostered or worked directly with animals in those situations and do not intend to start now. Three of their twelve cats are purebred from breeders. The other nine are adopted from kill shelters and cat rescue centers. They consider themselves fortunate to have the time and resources to own large homes that more than accommodate their pets and themselves -- although they do not intend to add any more pets -- and they provide the very best medical care, a clean and spacious home environment, and love, as they have no children together and these are their adopted family.

Concluding Remarks:

The Stoneciphers respectfully request that written approval of their petition be forthcoming promptly, given the imminent need to move into the House and to establish it as a home. They are willing to meet with the Board, any of its members, or any concerned neighbors, regarding this Petition or other matters that will make their transition to Biltmore Forest residency smoother. In setting forth these details, the Stoneciphers trust that their commitment to working with the Town toward a fair and reasonable outcome is evident, and that the proposed relief is consistent with both good citizenship and good governance.

CHAPTER 4

ANIMALS AND FOWL

Cross Reference--Allowing dead animals to remain on property, §10-5.

State Law References--Regulation of domestic animals, G. S. §160A-186; license tax on privilege of keeping domestic animals, G. S. §160A-212.

Art. I. In General, §§4-1 ---4-18

Art. II. Bird Sanctuary, §§4-19 ---4-31

Art. III. Dogs, §§4-32 ---4-36

ARTICLE I. IN GENERAL

Section. 4-1. Cruelty to animals.

No person shall cruelly treat any animal in any way; any person who inhumanely beats, underfeeds, overloads, abandons or mistreats any animal in any way shall be deemed guilty of a violation of this Section punishable as provided by Section 1-7 of this Code.

State law references--Cruelty to animals, G. S. §14-301; city may define and prohibit abuse of animals, G. S. §160A-182.

Section. 4-2. Animals at large.

It shall be unlawful for any person to allow any cow, calf, horse, mule, sheep or any other such animal to run at large in the town. Any person 'll violating the provisions of this Section shall be subject to a penalty as provided in Section 1-7.

Cross reference--Dogs running at large, §4- 32.

Section. 4-3. Impoundment.

Any animal caught running at large may be picked up by the police, and, unless immediately claimed, such animals shall be disposed of as deemed best by the police or other designated official.

State law reference--Impoundment of stock, G. S. §68-24 ---68-29,68-37

Section. 4-4. Housing.

All pens or other enclosures where family pets of any kind are kept within the town limits¹³

shall be kept clean and sanitary. If, in the opinion or the chief of police or other designated

official, or upon complaint of any person, any such pen or enclosure is deemed to be unsanitary so as to create a health hazard of a nuisance from offensive odors, said official shall have the authority to close such pen or enclosure and require removal of any animal or fowl kept therein.

Cross reference--Health and Sanitation, Ch.10.

Section. 4-5. Limitation on number of household pets.,

It shall be unlawful for any person to keep on any lot or premises more than three (3) household pets unless written approval of the board has first been obtained.

Section. 4-6. Hogs and pigs expressly prohibited.

It shall be unlawful for any person to keep any hog or pig within the corporate limits.

Section 4-6a Pens for farm animals prohibited

It shall be unlawful for any person to maintain a pen within the corporate limits for cattle, horses, chickens or other animals or fowl commonly known as farm animals. Provided, however, pens for family pets may be permitted when maintained in a clean and sanitary condition as provided in

Section 4-7 Killing dangerous animals.

The members of the police department or any other designated persons are authorized to kill any dangerous animal of any kind when it may be necessary for the protection of any person or property in the town.

Sections 4-8 to 4-18 reserved.

ARTICLE II. BIRD SANCTUARY

Section 4-19 Designated

The area within the corporate limits of the town of Biltmore Forest and all lands owned or leased by the town outside the corporate limits is hereby designated as a bird sanctuary.

Section 4-20 Trapping, hunting or shooting wild birds prohibited; exceptions.

(a) It shall be unlawful to trap, hunt, shoot or otherwise kill, within the sanctuary established in Section 4-19, any native wild bird. Provided, however, that it shall be lawful to trap starlings or similar birds or fowl when such birds or fowl are found to be 14

congregating in such numbers in a particular locality that they constitute a nuisance or menace to health and property.

(b) Violation of this Section shall be a misdemeanor punishable as provided by Section 1-7.

Cross reference--Use of firearms in town, § 12-1; sling shots, missiles, air guns prohibited, §12-1.

Section 4-21. Erection of Signs

Artistic signs may be erected giving notice of the regulations herein provided. Such signs shall be of a design as may be approved by the board and shall be erected at such places as may be designated by the board.

Sections 4-22 through 4-31 Reserved.

ARTICLE III. DOGS

State Law Reference -- confinement or leashing of vicious dogs, G.S. §106-381.

State law Reference – Dogs running at large. G.S. §67-12.

Section 4-32. Identification of dogs, and inoculation of dogs.

(a) All persons owning, controlling, keeping or maintaining any dog within the Town of Biltmore Forest shall provide and keep on such dog a collar or harness containing an identification tag on which is inscribed the owner's, keeper's or controller's name, address and telephone number.

(b) All persons owning, controlling, keeping or maintaining any dog within said Town shall also insure that such dog has been currently inoculated against rabies and shall provide and keep on such dog's collar or harness a current rabies inoculation tag.

Section 4-33. Restraint of Dogs.

Every person owning or having possession, charge, care, custody or control of any dog shall keep such dog exclusively upon his or her premises. However, such dog may be off premises if it is under the physical control of a competent person and physically restrained by a chain, leash or harness, not to exceed eight feet in length and held in the hand of said person.

At all times dogs shall be under sufficient control so as not to disturb neighbors by barking excessively, and more particularly after dark. (Amended 5.11.05)

Section. 4-34. Impoundment of dogs.

Any dog seen violating or reported to have violated Section 4-33 shall be picked up and impounded by the police department. The impounding officer shall make reasonable attempts to notify the owner or keeper of said dog of the dog's impoundment. As soon as possible after the expiration of forty-eight (48) hours from the time the dog is impounded such dog shall be turned over to the Buncombe County Animal Shelter for disposition according to the rules regulations and policies of said Buncombe County Animal shelter.

Section 4-35. Reclaiming impounded dogs.

(a) The owner of any dog impounded pursuant to Section 4-34 shall have the right to redeem said dog while said dog is in the custody of the police department by paying a fee of \$25.00 to the Town of Biltmore Forest.

(b) After any dog impounded pursuant to Section 4-34 is turned over to the Buncombe County Animal Shelter pursuant to Section 4-34 the owner of such dog shall have only those rights to redeem said dog afforded such owner by the rules regulations and policies of the Buncombe County Animal Shelter.

Section 4-36. Control of dangerous (very unruly) dogs.

No person shall own control keep or maintain in the Town of Biltmore Forest a dangerous (very unruly) dog unless said dog is confined within a secure building or enclosure which building or enclosure shall be clearly marked with a warning sign.

Section 4-37. Dangerous animal.

(a) An animal that:

1. Without provocation has killed or inflicted severe injury on a person;
2. Without provocation has killed or inflicted severe injury on another domestic animal;
3. Is determined by a police officer or an animal control officer to be a potentially dangerous animal;
4. Is to be treated in accordance with Section 4-36. Control of dangerous dogs.

(b) Any animal owned or harbored primarily or in part for the purpose of fighting or any animal trained for fighting.

Section 4-38 Violation of ordinances.

The violation of any portion of Section 4-32, 4-33 or 4-36 by any of those persons described in said Sections shall constitute a misdemeanor and the violator shall be punished accordingly.

Section 4-40 Effective date ordinance

This Ordinance shall become effective November 15 1982.

Activity Detail Summary (by Category)

Biltmore Forest Police Department

(03/01/2016 - 03/31/2016)

Incident\Investigations

0640 - Larceny - From Motor Vehicle	1
0660 - Larceny - From Buildings	1
9910 - Calls for Service	2
<hr/>	
Total Offenses	4
Total Incidents	4

Arrests

0800 - Simple Assault	1
1810 - Drug Violations	1
2100 - DWI - Alcohol and/or Drugs	1
2200 - Liquor Law Violations	1
2690 - All Other Offenses	1
4010 - All Traffic (except DWI)	1
<hr/>	
Total Charges	6
Total Arrests	4

Accidents

Total Accidents	3
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Citations

Driving While License Revoked	2
Expired Registration	3
No Operator License	7
Other (Infraction)	1
Other (Misdemeanor)	1
Running Red Light	1
Secondary Charge	3
<hr/>	
Total Charges	18
Total Citations	16

Activity Detail Summary (by Category)

Biltmore Forest Police Department

(03/01/2016 - 03/31/2016)

Warning Tickets

Total Charges 0

Total Warning Tickets 0

Ordinance Tickets

Total Ordinance Tickets 0

Criminal Papers

Total Criminal Papers Served 0

Total Criminal Papers 0

Civil Papers

Total Civil Papers Served 0

Total Civil Papers 0

Call Log Action Taken Summary

Biltmore Forest Police Department

03/01/2016 - 03/31/2016

<No Action Taken Specified>	2	A - Report	5
B - Unable to Locate Complainant	1	D - Unable to Locate Suspect	15
E - Unable to Locate	3	F - No Police Attention Needed	21
G - Problem Settled	21	H - Advised Proper Action	7
I - Vehicle Checked OK	20	J - Person Checked OK	15
K - Property Checked OK	26	L - Verbal Warning	44
M - Citation	11	N - Arrest	4
O - Made Contact Report	2	P - Assisted/Backed Up Officer	6
Q - Other Agency Handled Call	13	R - Other	38
Z - Mission Completed	56		

Total Number Of Calls: 310

Call Log Call Type Summary

Biltmore Forest Police Department

03/01/2016 - 03/31/2016

<No Call Type Specified>	1	Accident - 10-50	7
Alarm - 10-90	19	Ambulance needed - 10-52	2
Animal Carcass - 10-91	1	Assist EOC - 10-77	10
Assist Motorist - 10-85	11	Assist Other Officer or Agency - 10-78	5
Assist Resident - 10-86	17	Bicyclist Violation - Bicyclist Violation	2
Busy - 10-6	2	Crime Prev. - 10-108	2
Direct Traffic - 10-58	1	Dog Complaint - 10-89	16
Escort - 10-59	1	Extra Check - 10-116	8
Fight - 10-40	1	Gun/Gunshots - 10-82	1
Improper Parking - 10-70	1	Intox. Driver - 10-55	1
Investigation - 10-63	4	Larceny - 10-103	2
License Checkpoint - License Checkpoint	2	Noise Disturbance - 10-79/N	1
Ordinance Violation (Other) - Ordinance Violation	6	Pedestrian Violation - Pedestrian Violation	1
Power Outage - Power Outage	1	Radar Operation - 10-38R	21
Road Blocked - 10-53	7	Special Assignment - 10-107	8
Speed Enforcement - 10-38	10	Suspicious Person - 10-113	20
Suspicious Vehicle - 10-60	30	Vehicle Registration - 10-28	30
Vehicle Stop - 10-61	54	Well-being Check - 10-117	4

Total Number Of Calls: 310



MEMORANDUM

APRIL 12, 2016

To: Mayor and Commissioners
From: Jonathan Kanipe, Town Administrator
Re: Town Administrator's Report
Date: April 5, 2016

Board of Adjustments Meeting

The Board of Adjustments considered several cases last month. Two new residences were approved at 57 Forest Road and 8 Chauncey Circle. A replacement fence, constructed of steel and aluminum, was approved for the new owners at 12 Ridgefield Place. A brick and mortar retaining wall and six foot tall fence was approved in the rear yard at 12 Hemlock Road. The owners agreed to buffer the fence completely, but as of this writing were still undecided whether they planned to install it or not. A 12'x16' storage building on an existing concrete pad was approved for 29 Hilltop Road – the building is completely buffered by existing vegetation, is located outside of all setbacks, and will be constructed in conformity with the main residence. An expired zoning permit was renewed for a new residence at 18 Busbee Road and an expired conditional use permit for a pool construction was approved for 34 Hilltop Road.

Stormwater Repairs

The repairs and improvements on Forest road began last week and should be concluded by the Board meeting on April 12th. The repairs and improvements to the area along Hemlock Road and Cedar Hill Road should begin the end of this week and will likely go through the following week. Over the next few months, we will work to go ahead and prepare a construction firm to handle the repairs in FY16-17 for the intersection at Lone Pine, Stuyvesant, and Vanderbilt Roads and the improvements along Greenwood Road.

Block T Pond Survey

Gary Davis has completed the topographical study of the pond around Brooklawn Chase and Hemlock Road. They should be comparing that data to the last survey, conducted in approximately 2008, to determine how much additional sediment is in the pond. This will more than likely be finished within the next two to three weeks.



MONTHLY FINANCIAL STATEMENT TAX COLLECTION REPORT

MARCH 2016

REVENUES

	<u>Year-to-Date</u>	<u>% REM</u> <u>YTD</u>	<u>Budget</u>
General Fund	\$ 3,627,349.52	4%	\$ 3,777,511.00
Water Fund	\$ 310,203.13	29%	\$ 436,503.00
	\$ 3,937,552.65		\$ 4,214,014.00

EXPENDITURES

	<u>Year-to-Date</u>	<u>% REM</u> <u>YTD</u>	<u>Budget</u>
Administration	\$ 175,899.96	34%	\$ 266,080.00
Police	\$ 991,813.33	25%	\$ 1,320,863.00
Public Works*	\$ 698,747.22	24%	\$ 915,732.00
Powell Bill*	\$ 152,630.44	43%	\$ 268,721.00
General Government*	\$ 529,335.76	25%	\$ 705,360.00
Transfer to General Fund Balance		100%	\$ 300,755.00
TOTAL General Fund	\$ 2,548,426.71		\$ 3,777,511.00
Transfer to Water Fund Balance		100%	\$ 37,624.00
Water Fund	\$ 285,877.85	28%	\$ 398,879.00
TOTAL Water Fund	\$ 285,877.85		\$ 436,503.00
TOTAL Combined Funds	\$ 2,834,304.56		\$ 4,214,014.00

*Reflects Budget Amendment approved at the March 15th, 2016 Board of Commissioners meeting.

CASH ON HAND

First Citizens Money Market Checking	\$ 1,117,125.43
NC Cash Mangement Trust	\$ 1,471,341.45
First Citizens Certificate of Deposit	\$ 502,916.57
TOTAL	\$ 3,091,383.45

TAX COLLECTION

	<u>Current Collection</u>	<u>% of</u> <u>Budgeted</u>	<u>Budgeted</u>
Real & Personal Property Tax Billed	\$ 2,377,672.82		
Real & Personal Property Tax Collected	\$ 2,372,167.05	100.09%	\$ 2,369,968.00
Percentage of 2015 Levy Collected	99.77%		
DMV Taxes	\$ 71,703.57	77.03%	\$ 93,085.00

Town of Biltmore Forest
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2015-2016

03/01/2016 TO 03/31/2016

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
10 GENERAL FUND				
REVENUE:				
10-3010-0000 TAX COLLECTION CURRENT YR	0.00	2,377,674.53	2,369,968.00	0
10-3010-0001 AD-VALOREM TAX COLL CURRI	6,168.54	71,703.57	93,085.00	23
10-3170-0000 TAX COSTS,PENALTIES,& INTER	147.90	2,356.19	3,000.00	21
10-3250-0000 INTEREST EARNED	492.65	1,806.79	1,200.00	-51
10-3310-0000 RENTAL COMMUNITY HALL	0.00	600.00	1,500.00	60
10-3340-0000 AMERICAN TOWER AGREEMENT	400.00	24,657.45	28,260.00	13
10-3350-0000 MISCELLANEOUS	5,731.70	27,058.81	54,216.00	50
10-3360-0000 FRANCHISE & UTILITIES TAX D	49,685.26	168,110.49	126,753.00	-33
10-3410-0000 BEER & WINE TAXES	0.00	0.00	6,000.00	100
10-3420-0000 SOLID WASTE DISPOSAL TAX	0.00	887.71	800.00	-11
10-3430-0000 POWELL BILL	0.00	64,253.31	64,000.00	0
10-3450-0000 BUNCOMBE COUNTY 1% TAX	51,838.78	398,477.22	478,500.00	17
10-3460-0000 1/2 CENT SALES TAX A.40	20,418.28	156,556.49	175,884.00	11
10-3470-0000 1/2 CENT SALES TAX A.42	27,141.78	207,991.93	226,140.00	8
10-3550-0000 BUILDING PERMITS	88.00	5,586.00	10,000.00	44
10-3560-0000 DOG LICENSE FEE	-10.00	1,710.00	1,605.00	-7
10-3670-0000 SALES TAX REFUND	0.00	13,128.09	8,700.00	-51
10-3670-0100 GASOLINE TAX REFUND	0.00	3,551.93	3,500.00	-1
10-3700-0000 SALE OF PERSONAL PROPERTY	0.00	7,500.00	2,000.00	-275
10-3720-0000 PROGRESS ENERGY FRANCHISE	0.00	0.01	2,400.00	100
10-3900-0000 INSTALLMENT AGREEMENT	93,739.00	93,739.00	120,000.00	22
TOTAL REVENUE	<u>255,841.89</u>	<u>3,627,349.52</u>	<u>3,777,511.00</u>	<u>4</u>
 AFTER TRANSFERS	 <u><u>255,841.89</u></u>	 <u><u>3,627,349.52</u></u>	 <u><u>3,777,511.00</u></u>	

Town of Biltmore Forest
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2015-2016

03/01/2016 TO 03/31/2016

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
30 WATER & SEWER FUND				
REVENUE:				
30-3290-0000 INTEREST EARNED	0.00	0.00	400.00	100
30-3350-0000 COMMISSIONS, SEWER CHARGE	0.00	6,253.41	8,000.00	22
30-3710-0000 WATER & SEWER CHARGES	-856.77	297,691.07	422,103.00	29
30-3710-0100 MSD CHARGES	-49,488.67	328.65	0.00	0
30-3730-0000 WATER TAP AND CONNECTION	100.00	5,930.00	6,000.00	1
TOTAL REVENUE	-50,245.44	310,203.13	436,503.00	29
 AFTER TRANSFERS	 -50,245.44	 310,203.13	 436,503.00	

Town of Biltmore Forest
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2015-2016

03/01/2016 TO 03/31/2016

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
4200 ADMINISTRATION				
EXPENDITURE:				
10-4200-0200 SALARIES	10,253.07	70,762.74	94,110.00	25
10-4200-0300 LEGAL AND ENGINEERING	2,648.40	22,488.74	30,000.00	25
10-4200-0400 ACCOUNTING AND TAXES	-465.90	21,966.25	37,300.00	41
10-4200-0500 F.I.C.A.	748.85	5,181.00	7,200.00	28
10-4200-0550 UNEMPLOYMENT INSURANCE	0.00	41.00	0.00	0
10-4200-0600 HOSPITAL INSURANCE	820.49	7,230.69	12,500.00	42
10-4200-0650 MIT (DENTAL, VISION, LIFE) INS	116.64	1,049.76	1,700.00	38
10-4200-0675 HEALTH REIMBURSEMENT ACC	83.33	749.97	1,250.00	40
10-4200-0700 RETIREMENT	1,246.80	8,407.92	6,277.00	-34
10-4200-0800 401K SUPP RETIREMENT	512.65	3,457.14	4,706.00	27
10-4200-1200 POSTAGE, PRINTING, STATIONA	1,212.73	4,706.81	8,000.00	41
10-4200-1400 MILEAGE & BOARD SALARY	3,600.00	18,000.00	22,000.00	18
10-4200-3300 SUPPLIES AND EQUIPMENT	346.46	2,584.24	3,700.00	30
10-4200-5300 SUBSCRIPTIONS	0.00	3,429.38	3,500.00	2
10-4200-5700 MISCELLANEOUS	116.91	350.73	5,200.00	93
10-4200-6500 TRAINING AND EDUCATION	1,107.41	5,493.59	10,000.00	45
10-4200-6600 CAPITAL IMPROVEMENT & AMC	0.00	0.00	18,637.00	100
TOTAL EXPENDITURE	22,347.84	175,899.96	266,080.00	34
BEFORE TRANSFERS	-22,347.84	-175,899.96	-266,080.00	
AFTER TRANSFERS	-22,347.84	-175,899.96	-266,080.00	

Town of Biltmore Forest
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2015-2016

03/01/2016 TO 03/31/2016

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
5100 POLICE DEPARTMENT				
EXPENDITURE:				
10-5100-0200 SALARIES	86,278.71	610,160.12	778,039.00	22
10-5100-0300 OVERTIME	0.00	0.00	15,000.00	100
10-5100-0400 SEPARATION ALLOWANCE	1,635.24	3,815.56	6,200.00	38
10-5100-0450 SHORT TERM DISABILITY	0.00	0.00	5,000.00	100
10-5100-0500 F.I.C.A.	6,479.69	45,351.35	60,666.00	25
10-5100-0550 UNEMPLOYMENT INSURANCE	0.00	313.95	3,800.00	92
10-5100-0600 HOSPITAL INSURANCE	9,243.05	79,293.99	115,000.00	31
10-5100-0650 MIT (DENTAL, VISION, LIFE) INS	1,084.26	10,026.42	14,000.00	28
10-5100-0675 HEALTH REIMBURSEMENT ACC	1,083.29	9,749.61	14,000.00	30
10-5100-0700 RETIREMENT	10,758.56	75,637.40	95,790.00	21
10-5100-0800 401K SUPP RETIREMENT	4,196.89	29,272.79	39,652.00	26
10-5100-1600 RADIO MAINTENANCE	0.00	0.00	3,000.00	100
10-5100-1700 CAR REPAIRS AND TIRES	5,639.13	11,911.53	13,000.00	8
10-5100-3100 GASOLINE	939.08	10,887.90	26,000.00	58
10-5100-3300 SUPPLIES	821.80	6,952.51	15,000.00	54
10-5100-3600 UNIFORMS	93.67	5,214.19	7,000.00	26
10-5100-3700 D.C.I. RENTAL	743.81	9,445.69	14,000.00	33
10-5100-5700 MISCELLANEOUS	179.61	7,095.61	9,500.00	25
10-5100-5800 PHYSICAL EXAMS	0.00	0.00	2,500.00	100
10-5100-6500 TRAINING AND EDUCATION	1,650.00	3,113.14	4,500.00	31
10-5100-7400 EQUIPMENT PURCHASES	1,410.00	70,525.65	79,216.00	11
80-5100-8100 C/Y DEPREC PUB SAFETY (Loc)	0.00	3,045.92	0.00	0
TOTAL EXPENDITURE	<u>132,236.79</u>	<u>991,813.33</u>	<u>1,320,863.00</u>	<u>25</u>
BEFORE TRANSFERS	<u>-132,236.79</u>	<u>-991,813.33</u>	<u>-1,320,863.00</u>	
AFTER TRANSFERS	<u><u>-132,236.79</u></u>	<u><u>-991,813.33</u></u>	<u><u>-1,320,863.00</u></u>	

Town of Biltmore Forest
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2015-2016

03/01/2016 TO 03/31/2016

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
5600 PUBLIC WORKS				
EXPENDITURE:				
10-5600-0200 SALARIES	47,451.18	307,045.27	385,482.00	20
10-5600-0300 OVERTIME	0.00	0.00	15,000.00	100
10-5600-0350 OUTSIDE SERVICES	0.00	0.00	5,000.00	100
10-5600-0500 F.I.C.A.	3,555.30	23,014.49	30,637.00	25
10-5600-0550 UNEMPLOYMENT INSURANCE	0.00	146.26	1,500.00	90
10-5600-0600 HOSPITAL INSURANCE	3,025.49	39,099.29	65,000.00	40
10-5600-0650 MIT (DENTAL, VISION, LIFE) INS	1,485.11	5,689.75	8,000.00	29
10-5600-0675 HEALTH REIMBUSEMENT ACC	499.98	4,499.82	6,500.00	31
10-5600-0700 RETIREMENT	5,806.17	37,695.61	27,113.00	-39
10-5600-0800 401K SUPP RETIREMENT	2,435.05	15,952.12	20,024.00	20
10-5600-1300 STREETLIGHTS ELECTRIC	1,215.00	9,049.41	10,000.00	10
10-5600-1500 GENERAL REPAIRS AND MAINT.	1,012.05	3,762.81	3,000.00	-25
10-5600-1600 ST.LIGHT MAINT. AND NEW LIG	0.00	3,191.67	10,000.00	68
10-5600-1700 VEHICLE MAINT. AND REPAIRS	3,085.27	28,740.99	30,000.00	4
10-5600-3100 GASOLINE	605.21	6,175.33	21,000.00	71
10-5600-3300 SUPPLIES	1,526.42	5,500.17	15,000.00	63
10-5600-3400 STREET SIGNS AND NUMBERS	0.00	35.00	2,000.00	98
10-5600-3600 UNIFORMS	600.52	4,896.79	5,000.00	2
10-5600-5200 PARKS	0.00	191.01	10,000.00	98
10-5600-5800 PHYSICAL EXAMS	99.00	144.00	1,000.00	86
10-5600-5900 MISCELLANEOUS	1,029.22	2,681.16	2,500.00	-7
10-5600-6000 CAPITAL OUTLAY	9,005.79	124,992.01	146,976.00	15
10-5600-6500 TRAINING AND EDUCATION	100.00	267.38	1,000.00	73
10-5600-8000 TIPPING FEES AND BILTMORE E	3,270.46	27,341.88	48,000.00	43
10-5600-8100 RECYCLING	2,315.00	48,635.00	46,000.00	-6
TOTAL EXPENDITURE	88,122.22	698,747.22	915,732.00	24
BEFORE TRANSFERS	-88,122.22	-698,747.22	-915,732.00	
AFTER TRANSFERS	-88,122.22	-698,747.22	-915,732.00	

Town of Biltmore Forest
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2015-2016

03/01/2016 TO 03/31/2016

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
5700 POWELL FUND				
EXPENDITURE:				
10-5700-0200 SALARIES	6,469.25	31,394.71	38,403.00	18
10-5700-0500 FICA	494.92	2,401.77	2,938.00	18
10-5700-0550 UNEMPLOYMENT INSURANCE	0.00	20.18	310.00	93
10-5700-0600 HOSPITAL INSURANCE	969.88	4,695.72	7,000.00	33
10-5700-0650 MIT (DENTAL, VISION, LIFE) INS	38.80	349.20	550.00	37
10-5700-0675 HEALTH REIMBURSEMENT ACC	166.66	833.30	1,000.00	17
10-5700-0700 RETIREMENT	786.67	3,817.66	2,700.00	-41
10-5700-0800 401K SUPP RETIREMENT	323.46	1,569.73	1,920.00	18
10-5700-1700 VEHICLE REPAIRS - STREET DEF	0.00	0.00	2,000.00	100
10-5700-2200 CONTRACTS-RESURFACING, ET	0.00	76,564.10	77,000.00	1
10-5700-2300 SUPPLIES	1,265.99	25,852.06	27,900.00	7
10-5700-2400 TRAFFIC SIGNS	0.00	487.36	1,500.00	68
10-5700-2500 STORM WATER DRAINAGE	0.00	0.00	90,000.00	100
10-5700-6500 TRAINING AND EDUCATION	0.00	0.00	500.00	100
10-5700-7400 EQUIPMENT PURCHASES	0.00	0.00	5,000.00	100
10-5700-7500 ENGINEERING	0.00	1,411.75	10,000.00	86
80-5700-8100 C/Y DEPREC TRANSPORT (Loc)	0.00	3,232.90	0.00	0
TOTAL EXPENDITURE	10,515.63	152,630.44	268,721.00	43
BEFORE TRANSFERS	-10,515.63	-152,630.44	-268,721.00	
AFTER TRANSFERS	-10,515.63	-152,630.44	-268,721.00	

Town of Biltmore Forest
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2015-2016

03/01/2016 TO 03/31/2016

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
6600 GENERAL				
EXPENDITURE:				
10-6600-1100 TECHNOLOGY	4,155.23	38,853.86	46,000.00	16
10-6600-1300 ENERGY & BF SEWER	2,643.26	13,714.75	21,000.00	35
10-6600-1500 GE. REPS. AND MAINT.	2,718.48	16,132.12	30,000.00	46
10-6600-2800 ELECTIONS	25.90	116.27	6,000.00	98
10-6600-3300 SUPPLIES AND EQUIP.	0.00	65.06	2,000.00	97
10-6600-5400 INSURANCE	174.20	83,041.99	98,000.00	15
10-6600-6000 CONTINGENCY	3,971.90	11,568.96	15,000.00	23
10-6600-6100 MISCELLANEOUS	220.51	6,243.41	8,000.00	22
10-6600-6300 COMMUNITY EVENTS	0.00	10,362.52	13,000.00	20
10-6600-6400 WILDLIFE MANAGEMENT	485.88	485.88	1,500.00	68
10-6600-7600 FIRE PROTECTION	0.00	318,750.00	425,000.00	25
10-6600-7720 DEBT SERVICE Police Dept Reno	0.00	17,499.99	23,334.00	25
10-6600-7725 DEBT SERVICE Police Dept Reno Ir	0.00	5,834.07	7,668.00	24
10-6600-7730 DEBT SERVICE Street Imp Princ	0.00	5,000.01	6,667.00	25
10-6600-7735 DEBT SERVICE Street Imp Int	0.00	1,666.87	2,191.00	24
TOTAL EXPENDITURE	14,395.36	529,335.76	705,360.00	25
BEFORE TRANSFERS	-14,395.36	-529,335.76	-705,360.00	
OTHER FINANCING USE:				
10-6600-9000 TRSFR TO GEN FUND BALANCE	0.00	0.00	300,755.00	100
TOTAL OTHER FINANCING USE	0.00	0.00	300,755.00	100
AFTER TRANSFERS	-14,395.36	-529,335.76	-1,006,115.00	

Town of Biltmore Forest
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2015-2016

03/01/2016 TO 03/31/2016

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
8100 WATER DEPT.				
EXPENDITURE:				
30-8100-0200 SALARIES	9,886.86	68,560.57	83,772.00	18
30-8100-0300 OVERTIME	0.00	0.00	2,000.00	100
30-8100-0400 PROFESSIONAL SERVICES	743.75	2,880.62	4,000.00	28
30-8100-0500 F.I.C.A.	722.11	5,020.84	6,562.00	23
30-8100-0550 UNEMPLOYMENT INSURANCE	0.00	41.58	220.00	81
30-8100-0600 HOSPITAL INSURANCE	1,279.20	11,262.54	15,000.00	25
30-8100-0650 MIT (DENTAL, VISION, LIFE) INS	110.24	992.16	1,500.00	34
30-8100-0675 HEALTH REIMBURSEMENT ACC	166.66	1,499.94	2,000.00	25
30-8100-0700 RETIREMENT	1,202.26	8,337.06	6,807.00	-22
30-8100-0800 401K SUPP RETIREMENT	502.99	3,485.71	4,289.00	19
30-8100-1200 POSTAGE, PRINTING,& STATION	575.47	2,284.73	2,000.00	-14
30-8100-1500 GENERAL REPAIRS	96.11	96.11	1,000.00	90
30-8100-3300 SUPPLIES AND EQUIPMENT	582.84	17,682.74	20,000.00	12
30-8100-4800 WATER PURCHASES	28,161.70	155,236.95	204,729.00	24
30-8100-5700 MISCELLANEOUS	0.00	36.00	500.00	93
30-8100-6500 TRAINING AND EDUCATION	375.00	1,441.37	1,500.00	4
30-8100-7400 CAPITAL IMPROVEMENT	0.00	7,018.93	43,000.00	84
TOTAL EXPENDITURE	44,405.19	285,877.85	398,879.00	28
BEFORE TRANSFERS	-44,405.19	-285,877.85	-398,879.00	
OTHER FINANCING USE:				
30-8100-9000 TRSFR TO WATER FUND BALAN	0.00	0.00	37,624.00	100
TOTAL OTHER FINANCING USE	0.00	0.00	37,624.00	100
AFTER TRANSFERS	-44,405.19	-285,877.85	-436,503.00	



Biltmore Forest Public Works Department

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

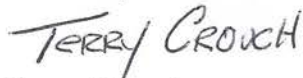
Phone: 274-3919
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Mobile: 777-4466
Email: pwdirector@biltmoreforest.org

PUBLIC WORKS MONTHLY REPORT **MARCH 16, 2016 TO APRIL 12, 2016**

- Completed all of the normal routine services to the residents on schedule.
- The new recycling program began on March 7th and has been up and running for a month and everything is going pretty smooth. So far we have collected a total of 36,980 lbs of recycling material as of April 6. This is 18.50 tons.
- The storm culvert installation is complete on Forest road and the culvert on Hemlock is scheduled for the week of April 4th. Both areas are scheduled to be paved after both are complete.
- Read all of the water meters.
- Cut up and removed 3 trees that had fallen in to the roadway.
- Completed 30 special requests from the residents, extra garbage collection, meter rereads, house no. signs, etc and completed 22 utility locate request.
- Completed the 2 monthly bacteriological water samples for March and both were in compliance with the state.
- Replaced the streetlight at Southwood and Brookside road due to high wind and the base of the light being rusted out which allowed the light to fall over.

- We repaired 2 streetlight (General Repairs).
- A total of 544 hours were spent maintaining the Towns roads and road shoulders.
- Collected a total of 28 loads of brush that have been transported to Asheville Stump and Dump.
- Blew the roads and road shoulders several times with our tractor mounted blowers due to the high winds that we got.
- We are continuing to work on the storm drain system and repair road shoulders.
- Completed the monthly oil changes to the Police vehicles.
- We are continuing to pick up litter on Hendersonville road from Cedarcliff road to Valley Springs at least once a week if possible.
- Cut down dead limbs, vines, and trees from the road shoulder across from TGIF on Vanderbilt road.
- Spent 32 hours in the Town's parks mowing and picking up limbs and debris from all of the wind that we have been having.

Sincerely

A handwritten signature in black ink that reads "TERRY CROUCH". The signature is written in a cursive, slightly slanted style.

Terry Crouch
Director of Public Works