PROPOSED AGENDA

Meeting of the Town of Biltmore Forest
Board of Commissioners

To be held Tuesday, July 14, 2020 at 4:30 p.m.

HELD VIRTUALLY VIA ZOOM PLATFORM
LOG-IN INFORMATION AVAILABLE AT BILTMOREFOREST.ORG

A. Roll Call by the Clerk

Mayor George F. Goosmann, III
Commissioner Fran G. Cogburn
Commissioner E. Glenn Kelly
Commissioner Doris P. Loomis

B. Approval of the Minutes (*Roll Call Vote)*
1. The minutes of the regular meeting held on June 9, 2020 will be considered for approval.
2. The minutes of the recessed meeting held on June 10, 2020 will be considered for approval.

C. Reports of Officers
1. Chief of Skyland Fire and Rescue
2. Police Department
3. Public Works Director
4. Town Manager

D. New Business
1. Consideration of Resolution 2020-03 – A Resolution Approving the Sale of Surplus Town Property
2. Consideration of Resolution 2020-04 – A Resolution regarding the Dedication of Land Adjacent to Arboretum Road
3. Consideration of Resolution 2020-05 – A Resolution regarding the Dedication of Land Adjacent to Greenwood Park
4. Consideration of Resolution 2020-06 – A Resolution of Appreciation for Dr. Richard Landau
5. Discussion – Brush Pick-up Procedures and Ordinance
6. Consideration of Appointments to Town Advisory Boards

E. Petitions, Motions, and Other Business

F. Public Comment

G. Adjourn

MINUTES OF THE MEETING OF THE MAYOR AND THE TOWN COMMISSIONERS OF BILTMORE FOREST HELD JUNE 9, 2020.

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 Doris P. Loomis, present
Commissioner E. Glenn Kelly, present
Commissioner Fran Cogburn, present

Mr. Jonathan Kanipe, the Town Manager was present and Mr. William Clarke, the Town Attorney were also present.

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

Mr. Clarke said a roll call needs to be taken for every action the Board takes since the meeting is being conducted in a remote fashion. Mayor Goosmann asked for a motion to approve the May 12, 2020 meeting minutes. The motion was made by Commissioner Cogburn. The motion was seconded by Commissioner Kelly. Ms. Laura Jacobs, Town Clerk, asked Commissioner Loomis, Commissioner Kelly, and Commissioner Cogburn for their vote. All were in favor of the minutes being approved.

Chief Ryan Cole said call volume was down the past few months, but is now going up. Chief Cole noticed many people would like to seek treatment but not be transported to the hospital. The County has done a phenomenal job with the public health and getting everything in place regarding COVID-19.

Chief Cole said Sunday night there was a grease fire in the Town. The patient was moved to the burn center and the other was treated locally. The Police Department did a great job with helping out.

Chief Cole said Mr. Kanipe was with Chief Cole quite a bit at the Emergency Operations Center and appreciated his involvement with the Covid-19 crisis. The County management and municipalities have all worked well together throughout this time.

Chief Chris Beddingfield gave the Police Department monthly report. Three officers completed their college education; two with Bachelor's degrees and one with an Associate's degree. Chief Beddingfield said this is something they are very proud of. Chief Beddingfield's goal is to improve the levels of training and education since hired as Police Chief and he is extremely proud of those who have furthered their education. Commissioner Kelly asked who the Officers were that received their college degrees. Chief Beddingfield said Officer Michael Anton (B.S.), Officer Olivia Presley (B.S), and Sergeant Kenny Merritt (A.S) received their college degrees. Commissioner Loomis asked Chief Beddingfield to congratulate the graduates from the Board.

Chief Beddingfield said the Police Department has been busy with calls lately, including assisting other agencies. Chief Beddingfield wanted to emphasize the Town is the number one priority.

Chief Beddingfield thanked the Board and all Town personnel for their support during this time and was thankful for the team effort of all town staff. Mayor Goosmann thanked all the police personnel for all their hard work.

Mayor Goosmann asked about the situation in downtown Asheville. Town Police personnel were working downtown dealing with people throwing rocks, frozen water bottles, fireworks, spray painting and graffiti, and broken windows due to possible gunfire.

Mr. Harry Buckner gave the monthly report for the Public Works Department. Mr. Buckner said garbage and brush have stabilized a bit. They have been very busy the past few months and the employees did a wonderful job of keeping up with this.

Mr. Buckner said mulch was put out in front of Town Hall recently. B.B. Barnes will be working soon to landscape the back of Town Hall.

Tomorrow will be next phase of brush compliance initiative. The north end should be receiving a CodeRed call reminding them of the five day window to place brush on the curb. Brush pickup will begin on the 15th. Another CodeRed call will occur on June 25th for the south end of Town.

The newsletter will go out within the next two weeks and Public Works will submit their article with important information for residents.

Mr. Buckner remarked that Public Works was now fully staffed with the addition of two new Public Works employees, Mr. Cody Bartlett and Mr. John DiVello. Mr. Buckner thanked the Board for their support.

Mr. Buckner asked the Board for any feedback and encouraged the Board to make him aware of any concerns. Commissioner Loomis asked about the speed bumps on Stuyvesant north of Hilltop. Mr. Kanipe said this is being reviewed as part of the street assessment program. Mayor Goosmann asked for Cedar Hill Road to be included as well because people travel too fast on that road. Mr. Buckner said the challenge with the speed hump is there is a posted speed limit and the humps are designed to be passed over at the speed limit not above the speed limit. It is supposed to be uncomfortable over the speed limit.

Commissioner Kelly asked what separates lines from the north and south Side of Town. Mr. Buckner said it is basically the Biltmore Forest Country Club. Everything between Hendersonville Road and Stuyvesant Road is on the north end of Town. Vanderbilt, Forest, Park,

Arboretum, East Forest are also on the north end. Mayor Goosmann said the report from Mr. Buckner was excellent.

The Planning and Zoning Report was given by Mr. Kanipe. The Board of Adjustment meeting has thirteen items on the agenda. Mr. Kanipe noted Ms. Adrienne Isenhower appreciated and enjoyed working with everyone in the Town. Commissioner Loomis thanked Adrienne for all she did for the Town. Mr. Kanipe said the Town's planning contract with Land of Sky was not extended for FY21.

PUBLIC HEARING

Mayor Goosmann declared the Public Hearing open at 5:00pm. The virtual meeting statute requires a 24-hour period after the meeting begins at 4:30. There was notice of the Public Hearing in the Asheville *Citizen-Times* newspaper, it was also noted on the Town Hall doors, and posted on the Town's website.

Mr. Kanipe discussed the Budget. A 2% cost of living increase was discussed for all non-appointed employees. Mr. Kanipe said there were questions about this last month, and wanted ensure the Board was comfortable with this. Mr. Kanipe said the Town ended up saving approximately $85,000 on the Public Works building project. Mr. Kanipe discussed street assessment also included in the upcoming Budget. The Town Hall renovation has been put on hold for now. The planning contract with Land of Sky was not renewed. This will now be handled by Mr. Kanipe and Mr. Buckner will assist with his experience in plan review. Administration staff will handle paperwork duties.

Mayor Goosmann mentioned the paving schedule and suggested Mr. Kanipe and Mr. Buckner get together about the streets that need to be paved. Mr. Kanipe said that is what he and Mr. Buckner are planning to do.

Commissioner Kelly asked who the appointed employees are. Mr. Kanipe said he is the only one who is appointed. Mr. Kanipe said it was much more important for the non-appointed employees to get the 2% COLA.

Commissioner Kelly asked what the starting salary of a sworn police officer is in Biltmore Forest and also what is the starting salary of a new public works employee. Mr. Kanipe said regarding a police officer, the approximate starting salary is $38,000. Regarding a public works employee, it really depends on their qualifications and prior experience. Right now, it is in the $34,000-$35,000 range. Mr. Kanipe said we are competitive with other municipalities our size.

Mr. Kanipe said he would like to discuss merit increases later in the fiscal year.

Mayor Goosmann closed the Public Hearing at 5:10pm.

Mr. Kanipe updated the Board on COVID-19. Mr. Kanipe said the Town Hall will remain closed for the time being. The Republican primary runoff election at Town Hall will be June 23rd. A disinfecting will be done before and after the election. Mr. Kanipe and Ms. Jacobs will be working remotely that day to limit contact.

The Town staff is fully supplied with personal protective equipment. The department heads have asked employees for any additional requests. Mr. Kanipe said we want to make sure we have everything necessary to protect our employees.

Mr. Kanipe provided the Board a copy of the request made to the County for CARES Act funding in the amount of $37,175.50. The bulk of this is for public health expenses, disinfecting equipment, and personnel reimbursements.

Commissioner Kelly asked if there have been any adverse reactions to cancelling the 4th of July parade. Mr. Kanipe said no, in fact the reactions have been positive so far.

Mr. Kanipe discussed the Schedule of Fees as shown below.

SCHEDULE OF FEES

Amounts due are based upon the Schedule of Fees in effect at the time payment is due. It is the Town Board of Commissioners' intention that the Schedule of Fees be revised as needed by July 1st of each year, however some fees may be adjusted during the year as circumstances change. FY 2020-2021

ADMINISTRATIVE

Ad Valorem Tax	$ 0.345 per $100 assessed valuation
Dog License Fee	$ 5 sterile; $10 fertile
Return Check/Draft Charge	$25.00

PLANNING & ZONING

Zoning Permit	$25 first $2,000 of construction value plus $2 for each additional $1,000 of construction value
Conditional Use Permit	$100 due with application
Variance	$300 due with application
Demolition Permit	$100 due with application
Non-permitted Construction	Double the Zoning Permit Fee

WATER & SEWER CHARGES

New/Transfer Account		$	30.00
AMI Transmitter Fee	*per bill*	$	1.78
Meter Rental Fee			
5/8" meter	*per bill*	$	0.10
1" meter	*per bill*	$	0.18
1 1/2" meter	*per bill*	$	0.50
2" meter	*per bill*	$	0.65
Water Charges			
Base Rate (no consumption)		$	28.15
1-2,250 gallons	*per 1,000 gallons*	$	9.26
2,251-60,000 gallons	*per 1,000 gallons*	$	5.82
60,001-100,000 gallons	*per 1,000 gallons*	$	5.40
100,001+ gallons	*per 1,000 gallons*	$	3.35
Sewer Charges *(as set by Metropolitan Sewerage District of Buncombe County)*			
Base Rate			
5/8" meter	*per bill*	$	17.04
1" meter	*per bill*	$	40.12
1 1/2" meter	*per bill*	$	88.64
2" meter	*per bill*	$	154.86
Treatment Fee	*per 1,000 gallons*	$	6.31

Mr. Kanipe said Ms. Helen Stephens included a $25 return check fee or 10% of the amount of the check for taxes which is based on the State Statute.

Commissioner Loomis asked if someone does not apply for a zoning permit related to a special use, and they put up a structure and later get it approved, do they pay one or two permit fees. Mr. Kanipe said they double the permit fee and then pay the Special Use permit fee as well.

Commissioner Loomis made a motion to approve the Fiscal Year 2020-2021 Fee Schedule. Commissioner Cogburn seconded the motion. Ms. Jacobs, Town Clerk, conducted the roll call and it was unanimously approved.

Mr. Kanipe said $83,000 was saved on the Public Works building project. The final cost of the building project was $1,411,463. The Town will also receive sales tax back on the project.

Mr. Kanipe discussed the Hendersonville Road Corridor study. This is going on through the French Broad Metropolitan Planning Organization. It is a study of 5.8 miles from Airport Road north to Rock Hill Road. It is important for citizens to be involved and participate. Mr. Kanipe participated in the first Zoom call last week. Mr. Clarke said it will be important for pedestrian and public transit issues. This link will be available on the Town's website and on the MPO website. The survey is an opportunity for everyone to voice their opinion.

Mr. Kanipe discussed the Board of Adjustment virtual meeting information. There will be thirteen cases and five have been waiting since March. The Town has not held a Quasi-Judicial meeting since February. Consent forms have been sent to 172 property owners to alert to the meeting process in June. The information about the upcoming meeting is already on the website. Everything has been done to follow new statutory requirements.

Mr. Kanipe gave the Manager's report and noted that improvements for the Town's virtual meetings are in process with a local vendor. Mr. Kanipe indicated that work on the Police Department dispatch center is scheduled for the end of June. There will also be additional painting and cleaning. Ms. Aslyne Tate has done an excellent job organizing this project.

Mr. Kanipe noted the Town's census response rate was currently 67.5%. Biltmore Forest is 49th in the State and 2nd in Buncombe County. Information regarding the census will be put in the newsletter. Commissioner Loomis suggested putting a CodeRed message to inform residents. Mr. Kanipe said this will be done.

The Stream Restoration project continues and engineering should be approved by August 1st. Funds will be recouped that were already expended.

Mr. Kanipe discussed stormwater project area four and noted that the consultant is working on the notification process for the U.S. Army Corps of Engineers and State Department of Environmental Quality.

Commissioner Cogburn said she looks forward to what will be presented for the Frith/Stuyvesant intersection. Mr. Buckner said as you approach the Parkway entrance on Stuyvesant going toward Frith, one sign will be placed indicating a side road intersection which is a T-intersection sign. This is to give people advanced notice the Parkway is coming in from the left. The sign will be placed approximately 250 feet between Stuyvesant Crescent and the Parkway. Coming from the other direction, the diamond sign will be taken down that has reflectors on it that says "no parking." This is the sign you see heading toward Frith. Directional chevrons will be placed instead. As one goes across the Parkway to turn onto Frith, it would be on the left side of the road with a directional arrow notifying people it is a hard right hand turn. On the same post coming from Frith to Stuyvesant, A chevron pointing out toward Stuyvesant which will notify people it is a hard 90 degree turn. The "yield" sign is coming down because it is not a place to yield. It is not a proper sign to have there. Also, a smaller "no parking" sign will be placed to discourage parking. Lastly, the street light may be relocated at Frith and Stuyvesant to the Parkway and Stuyvesant. We will explore this possibility. Mr. Kanipe said it will also help with the Board's desire to identify that motorists are entering Biltmore Forest. Commissioner Loomis thought it was wonderful that Mr. Kanipe and Mr. Buckner asked for feedback from the residents about this. Mr. Buckner said there was quite a bit of email correspondence as well. The Board thanked Mr. Buckner for his explanation.

Public Comment

Ms. Joyce Young sent the Town an email which states the following:

To the Board of Commissioners and Town Manager:

There was a Planning Report listed for the June agenda but there was none in the packet.

A. What happened to the May planning report**? A copy of the Planning Report was emailed to her. The report was inadvertently not included in the Board's agenda packet.**

B. If the 2020-2021 budget is approved without renewing the planning contract with Land of Sky Regional Council, that function reverts to the administration department which has limited personnel.

1) Who will assume these duties? **Mr. Buckner, Mr. Kanipe, Ms. Jacobs**

2) How will the effectiveness of the planning/zoning oversight be affected? **It is tough to say but they will see as they work through the process. Staff will attempt to handle code enforcement more proactively.**

2. In the 2020-2021 budget, there is no money for capital improvements to Administration (Town Hall). In the 2019-2020 budget, there was $20,000 budgeted with only $6,500 actual spent to date. **The $6,500 was the amount of money spent on the initial design for renovations, but this project was put off in March 2020.**

A. How will this elimination in next year's budget affect promised improvements in the public meeting space, especially having to do with improving acoustics for such meetings? **We are moving back in the Board room permanently which has better acoustics and the ceiling height is lower. Other areas will be worked on if needed.**

3. Many thanks to the Public Works Department for the May brush pickup. We appreciate how the crew always cleans the roadside well.

4. The audio of the first Board of Commissioners Zoom meeting was very difficult to understand. I was glad to hear of the ongoing efforts by the Town Manager for improvement. As this gets better, would it be possible for the Zoom host to record the meeting and make it available on the town website as other municipalities do? **We do have it recorded and we hope to upload it to the website. Mr. Kanipe is hoping the audio will be better this time.**

Mayor Goosmann asked if the Town is reapplying for the Greenwood Park grant. Mr. Kanipe said we have not reapplied this year.

Commissioner Kelly asked about the deteriorating house on Cedarcliff Road. Mr. Kanipe said they are working on having a cleanup crew come out and the charges for this will be placed on the homeowner's tax bill. Commissioner Kelly asked if someone still lives there. Mr. Kanipe said yes.

Mayor Goosmann recessed the meeting for Wednesday, June 10th, 2020 at 4:30 pm.

ATTEST:

_____	_____
Ms. Laura Jacobs	George F. Goosmann, III
Town Clerk	Mayor

MINUTES OF THE MEETING OF THE MAYOR AND THE TOWN COMMISSIONERS OF BILTMORE FOREST HELD JUNE 10, 2020.

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 Doris P. Loomis, present
Commissioner E. Glenn Kelly, present
Commissioner Fran Cogburn, present

Mayor Goosmann called the meeting to order at 4:30pm to consider the Fiscal Year 2020-2021 Budget. Mayor Goosmann asked if there were any questions or comments.

BUDGET ORDINANCE

BUDGET ORDINANCE FOR THE TOWN OF BILTMORE FOREST
NORTH CAROLINA FOR THE FISCAL YEAR 2020-2021

BE IT ORDAINED by the Board of Commissioners of the Town of Biltmore Forest, North Carolina, that in accordance with NCGS 159-13(b)(16) the 2020-2021 Budget be approved as follows:

SECTION 1. GENERAL FUND REVENUES

It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

Ad Valorem	2,743,227
Unrestricted Intergovernmental	1,138,733
Restricted Intergovernmental	63,450
Permits & Fees	21,400
Investment Earnings	30,000
Miscellaneous	52,645
Other Financing Source	315,000
Total General Fund Revenues	4,364,455

SECTION 2. GENERAL FUND APPROPRIATIONS

The following amounts are appropriated in the General Fund for the operation of the Town government and its activities for the fiscal year beginning July 1, 2020 and ending June 30, 2021 in accordance with the chart of accounts heretofore established for this Town on June 10, 2020:

Administration	419,051
Planning	-
Police Department	1,601,339
Fire Contract	425,000
Public Works	817,263
Streets & Transportation	222,445
Sanitation & Recycling	307,183
General Government	365,821
Debt Service	206,353
Total General Fund Expenditures	4,364,455

SECTION 3. WATER FUND REVENUES

It is estimated that the following revenues will be available in the Water Fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

Operating Revenues	803,417

SECTION 4.WATER FUND APPROPRIATIONS

The following amounts are appropriated in the Water Fund for the operation of the enterprise fund and its activities for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

Operating Expenditures	803,417

SECTION 5. LEVY OF TAXES

There is hereby levied a tax at the rate of $0.345 per one hundred dollars ($100) valuation of property as listed for taxes as of January 1, 2020, as listed as "Ad Valorem Taxes" in the General Fund section 1 of this ordinance. The rate is based on an estimated valuation of $759,706,313 and an estimated rate of collection of 99.8%.

SECTION 6. FEES & CHARGES

There is hereby established, for fiscal year 2020-2021, various fees and charges as contained in the Schedule of Fees attachment to this document.

SECTION 7. SPECIAL AUTHORIZATION OF THE BUDGET OFFICER

The Budget Officer is authorized to transfer appropriations of up to $5,000 between line items within the same department. Reallocations of appropriations transferred shall be reported to the Town Board monthly.

SECTION 8. CLASSIFICATION & PAY PLAN

The Cost of Living Adjustment (COLA) for all Town employees shall be 2.00% and shall begin the first payroll in the new fiscal year.

SECTION 9. RE-APPROPRIATION OF ENCUMBERED FUNDS

Operating funds encumbered on the financial records as of June 30, 2020 are hereby re-appropriated to fiscal year 2020-21.

SECTION 10.COPIES OF THIS BUDGET ORDINANCE

Copies of this Budget Ordinance shall be furnished to the Finance Director of the Town of Biltmore Forest to be kept on file for the disbursement of funds.

Commissioner Cogburn discussed the Cost of Living Increase for employees. During the discussion of the COLA, the 2% increase was for non-appointed employees only. Commissioner Cogburn made a motion to give the only appointed employee, Town Manager Jonathan Kanipe a 2% COLA as well. Commissioner Loomis seconded the motion. Roll Call was taken by Ms. Jacobs and the motion passed unanimously. Mr. Kanipe thanked the Board.

Mr. Kanipe referred to Section 8 of the Budget and noted that it would be amended to read a cost of living adjustment for all employees instead of non-appointed employees. A copy of this amended budget amendment is provided below.

There were no further comments or questions regarding the FY 20-21 Budget. Commissioner Loomis made a motion to pass the amended FY 20-21 Budget. Commissioner Cogburn seconded the motion. Roll Call was taken by Ms. Jacobs and the motion passed unanimously.

The next Board of Commissioners meeting is scheduled for Tuesday, July 14, 2020 at 4:30 p.m.

ATTEST:

_____	_____
Ms. Laura Jacobs	George F. Goosmann, III
Town Clerk	Mayor

BILTMORE FOREST POLICE DEPARTMENT
Department Head Report

July 14th, 2020 Board of Commissioners Meeting

Chris Beddingfield, Police Chief

Police Dept. Monthly Report 06/01/20-06/30/20

Calls for Service:682

Officers responded to the following calls for service:

Accident - 2	Accident - PI - 0
Alarm - 24	Animal Carcass - 2
Assist EOC –3	Assist Motorist - 7
Assist Other Agency – 9	Assist Resident - 15
Bear Report - 8	Business Check - 142
Busy - 14	Crime Prev. - 7
Chase- 2	Direct Traffic - 0
Distressed Animal - 2	Disturbance - 3
Dog Complaint - 11	Domestic disturbance-0
Fire – 1	Fight- 0
Hit and Run – 0	House Check - 94
Improper Parking- 10	Incomplete 911- 0
Investigation – 17	Intoxicated Driver- 0
Mental Patient - 0	Missing Person - 0
Noise Disturbance – 1	Ordinance Violation - 7
Out of Service - 1	Out of Town - 4
Person Down – 1	Power Outage - 0
Radar Operation – 24	Road Blocked - 2

Service of Car - 0	Sign Ord Violation - 3
Special Assignment – 6	Special Check - 10
Speed/Reckless Driving- 1	Suspicious Person - 38
Suspicious Vehicle – 55	Vandalism - 0
Vehicle Stop – 35	Well-being Check – 1

Total Number Of Calls:682

Arrests:

3-Felony Arrests-All three were felony drug charges resulting from vehicle/traffic stops

3-Misdemeanor Arrests- Two misdemeanor drug arrests, one DWI

***Time Consumption Summary*:**

Approximations

Business Checks- 10 hours

House Checks- 6 hours

Radar Operation- 10 hours

Vehicle Crash Investigation- 2 hour

Notable Calls and Projects:

Closed out both vehicle pursuits and the unattended death that occurred early in the month. One pursuit was solved with cellular phone records and the other was solved based on positive identification of the deceased person through fingerprints as the driver of the second pursuit.

New In-car camera systems installed and working great. Only some minor expected glitches that have been taken care of.

Several residential and vehicle break-ins late June/early July-One suspect charged and in-custody, a second suspect identified that should be charged shortly. Multiple agencies working together as this is another situation where crimes were committed in multiple states and locations. Video footage and agencies working together was key to solving our crimes.

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Po Box 5352 | Biltmore Forest, NC 28803
P (828) 274-0824 | F (828) 274-8131
www.biltmoreforest.org

TOWN of Biltmore Forest

George F. Goosmann, III, Mayor
Fran G. Cogburn, Mayor-Pro Tem
E. Glenn Kelly, Commissioner
Doris P. Loomis, Commissioner

Jonathan B. Kanipe,
Town Manager

MEMORANDUM

To: Jonathan Kanipe, Town Manager

Mayor and Board of Commissioners

From: Harry B. Buckner, PE, Director of Public Works

Re: Public Works Department June 2020 Monthly Report

Date: July 2, 2020

Recurring Activities:

The Public Works Department has completed the following activities during the month of June:

- Collected 36.87 tons of garbage.
- Diverted 18.33 tons of recycled goods from garbage.
- Picked up 27 loads of brush (approximately 810 cubic yards) over 10 days.
- Responded to 23 utility locate requests.
- Visited 23 residences for Tree Inspections, approving the removal of 72 trees.
- Completed daily chlorine residual tests across town and passed the required two bacteriological tests.
- The Public Works facility and Town Hall is cleaned weekly by staff.
- Used the Beacon/Badger Meter automated meter reading system to monitor for water leaks daily and informed residents of suspected leaks.
- We continue to blow the streets clean regularly and complete daily town-wide litter pick-ups.
- We are mowing the parks, entryways, and islands weekly.
- We are mowing the road shoulders every other week.

Coronavirus (COVID-19) Related Activities:

- Manager Kanipe obtained reusable cloth masks for the department to use in compliance with the new state-wide face covering requirements.
- The Town's buildings and playground equipment remains closed to the public.

- We are continuing to track any additional costs and activities associated with complying with the COVID-19 response effort.

Miscellaneous Activities in June

- We are continuing to train our two new employees, Cody Bartlett and John Divello. They are scheduled to be fully trained and added to the Town on-call roster in mid-August.
- I completed the Powell Bill street measurements and am working to complete a new street map and certification before the July 22 deadline. Once the submittal is made, I will focus on the streets inventory and assessment portion, with completion scheduled in late August.
- I have registered for my Class B Water Distribution license review course, and will be attending in the month of July.
- Mr. Tucker completed water break and new tap installation live training with the Public Works department team.
- We've completed one round of sickle mowing and are completing an overhaul on the sickle mowing machine.
- Contracted and completed the removal of 19 trees from rights-of-way or town-owned property.
- Staff has delivered and installed approximately 15 "buttercups".
- RPZ backflow device inspections are completed.
- Re-painting the fire hydrants continues.
- Installation of new signage at Frith/Stuyvesant/Parkway is completed.
- We repaired a small storm drain sink hole at 10 Buena Vista.
- We cleaned the bridge deck of the I-40 overpass (Vanderbilt Rd.).
- Working with Manager Kanipe, I have identified a work order and asset management software package to implement for the Town.
- After discussions with Duke Power regarding relocation of the street light from Frith and Stuyvesant to Parkway and Stuyvesant, this work will be completed after the power lines in that area are moved underground. This will likely be in early 2021.

Larger/Capital Projects Updates

Police Department Dispatch Area Renovations

We worked with the Police Department in June to help facilitate their dispatch area remodel. This has included rerouting several data lines to behind the sheetrock; patching, painting, and repairing trim and sheetrock; and repairing the doors in the workspace. We replaced the floodlights in the front of the department with new LED lights. We are continuing to work on the ticket window area to make it more secure and welcoming. Most work is anticipated to be

complete the week of the 13th, with only some minor trim and finish work needed to complete the space.

Greenwood Park Stream Restoration

The Engineer replied to the ER/EID comments on 6/11/2020, and the approved report with further instructions is anticipated any time now. The Engineer is still anticipating having the hydraulic modeling and 60% design review drawings completed slightly ahead of schedule.

Hilltop Rd Speed Hump Installation

The speed hump installation was completed on May 4th, 2020. The contractor has continued to be delayed in returning to the site to increase the size of the speed humps due to inclement weather and vacation schedules. Right now, the work is scheduled for the week of July 13, weather permitting, with the striping/chevron thermoplastics installed approximately one week after the humps are adjusted. New signs were installed in June.

Cedarcliff Road Traffic Analysis and Changes

We have not received any additional complaints from residents regarding excessive traffic coming to the Bell Gate even though Apple Maps continues to report it as the entrance when approaching from the south. Traffic counts are still low, and justification for additional traffic control measures doesn't exist. I will be evaluating the existing Biltmore Estate routing signage for effectiveness.

Please continue to periodically report the inaccurate Estate entrance location to Apple Maps directly using the application's error reporting feature. If we can ever get this corrected, it will help significantly with reducing turn-around traffic at the Bell Gate.

Town Hall Grounds Beautification

BB Barns began work on July 8, 2020 to re-level, amend and install sod on the west (rear) and north side of town hall, with completion estimated to occur on Friday the 10th. The irrigation system is functional, and the PW department is installing low voltage lighting simultaneously.

Area 4 Stormwater Project – Sinkhole at Cedar Hill Drive.

We are continuing to review plans prepared by the Engineer, and have a meeting scheduled the week of July 13th to review the proposed easements.

Brooklawn Park Improvements and Bridge Repairs

We are planning a major cleanup/clearing of Brooklawn Park. This will involve the renting of specialized equipment to assist with the work. We are examining the calendar for an appropriate time to schedule the work, and would appreciate any feedback the Board has regarding this work.

We have also engaged an engineering consultant to provide a feasibility report for the pedestrian bridge in Brooklawn Park, and anticipate having that completed in early August. This will allow

us to provide the Board with a more accurate project scope and budget for consideration. Again, your feedback on the ultimate use of this park is much appreciated.

Brush Ordinance Compliance

Brush volumes have reduced some in June. We are continuing to reach out to homeowners regarding compliance with the ordinance, and did send out an article in the newsletter. Feedback from residents has overall been positive.

We have also used the Code Red system to notify residents of the "Open Window" schedule for placing brush curbside on June 10th and 25th. This has generated a fair amount of clarification questions, but as mentioned before, overall it has been a positive process. Unless directed otherwise, we anticipate using this system indefinitely.

Now that the Code Red notices have been established and the newsletter is delivered, we will advance towards tighter enforcement. Ideas for specific enforcement strategies are welcomed.

I encourage the Board to review the existing brush ordinance for any desired changes.

Again, I would be happy to share my thoughts on the matter at any time, and I welcome any feedback you can provide as to how this department can continue to efficiently and equitably implement the brush ordinance.

Upcoming in July

- Continue to orient new employees in the Public Works department.
- Repair road shoulders that have settled or are otherwise dangerous to motor vehicle or pedestrian traffic. This work will begin on Brookside Road between Southwood and Cedar Hill on June 9, 2020.
- Complete and submit the Powell Bill map. Transition work to the street condition assessment and asset inventory. Work has begun on our in-house street assessment program. Work will continue in June, with the first completed activity to be a Powell Bill map update. Follow-up activities will include a street condition assessment and asset inventory.
- I will begin the set-up of the automated work order and asset management system. This will include identifying the best practices for use by Town staff. This will assist us in identifying recurring maintenance needs and response times for calls to Public Works. I plan on having a larger discussion with the Board once the software is up and running, but before implementation at scale.
- Continue brush and debris removal from Brooklawn Park.
- I am continuing to request direct Board feedback on general appearance and maintenance items throughout the Town. I welcome any contact from you identifying areas needing extra attention or areas we may have inadvertently overlooked. I am happy to answer any questions and make sure your concerns, if any, are addressed.

As always, we welcome your feedback on the activities of the Public Works department.

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George F. Goosmann, III, Mayor
Fran G. Cogburn, Mayor-Pro Tem
E. Glenn Kelly, Commissioner
Doris P. Loomis, Commissioner

Jonathan B. Kanipe,
Town Manager

MEMORANDUM

To: Mayor and Board of Commissioners

From: Jonathan Kanipe, Town Manager

Re: Town Manager's Report

Date: July 10, 2020

Covid-19 Update

The Town is doing everything possible to acquire necessary personal protective equipment (PPE) for staff and maintaining clean and safe areas for the staff to operate. After Governor Cooper's Executive Order 147 required face coverings where social distancing was not possible, all staff were issued disposable and cotton face coverings to ensure they abided by this order and that we lead by example. We have continued to keep the Town Hall and other public facilities closed to the public in an effort to curb the spread of Covid-19 and will consider revisions to this once Governor Cooper's next decision point is made. Personally, I am in contact frequently with the other managers in the County discussing potential impacts and decisions related to the existing state of emergency.

Board of Adjustment Meeting

The Board of Adjustment will conduct its second remote meeting on Monday, July 20, 2020. The schedule for this meeting includes four (4) cases. Agendas and consent forms have been sent to all neighboring property owners or applicants. The June meeting consisted of eleven (11) total cases, of which five (5) were approved, one (1) denied, and five (5) tabled or withdrawn.

Duke Energy Targeted Underground Program

Duke Energy continues to work on the targeted underground program in the southern end of Biltmore Forest. Their primary area of focus is along Stuyvesant Road, south of Greenwood Road, and intersections with Stuyvesant Crescent and Frith Drive. Duke Energy has obtained easements from many property owners in this area and continues to work with others to obtain easements for this project. The Covid-19 pandemic has resulted in downtime but program managers are hopeful to have this section laid out and ready for design by the end of the summer/early fall. Once this portion is designed and work begins, their focus will turn to acquiring easements from other property owners moving north and west through Town. It is

likely that in at least one location the Town will need to provide access for an above ground installation (within the public right of way) due to an easement not being attained.

Code Enforcement Activities

The Town is moving forward with code enforcement will be actively abating a nuisance within the Town that includes hazardous tree removal (both from outside the Town right of way and fallen trees on the property and on the home), weed/grass removal, and the removal of other nuisances. This will be a large project and the Town has taken careful precautions to notify the property owner multiple times alerting them to this abatement. The most recent letter (fourth in total, since late April) specified the date when the work will be completed. Assuming the property owner does not perform the requisite abatement beforehand, this will result in the cost of the abatement activities being placed on the 2020 tax bill for the property.

Police Department Improvements

The dispatch center within the Police Department is in the final stage of planned upgrades. Public Works staff performed the sheet rock repair and painting, among other items, once demolition was completed. Flooring was installed Friday, July 10th and the furniture/fixture installation is to occur next week. This project has been a good opportunity for Public Works and the Police Department to work together for a mutual benefit and will result in a vastly improved dispatch center.

Sod Installation – Town Hall

The aesthetic improvements at the Town Hall began in earnest this week, as sod was delivered and installed by B.B. Barns. This work occurred in the rear of the Town Hall (where an existing irrigation system is in place) and should allow for full development in this area. Previously, the Public Works staff has improved the front of the Town Hall by aerating the existing grass and removing weeds and mulching. This area is coming along well, and we hope to have some additional aesthetic improvements in the near future.

Monthly Financial Report
June 2020

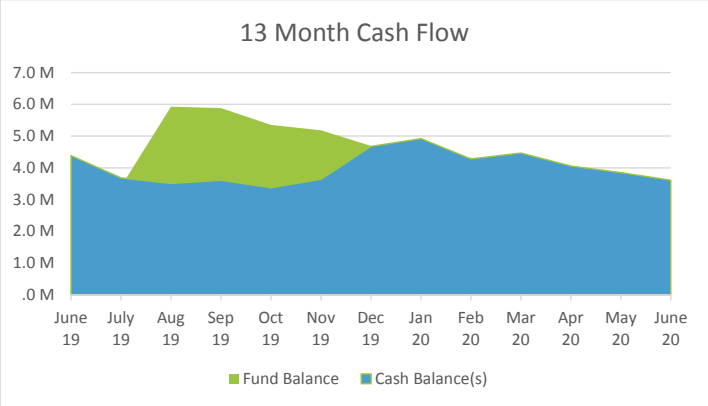
CASH ACCOUNTS	
First Citizens Money Market Checking	288,953.66
NCCMT General Fund Term	2,417,458.45
NCCMT General Fund Government	809,963.58
NCCMT Water Fund Government	97,515.25
TOTAL	**3,613,890.94**

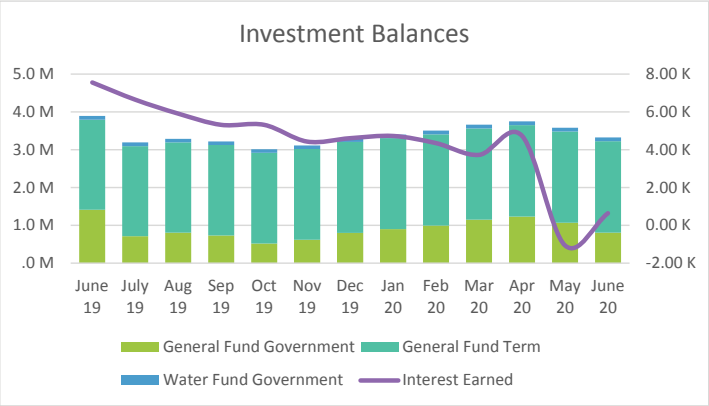
2019 PROPERTY TAXES	
Real Property	761,692,752
Personal Property (Including BUS & IND)	6,522,331
Personal Property (Public Service Companies)	4,969,176
Exemptions	(494,050)
Deferrals	(8,875,692)
Releases	(26,609)
Total Assessed	763,787,908
Total Levy	**2,635,068**
Budgeted Levy	2,593,341

Tax Collection To Date	Percent Collected	Budgeted Levy	Amount Collected*
Ad Valorem (2019)	101.34%	2,593,341	2,628,101
	99.74%	2,635,068	
DMV Ad Valorem	93.34%	101,548	94,783 *

FIRST CITIZENS CHECKING (Monthly Transaction Report)	
Beginning Balance	**266,737.21**
Cleared Checks	(76,277.12)
Cleared Deposits	53,874.49
Cleared Credits	407,247.88
Cleared Debits	(97,858.50)
Cleared E-payments	(126,937.07)
Change in Account Balance	**160,049.68**
Prelim balance	**426,786.89**
Outstanding Items	**(137,833.23)**
Ending Balance *(F/L Balance)*	**288,953.66**

NORTH CAROLINA CASH MANAGEMENT TRUST	
GENERAL FUND Government	
Beginning Balance	1,069,539.76
Local Gov't Distribution (NCDOR)	140,367.35
Transfer to First Citizens Checking	(400,000.00)
Interest Earned	56.47
Ending Balance	**809,963.58**
GENERAL FUND Term	
Beginning Balance	2,416,881.60
Interest Earned	576.85
Ending Balance	**2,417,458.45**
WATER FUND Government	
Beginning Balance	97,508.79
Interest Earned	6.46
Ending Balance	**97,515.25**



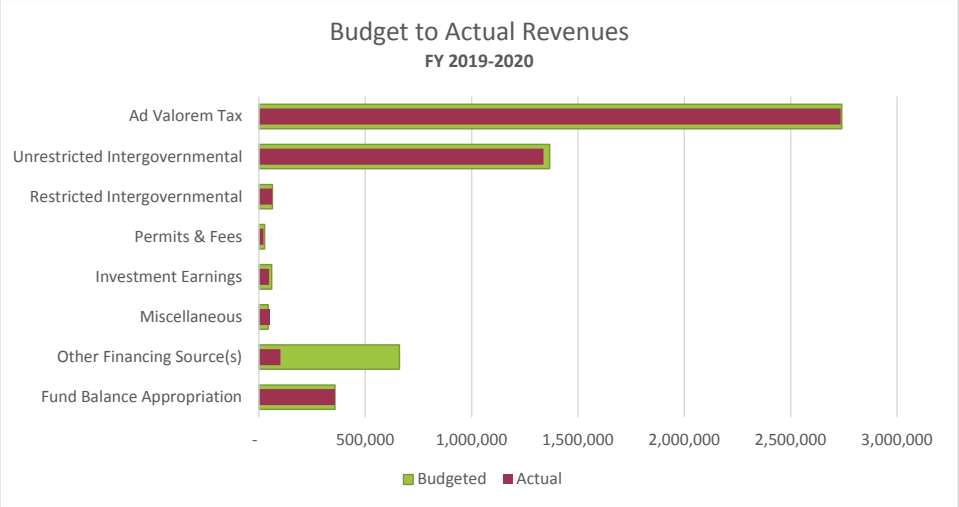


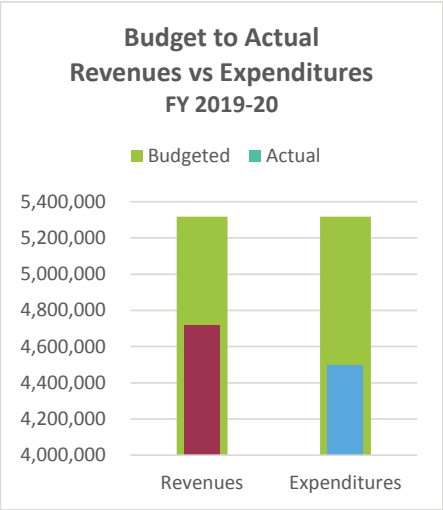
Monthly Financial Report
June 2020

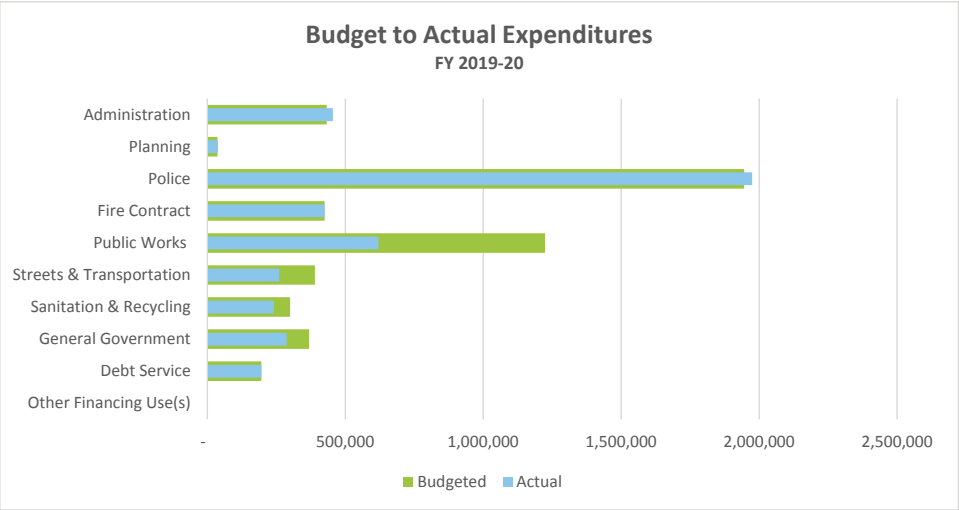
NOTES RELATING TO THIS FINANCIAL REPORT

Figures noted in this report and in the accompanying Revenue & Expenditure Reports are preliminary year-end figures. Accruals and adjustments will impact the final year-end figures.

Virtual fieldwork for the FY19-20 audit is scheduled for the week of August 10th.







PEER REVIEW

The NC Department of State Treasurer released memo 2020-09 on June 10, 2020 to provide comparative data for municipalities on available fund balance & tax levy information for fiscal year ended Jun 30, 2019. The peer group is based on population & units without an electric system. The LGC reviews this data to see if a unit is materially below the average of similar units or there is a trend of FBA declining.

FYE 2019 PEER REVIEW	Biltmore Forest	**Group 1,000-2,499**	
AVAILABLE FUND BALANCE & TAX COLLECTION		Average	Median
Fund Balance Available (FBA)	3,285,215	1,549,288	1,240,871
FBA as % GF Exp	72.65%	82.39%	81.50%
FBA w/o Powell Bill (PB)	3,285,215	1,463,322	1,103,905
FBA w/o PB as % GF Exp	72.65%	77.81%	76.60%
Tax Collection % *(Excl Motor Vehicles)*	99.95%	98.00%	N/A
Tax Rate	0.33	0.3916	N/A

		Current Period ($)	YTD ($)	Encumbrance ($)	Budget ($)	% Used
10 General Fund						
Revenue						
	3010 Ad Valorem Tax Subtotal	**$7,299.82**	**$2,734,665.27**	**$0.00**	**$2,739,689.00**	**100**
	3020 Unrestricted Intergovernm Subtotal	**$140,367.35**	**$1,337,937.81**	**$0.00**	**$1,367,252.00**	**98**
	3030 Restricted Intergovernmen Subtotal	**$0.00**	**$62,620.65**	**$0.00**	**$63,450.00**	**99**
	3040 Permits & Fees Subtotal	**$537.00**	**$21,626.10**	**$0.00**	**$26,500.00**	**82**
	3050 Investment Earnings Subtotal	**$636.80**	**$48,250.10**	**$0.00**	**$59,953.00**	**80**
	3060 Miscellaneous Subtotal	**$450.00**	**$52,338.02**	**$0.00**	**$43,000.00**	**122**
	Revenue Subtotal	**$149,290.97**	**$4,257,437.95**	**$0.00**	**$4,299,844.00**	**99**
Expenditure						
	4200 Administration Subtotal	**$31,323.68**	**$455,078.98**	**$0.00**	**$432,816.00**	**105**
	4300 Subtotal	**$3,090.91**	**$38,089.85**	**$0.00**	**$36,728.00**	**104**
	5100 Police Department Subtotal	**$141,351.02**	**$1,974,356.00**	**$9,807.23**	**$1,945,625.00**	**102**
	5200 Fire Services Subtotal	**$0.00**	**$425,000.00**	**$0.00**	**$425,000.00**	**100**
	5600 Public Works Subtotal	**$40,164.91**	**$620,150.98**	**$428.00**	**$1,224,157.00**	**51**
	5700 Streets & Transportation Subtotal	**$28,854.38**	**$259,896.72**	**$0.00**	**$389,678.00**	**67**
	5800 Sanitation & Recycling Subtotal	**$16,992.53**	**$240,992.35**	**$1,015.75**	**$300,204.00**	**81**
	6600 General Government Subtotal	**$28,536.71**	**$287,491.85**	**$0.00**	**$368,400.00**	**78**
	6700 Debt Service Subtotal	**$0.00**	**$195,435.38**	**$0.00**	**$195,436.00**	**100**
	Expenditure Subtotal	**$290,314.14**	**$4,496,492.11**	**$11,250.98**	**$5,318,044.00**	**85**
Before Transfers	**Deficiency Of Revenue Subtotal**	**-$141,023.17**	**-$239,054.16**	**-$11,250.98**	**-$1,018,200.00**	**25**
Other Financing Source						
	3500 Other Financing Subtotal	**$357,200.00**	**$458,093.52**	**$0.00**	**$1,018,200.00**	**45**
	Other Financing Source Subtotal	**$357,200.00**	**$458,093.52**	**$0.00**	**$1,018,200.00**	**45**
After Transfers	**Excess Of Revenue Subtotal**	**$216,176.83**	**$219,039.36**	**-$11,250.98**	**$0.00**	**0**

		Current Period ($)	YTD ($)	Encumbrance ($)	Budget ($)	% Used
30 Water & Sewer Fund						
Revenue						
	3290 Subtotal	**$6.46**	**$1,262.04**	**$0.00**	**$1,500.00**	**84**
	3350 Commissions, Sw Chg Coll Subtotal	**$1,602.30**	**$9,854.25**	**$0.00**	**$8,000.00**	**123**
	3710 Water Sales Subtotal	**$132,356.72**	**$768,850.54**	**$0.00**	**$698,904.00**	**110**
	3730 Water Tap & Connect Fees Subtotal	**$90.00**	**$8,870.00**	**$0.00**	**$6,000.00**	**148**
	Revenue Subtotal	**$134,055.48**	**$788,836.83**	**$0.00**	**$714,404.00**	**110**
Expenditure						
	8100 Water Dept. Subtotal	**$79,212.42**	**$583,866.04**	**$335.00**	**$714,405.00**	**82**
	Expenditure Subtotal	**$79,212.42**	**$583,866.04**	**$335.00**	**$714,405.00**	**82**
Before Transfers	**Excess Of Revenue Subtotal**	**$54,843.06**	**$204,970.79**	**-$335.00**	**-$1.00**	**,463,579**
After Transfers	**Excess Of Revenue Subtotal**	**$54,843.06**	**$204,970.79**	**-$335.00**	**-$1.00**	**,463,579**

		Current Period ($)	YTD ($)	Encumbrance ($)	Budget ($)	% Used
40 Capital Project Fund						
Revenue						
	4000 Subtotal	**$0.00**	**$0.00**	**$0.00**	**$961,857.00**	**0**
	Revenue Subtotal	**$0.00**	**$0.00**	**$0.00**	**$961,857.00**	**0**
Expenditure						
	5600 Public Works Subtotal	**$57,605.77**	**$190,369.81**	**$0.00**	**$961,857.00**	**20**
	Expenditure Subtotal	**$57,605.77**	**$190,369.81**	**$0.00**	**$961,857.00**	**20**
Before Transfers	**Deficiency Of Revenue Subtotal**	**-$57,605.77**	**-$190,369.81**	**$0.00**	**$0.00**	**0**
After Transfers	**Deficiency Of Revenue Subtotal**	**-$57,605.77**	**-$190,369.81**	**$0.00**	**$0.00**	**0**

Account	Current Period ($)	YTD ($)	Encumbrance ($)	Budget ($)	% Used
10 General Fund					
Revenue					
3010 Ad Valorem Tax					
10-3010-0000 AD VALOREM TAXES (PROPERTY)	0.00	2,635,723.49	0.00	2,635,641.00	100
10-3010-0100 AD VALOREM TAXES (DMV)	7,244.40	94,783.23	0.00	101,548.00	93
10-3010-0200 TAX INTEREST & PENALTIES	55.42	4,158.55	0.00	2,500.00	166
3010 Ad Valorem Tax Subtotal	**$7,299.82**	**$2,734,665.27**	**$0.00**	**$2,739,689.00**	**100**
3020 Unrestricted Intergovernm					
10-3020-0000 FRANCHISE & UTILITIES TAX DIST.	55,816.30	216,702.72	0.00	215,488.00	101
10-3020-0100 ALCOHOL BEVERAGE TAX	0.00	5,885.15	0.00	6,000.00	98
10-3020-0200 BUNCOMBE COUNTY 1% TAX	42,652.94	569,452.19	0.00	597,047.00	95
10-3020-0300 1/2 CENT SALES TAX A.40	19,428.57	229,282.77	0.00	232,530.00	99
10-3020-0400 1/2 CENT SALES TAX A.42	22,469.54	298,482.48	0.00	312,187.00	96
10-3020-0600 SALES TAX REFUND	0.00	14,241.48	0.00	0.00	0
10-3020-0700 GASOLINE TAX REFUND	0.00	3,891.02	0.00	4,000.00	97
3020 Unrestricted Intergovernm Subtotal	**$140,367.35**	**$1,337,937.81**	**$0.00**	**$1,367,252.00**	**98**
3030 Restricted Intergovernmen					
10-3030-0000 SOLID WASTE DISPOSAL TAX	0.00	1,047.73	0.00	950.00	110
10-3030-0100 POWELL BILL	0.00	61,500.92	0.00	62,500.00	98
10-3030-0200 ILLICIT SUBSTANCE TAX	0.00	72.00	0.00	0.00	0
3030 Restricted Intergovernmen Subtotal	**$0.00**	**$62,620.65**	**$0.00**	**$63,450.00**	**99**
3040 Permits & Fees					
10-3040-0000 BUILDING PERMITS	532.00	20,226.00	0.00	25,000.00	81
10-3040-0100 DOG LICENSE FEE	5.00	1,400.10	0.00	1,500.00	93
3040 Permits & Fees Subtotal	**$537.00**	**$21,626.10**	**$0.00**	**$26,500.00**	**82**
3050 Investment Earnings					
10-3050-0000 INTEREST EARNED	636.80	48,250.10	0.00	59,953.00	80
3050 Investment Earnings Subtotal	**$636.80**	**$48,250.10**	**$0.00**	**$59,953.00**	**80**
3060 Miscellaneous					
10-3060-0100 AMERICAN TOWER AGREEMENT	400.00	29,434.24	0.00	28,000.00	105
10-3060-0200 MISCELLANEOUS	50.00	22,903.78	0.00	15,000.00	153
3060 Miscellaneous Subtotal	**$450.00**	**$52,338.02**	**$0.00**	**$43,000.00**	**122**
Revenue Subtotal	**$149,290.97**	**$4,257,437.95**	**$0.00**	**$4,299,844.00**	**99**
Expenditure					
4200 Administration					
10-4200-0200 SALARIES	19,395.58	248,016.59	0.00	215,249.00	115
10-4200-0300 OVERTIME	0.00	2,814.97	0.00	3,000.00	94
10-4200-0500 FICA	1,427.99	18,464.50	0.00	16,543.00	112
10-4200-0600 HEALTH INSURANCE (MEDICAL)	2,503.42	30,041.04	0.00	25,852.00	116
10-4200-0650 DENTAL, VISION, LIFE INSURANCE	428.52	5,126.28	0.00	4,361.00	118
10-4200-0675 HEALTH REIMBUSEMENT ACC	375.00	4,500.00	0.00	3,750.00	120
10-4200-0700 LGERS RETIREMENT	3,038.17	39,239.55	0.00	33,299.00	118
10-4200-0800 401K SUPP RETIREMENT	970.12	12,556.38	0.00	10,762.00	117

Account	Current Period ($)	YTD ($)	Encumbrance ($)	Budget ($)	% Used
10-4200-1000 ACCOUNTING & TAXES	0.00	40,040.75	0.00	45,000.00	89
10-4200-1200 POSTAGE, PRINTING, STATIONARY	413.03	3,326.53	0.00	5,000.00	67
10-4200-1400 MILEAGE & BOARD SALARY	1,800.00	21,600.00	0.00	22,000.00	98
10-4200-3300 SUPPLIES AND EQUIPMENT	352.07	7,637.42	0.00	7,000.00	109
10-4200-5300 DUES & FEES	0.00	4,597.25	0.00	5,000.00	92
10-4200-5700 MISCELLANEOUS	137.22	1,177.59	0.00	1,000.00	118
10-4200-6500 STAFF DEVELOPMENT	482.56	9,440.13	0.00	15,000.00	63
10-4200-6600 CAPITAL IMPROVEMENT & AMORT	0.00	6,500.00	0.00	20,000.00	33
4200 Administration Subtotal	**$31,323.68**	**$455,078.98**	**$0.00**	**$432,816.00**	**105**
4300					
10-4300-1000 CONTRACT	3,045.00	36,540.00	0.00	34,128.00	107
10-4300-1200 POSTAGE, PRINTING & STATIONARY	45.91	1,105.74	0.00	1,500.00	74
10-4300-3300 SUPPLIES & EQUIPMENT	0.00	0.00	0.00	500.00	0
10-4300-5300 DUES & FEES	0.00	0.00	0.00	100.00	0
10-4300-6500 STAFF DEVELOPMENT	0.00	444.11	0.00	500.00	89
4300 Subtotal	**$3,090.91**	**$38,089.85**	**$0.00**	**$36,728.00**	**104**
5100 Police Department					
10-5100-0200 SALARIES	63,231.19	794,005.93	0.00	838,265.00	95
10-5100-0300 OVERTIME	6,450.90	86,323.45	0.00	42,000.00	206
10-5100-0400 SEPARATION ALLOWANCE	2,355.18	55,617.34	0.00	65,022.00	86
10-5100-0500 FICA	5,345.21	69,381.24	0.00	69,100.00	100
10-5100-0550 UNEMPLOYMENT INSURANCE	0.00	0.00	0.00	500.00	0
10-5100-0600 HEALTH INSURANCE (MEDICAL)	10,288.17	122,972.61	0.00	139,380.00	88
10-5100-0650 DENTAL, VISION, LIFE INSURANCE	1,218.52	15,726.92	0.00	19,358.00	81
10-5100-0675 HRA HEALTH REIMB ACCT	2,000.00	22,000.00	0.00	24,000.00	92
10-5100-0700 LGERS RETIREMENT	11,089.80	138,218.89	0.00	141,112.00	98
10-5100-0800 401K SUPP RETIREMENT	3,461.42	44,375.65	0.00	43,888.00	101
10-5100-1500 MAINT/REPAIR - BLDG/GROUNDS	513.49	67,201.50	8,717.43	50,000.00	152
10-5100-1600 MAINT/REPAIR - EQUIPMENT	498.34	8,584.33	0.00	15,000.00	57
10-5100-1700 MAINT/REPAIR - VEHICLES	1,272.09	18,248.51	0.00	20,000.00	91
10-5100-3100 MOTOR FUELS	1,692.88	12,555.80	0.00	13,000.00	97
10-5100-3300 SUPPLIES	507.64	7,045.21	0.00	10,000.00	70
10-5100-3600 UNIFORMS	3,359.85	12,424.61	1,089.80	22,500.00	60
10-5100-3700 SOFTWARE	552.54	22,551.60	0.00	15,000.00	150
10-5100-3800 TECHNOLOGY	2,431.91	48,631.62	0.00	55,000.00	88
10-5100-5700 MISCELLANEOUS	805.07	9,268.58	0.00	10,000.00	93
10-5100-5800 PHYSICAL EXAMS	65.00	2,185.00	0.00	2,500.00	87
10-5100-6500 STAFF DEVELOPMENT	747.75	12,156.77	0.00	15,000.00	81
10-5100-7400 CAPITAL EQUIPMENT PURCHASES	23,464.07	404,880.44	0.00	335,000.00	121
5100 Police Department Subtotal	**$141,351.02**	**$1,974,356.00**	**$9,807.23**	**$1,945,625.00**	**102**
5200 Fire Services					
10-5200-0000 FIRE CONTRACT	0.00	425,000.00	0.00	425,000.00	100
5200 Fire Services Subtotal	**$0.00**	**$425,000.00**	**$0.00**	**$425,000.00**	**100**

Account	Current Period ($)	YTD ($)	Encumbrance ($)	Budget ($)	% Used
5600 Public Works					
10-5600-0200 SALARIES	22,841.11	276,748.82	0.00	293,310.00	94
10-5600-0300 OVERTIME	790.38	15,542.59	0.00	15,000.00	104
10-5600-0500 FICA	1,784.21	22,168.55	0.00	23,203.00	96
10-5600-0600 HOSPITAL INSURANCE (MEDICAL)	3,411.84	35,256.12	0.00	39,628.00	89
10-5600-0650 DENTAL, VISION, LIFE INSURANCE	152.90	3,417.16	0.00	5,479.00	62
10-5600-0675 HRA HEALTH REIMB ACCT	750.00	7,250.00	0.00	7,500.00	97
10-5600-0700 LGERS RETIREMENT	3,644.02	44,968.76	0.00	46,922.00	96
10-5600-0800 401K SUPP RETIREMENT	1,181.56	14,618.18	0.00	15,165.00	96
10-5600-1000 OUTSIDE SERVICES	0.00	225.00	428.00	10,000.00	7
10-5600-1300 STREETLIGHTS ELECTRIC	596.22	7,238.20	0.00	7,000.00	103
10-5600-1500 MAINT/REPAIR - BLDG/GROUNDS	99.78	5,887.12	0.00	10,000.00	59
10-5600-1600 MAINT/REPAIR- STREETLIGHTS	146.55	6,836.32	0.00	10,000.00	68
10-5600-1700 MAINT/REPAIR - VEHICLES	403.06	15,449.34	0.00	30,000.00	51
10-5600-3100 MOTOR FUELS	1,467.24	9,779.37	0.00	15,000.00	65
10-5600-3300 SUPPLIES	734.54	9,443.41	0.00	10,000.00	94
10-5600-3400 STREET SIGNS & NUMBERS	506.79	1,066.29	0.00	1,000.00	107
10-5600-3600 UNIFORMS	1,046.53	7,756.81	0.00	10,000.00	78
10-5600-3800 TECHNOLOGY	151.59	1,603.81	0.00	5,000.00	32
10-5600-5200 PARKS	0.00	11,482.80	0.00	30,000.00	38
10-5600-5201 GREENWOOD PARK	0.00	0.00	0.00	244,950.00	0
10-5600-5202 GREENWOOD PARK STREAM RESTORA	0.00	34,972.25	0.00	300,000.00	12
10-5600-5900 MISCELLANEOUS	391.59	3,755.63	0.00	5,000.00	75
10-5600-6000 CAPITAL OUTLAY	0.00	84,007.00	0.00	85,000.00	99
10-5600-6500 STAFF DEVELOPMENT	65.00	677.45	0.00	5,000.00	14
5600 Public Works Subtotal	**$40,164.91**	**$620,150.98**	**$428.00**	**$1,224,157.00**	**51**
5700 Streets & Transportation					
10-5700-0200 SALARIES	3,360.68	44,692.84	0.00	49,898.00	90
10-5700-0300 OVERTIME	0.00	0.00	0.00	5,000.00	0
10-5700-0500 FICA	257.12	3,419.19	0.00	3,817.00	90
10-5700-0600 HEALTH INSURANCE (MEDICAL)	568.64	6,823.68	0.00	7,086.00	96
10-5700-0650 DENTAL, VISION, LIFE INSURANCE	54.04	646.86	0.00	664.00	97
10-5700-0675 HRA HEALTH REIMB ACCT	125.00	1,500.00	0.00	1,500.00	100
10-5700-0700 LGERS RETIREMENT	518.24	6,866.02	0.00	7,718.00	89
10-5700-0800 401K SUPP RETIREMENT	168.04	2,234.71	0.00	2,495.00	90
10-5700-1700 VEHICLE REPAIRS - STREET DEPT.	141.59	20,653.64	0.00	25,000.00	83
10-5700-2200 CONTRACTS- PAVING & STRIPING	0.00	51,175.00	0.00	80,000.00	64
10-5700-2300 SUPPLIES	772.08	10,769.76	0.00	20,500.00	53
10-5700-2400 TRAFFIC SIGNS	0.00	3,451.63	0.00	5,000.00	69
10-5700-2500 STORM WATER DRAINAGE	0.00	1,844.85	0.00	100,000.00	2
10-5700-6500 STAFF DEVELOPMENT	0.00	198.40	0.00	1,000.00	20
10-5700-7400 CAPITAL EQUIPMENT PURCHASES	17,038.95	38,803.55	0.00	30,000.00	129
10-5700-7500 ENGINEERING	5,850.00	66,816.59	0.00	50,000.00	134
5700 Streets & Transportation Subtotal	**$28,854.38**	**$259,896.72**	**$0.00**	**$389,678.00**	**67**

Account	Current Period ($)	YTD ($)	Encumbrance ($)	Budget ($)	% Used
5800 Sanitation & Recycling					
10-5800-0200 SALARIES	5,576.76	95,886.80	0.00	105,855.00	91
10-5800-0300 OVERTIME	0.00	685.18	0.00	10,000.00	7
10-5800-0500 FICA	426.64	7,276.63	0.00	8,863.00	82
10-5800-0600 HEALTH INSURANCE (MEDICAL)	1,137.28	20,648.76	0.00	31,202.00	66
10-5800-0650 DENTAL,VISION, LIFE INSURANCE	51.24	1,230.78	0.00	4,068.00	30
10-5800-0675 HRA HEALTH REIMB ACCT	250.00	4,250.00	0.00	4,500.00	94
10-5800-0700 LGERS RETIREMENT	859.94	14,814.29	0.00	17,923.00	83
10-5800-0800 401K SUPP RETIREMENT	278.82	4,828.43	0.00	5,793.00	83
10-5800-1500 GENERAL REPAIRS & MAINTENANCE	0.00	1,120.00	0.00	0.00	0
10-5800-1700 MAINT/REPAIRS - VEHICLES	482.00	12,131.72	1,015.75	22,500.00	58
10-5800-3100 MOTOR FUELS	2,188.94	16,884.23	0.00	17,500.00	96
10-5800-3300 SUPPLIES	73.97	326.69	0.00	1,000.00	33
10-5800-3600 UNIFORMS	0.00	224.11	0.00	0.00	0
10-5800-3800 TECHNOLOGY	49.35	514.98	0.00	0.00	0
10-5800-5800 PHYSICAL EXAMS	0.00	935.00	0.00	0.00	0
10-5800-5900 MISCELLANEOUS	16.19	183.02	0.00	1,000.00	18
10-5800-8000 TIPPING FEES & BRUSH REMOVAL	4,830.20	47,223.70	0.00	55,000.00	86
10-5800-8100 RECYCLING	771.20	11,828.03	0.00	15,000.00	79
5800 Sanitation & Recycling Subtotal	**$16,992.53**	**$240,992.35**	**$1,015.75**	**$300,204.00**	**81**
6600 General Government					
10-6600-0401 LEGAL SERVICES	1,700.00	24,580.85	0.00	40,000.00	61
10-6600-1100 TECHNOLOGY	11,994.10	85,460.08	0.00	85,000.00	101
10-6600-1300 MUNICIPAL UTILITIES	1,229.57	19,099.55	0.00	16,881.00	113
10-6600-1500 GE. REPS. AND MAINT.	6,177.53	30,853.43	0.00	20,000.00	154
10-6600-2800 ELECTIONS	0.00	69.68	0.00	100.00	70
10-6600-3300 SUPPLIES & EQUIPMENT	320.41	320.41	0.00	2,000.00	16
10-6600-5400 INSURANCE	169.00	81,620.31	0.00	90,000.00	91
10-6600-6000 CONTINGENCY	0.00	160.00	0.00	4,919.00	3
10-6600-6100 MISCELLANEOUS	446.10	5,724.26	0.00	10,000.00	57
10-6600-6300 COMMUNITY EVENTS	0.00	4,045.73	0.00	0.00	0
10-6600-6301 4TH OF JULY	0.00	5,209.60	0.00	15,000.00	35
10-6600-6302 NATIONAL NIGHT OUT	0.00	1,061.76	0.00	5,000.00	21
10-6600-6303 HOLIDAY LIGHTING	0.00	12,371.44	0.00	11,500.00	108
10-6600-6304 ARBOR DAY EVENT	0.00	0.00	0.00	3,000.00	0
10-6600-6400 WILDLIFE MANAGEMENT	50.00	168.75	0.00	5,000.00	3
10-6600-6500 FOREST MANAGEMENT	6,450.00	16,746.00	0.00	60,000.00	28
6600 General Government Subtotal	**$28,536.71**	**$287,491.85**	**$0.00**	**$368,400.00**	**78**
6700 Debt Service					
10-6700-0100 Police Dept Renovations-Principal	0.00	23,333.32	0.00	23,333.00	100
10-6700-0200 Street Improvements-Principal	0.00	6,666.68	0.00	6,667.00	100
10-6700-0400 2017 Garbage Truck-Principal	0.00	34,327.22	0.00	34,327.00	100
10-6700-0500 Public Works Building-Principal	0.00	84,210.52	0.00	84,211.00	100
10-6700-1100 Police Dept Renovations-Interest	0.00	4,111.63	0.00	4,112.00	100

Account		Current Period ($)	YTD ($)	Encumbrance ($)	Budget ($)	% Used
10-6700-1200	Street Improvements-Interest	0.00	1,174.74	0.00	1,175.00	100
10-6700-1400	2017 Garbage Truck-Interest	0.00	1,625.30	0.00	1,625.00	100
10-6700-1500	Public Works Building-Interest	0.00	39,985.97	0.00	39,986.00	100
	6700 Debt Service Subtotal	**$0.00**	**$195,435.38**	**$0.00**	**$195,436.00**	**100**
	Expenditure Subtotal	**$290,314.14**	**$4,496,492.11**	**$11,250.98**	**$5,318,044.00**	**85**
Before Transfers	**Deficiency Of Revenue Subtotal**	**-$141,023.17**	**-$239,054.16**	**-$11,250.98**	**-$1,018,200.00**	**25**
Other Financing Source						
3500 Other Financing						
10-3500-0000	SALE OF PERSONAL PROPERTY	0.00	15,888.50	0.00	15,000.00	106
10-3500-0200	INSTALLMENT AGREEMENT	0.00	85,005.02	0.00	85,000.00	100
10-3500-0300	TRANSFER FROM FUND BALANCE	357,200.00	357,200.00	0.00	357,200.00	100
10-3500-0500	GRANT (GOVERNMENTAL) FUNDS	0.00	0.00	0.00	181,000.00	0
10-3500-0600	DONATION (LAND)	0.00	0.00	0.00	80,000.00	0
10-3500-0700	INTERGOVERNMENTAL LOAN (RESTRIC	0.00	0.00	0.00	300,000.00	0
	3500 Other Financing Subtotal	**$357,200.00**	**$458,093.52**	**$0.00**	**$1,018,200.00**	**45**
	Other Financing Source Subtotal	**$357,200.00**	**$458,093.52**	**$0.00**	**$1,018,200.00**	**45**
After Transfers	**Excess Of Revenue Subtotal**	**$216,176.83**	**$219,039.36**	**-$11,250.98**	**$0.00**	**0**

Account		Current Period ($)	YTD ($)	Encumbrance ($)	Budget ($)	% Used
30 Water & Sewer Fund						
Revenue						
3290						
30-3290-0000	INTEREST EARNED	6.46	1,262.04	0.00	1,500.00	84
	3290 Subtotal	**$6.46**	**$1,262.04**	**$0.00**	**$1,500.00**	**84**
3350 Commissions, Sw Chg Coll						
30-3350-0000	COMMISSIONS, SEWER CHARGE COLL	1,602.30	9,854.25	0.00	8,000.00	123
	3350 Commissions, Sw Chg Coll Subtotal	**$1,602.30**	**$9,854.25**	**$0.00**	**$8,000.00**	**123**
3710 Water Sales						
30-3710-0000	WATER CHARGES	73,162.57	420,378.98	0.00	384,355.00	109
30-3710-0100	MSD CHARGES	57,823.55	340,196.34	0.00	306,849.00	111
30-3710-0200	AMI TRANSMITTER CHARGES	1,370.60	8,275.22	0.00	7,700.00	107
	3710 Water Sales Subtotal	**$132,356.72**	**$768,850.54**	**$0.00**	**$698,904.00**	**110**
3730 Water Tap & Connect Fees						
30-3730-0000	WATER TAP AND CONNECTION FEES	90.00	8,870.00	0.00	6,000.00	148
	3730 Water Tap & Connect Fees Subtotal	**$90.00**	**$8,870.00**	**$0.00**	**$6,000.00**	**148**
	Revenue Subtotal	**$134,055.48**	**$788,836.83**	**$0.00**	**$714,404.00**	**110**
Expenditure						
8100 Water Dept.						
30-8100-0200	SALARIES	0.00	0.00	0.00	26,363.00	0
30-8100-0300	OVERTIME	0.00	0.00	0.00	1,200.00	0
30-8100-0400	PROFESSIONAL SERVICES	330.00	2,890.00	0.00	4,000.00	72
30-8100-0500	FICA	0.00	0.00	0.00	92.00	0
30-8100-0600	HEALTH INSURANCE (MEDICAL)	0.00	0.00	0.00	5,707.00	0
30-8100-0650	DENTAL, VISION, LIFE INSURANCE	0.00	0.00	0.00	884.00	0
30-8100-0675	HRA HEALTH REIMBUSEMENT ACCT	0.00	0.00	0.00	750.00	0
30-8100-0700	LGERS RETIREMENT	0.00	0.00	0.00	4,078.00	0
30-8100-0800	401K SUPP RETIREMENT	0.00	0.00	0.00	1,318.00	0
30-8100-1200	POSTAGE, PRINTING,& STATIONARY	592.76	2,367.27	0.00	5,000.00	47
30-8100-1500	GENERAL REPAIRS	17.97	4,042.55	0.00	10,000.00	40
30-8100-3300	SUPPLIES & EQUIPMENT	0.00	13,170.01	0.00	10,000.00	132
30-8100-4800	WATER PURCHASES	18,937.07	209,501.04	0.00	239,636.00	87
30-8100-4900	SEWER PURCHASES	57,823.55	341,114.03	0.00	309,259.00	110
30-8100-5000	AMI TRANSMITTER FEES	1,479.18	8,812.78	0.00	7,700.00	114
30-8100-5700	MISCELLANEOUS	31.89	481.36	0.00	1,500.00	32
30-8100-6500	STAFF DEVELOPMENT	0.00	1,487.00	335.00	5,000.00	36
30-8100-7400	CAPITAL IMPROVEMENT	0.00	0.00	0.00	81,918.00	0
	8100 Water Dept. Subtotal	**$79,212.42**	**$583,866.04**	**$335.00**	**$714,405.00**	**82**
	Expenditure Subtotal	**$79,212.42**	**$583,866.04**	**$335.00**	**$714,405.00**	**82**
Before Transfers	**Excess Of Revenue Subtotal**	**$54,843.06**	**$204,970.79**	**-$335.00**	**-$1.00**	**,463,579**
After Transfers	**Excess Of Revenue Subtotal**	**$54,843.06**	**$204,970.79**	**-$335.00**	**-$1.00**	**,463,579**

Account	Current Period ($)	YTD ($)	Encumbrance ($)	Budget ($)	% Used
40 Capital Project Fund					
Revenue					
4000					
40-4000-0000 FUND BALANCE	0.00	0.00	0.00	719,250.00	0
40-4000-1000 INSTALLMENT FINANCING	0.00	0.00	0.00	242,607.00	0
4000 Subtotal	**$0.00**	**$0.00**	**$0.00**	**$961,857.00**	**0**
Revenue Subtotal	**$0.00**	**$0.00**	**$0.00**	**$961,857.00**	**0**
Expenditure					
5600 Public Works					
40-5600-1000 DESIGN (ARCHITECTURAL SERVICES)	0.00	2,200.00	0.00	10,267.00	21
40-5600-2000 CONSTRUCTION (CONST MGR AT RISK)	57,605.77	151,512.10	0.00	951,590.00	16
40-5600-7400 CAPITAL OUTLAY/EQUIPMENT	0.00	36,657.71	0.00	0.00	0
5600 Public Works Subtotal	**$57,605.77**	**$190,369.81**	**$0.00**	**$961,857.00**	**20**
Expenditure Subtotal	**$57,605.77**	**$190,369.81**	**$0.00**	**$961,857.00**	**20**
Before Transfers **Deficiency Of Revenue Subtotal**	**-$57,605.77**	**-$190,369.81**	**$0.00**	**$0.00**	**0**
After Transfers **Deficiency Of Revenue Subtotal**	**-$57,605.77**	**-$190,369.81**	**$0.00**	**$0.00**	**0**

355 Vanderbilt Rd | Biltmore Forest, NC
Po Box 5352 | Biltmore Forest, NC 28803
P (828) 274-0824 | F (828) 274-8131
www.biltmoreforest.org

George F. Goosmann, III, Mayor
Fran G. Cogburn, Mayor-Pro Tem
E. Glenn Kelly, Commissioner
Doris P. Loomis, Commissioner
Jonathan B. Kanipe,
Town Manager

MEMORANDUM

To: Mayor and Board of Commissioners

From: Jonathan Kanipe, Town Manager

Re: Consideration of Resolution 2020-03 – A Resolution Authorizing the Sale of Town Personal Property

Date: July 7, 2020

Background

The Police Department's vehicle fleet has been dramatically improved within the past 4 months. Two vehicles from the existing fleet are no longer needed. This resolution approves the Town Manager listing these items for sale on GovDeals. This resolution also includes the disposal of bulk equipment from vehicles that is no longer necessary.

Staff Recommendation

Staff recommends approval of the attached resolution. This will allow these items to be listed for sale on the GovDeals website.

STATE OF NORTH CAROLINA)
)
COUNTY OF BUNCOMBE)

TOWN OF BILTMORE FOREST
BOARD OF COMMISSIONERS

*****

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George F. Goosmann, III, Mayor
Fran G. Cogburn, Mayor-Pro Tem
E. Glenn Kelly, Commissioner
Doris P. Loomis, Commissioner

Jonathan B. Kanipe,
Town Manager

MEMORANDUM

To: Mayor and Board of Commissioners

From: Jonathan Kanipe, Town Manager

Re: Consideration of Resolution 2020-04 – A Resolution regarding the Dedication of Land Adjacent to Arboretum Road

Date: July 7, 2020

Background

In 1993, the Town and Biltmore Company entered into a Right of Way agreement for the permanent maintenance of Arboretum Road. A copy of this right of way agreement is included with your agenda packet. A certain area along the eastern side of Arboretum Road currently maintained by the Town was discovered to be owned by Biltmore Farms. The attached resolution and Exhibit A detail the area in question that Biltmore Farms now desires to grant to the Town in connection with the Town's continued maintenance of the public right of way known as Arboretum Road.

The Town Attorney, Billy Clarke, has worked with the attorney representing Biltmore Farms on this issue and modified the resolution on behalf of the Town. Mr. Clarke's revised resolution is attached for the Board's review and consideration.

Staff Recommendation

Staff recommends approval of the attached resolution.

STATE OF NORTH CAROLINA)	**TOWN OF BILTMORE FOREST**
)	**BOARD OF COMMISSIONERS**
COUNTY OF BUNCOMBE)	

*****

This the 14th day of July, 2020.

_____

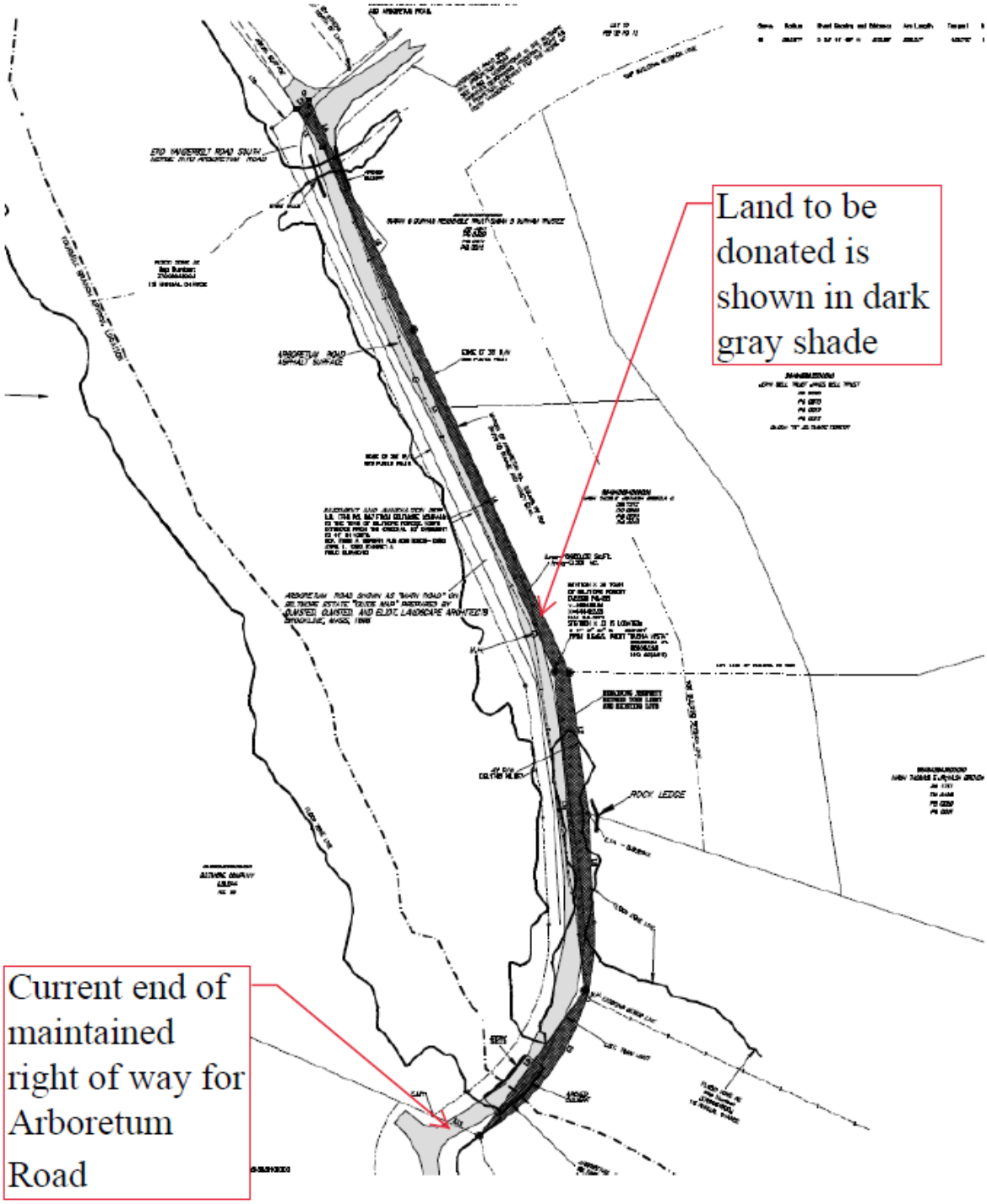
George F. Goosmann, III
Mayor

Attest:

_____

Laura Jacobs
Town Clerk

EXHIBIT A TO RESOLUTION TO ACCEPT DONATION OF LAND FOR ARBORETUM ROAD



I, JOHN B. YOUNG, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 244, PAGE 56,) (OTHER); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION SHOWN HEREON
THE RATIO OF PRECISION AS CALCULATED IS 1: 10000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47–30 AS AMENDED;
THAT THIS SURVEY IS OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET;
ACCORDING TO NORTH CAROLINA FLOOD INSURANCE RATE MAP (FIRM) 3700964600J , EFFECTIVE DATE: JANUARY 6, 2010, SOME PROPERTY SHOWN ON THIS PLAT IS LOCATED IN ZONE AE (1% CHANCE OF FLOOD HAZARD AREA). PORTIONS OF THE PROPERTY SHOWN MAY FLOOD, EVEN THOUGH THEY ARE NOT MAPPED IN THE 100 YEAR OR THE 500 YEAR FLOOD ZONES.

WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL

THIS 13TH DAY OF FEB. 2020

JOHN B. YOUNG, PLS
N.C. NO. L–2964

THIS DOCUMENT ORIGINALLY ISSUED AND SEALED BY JOHN B YOUNG, PLS, L–2964, ON FEB. 13, 2020
THIS MEDIA SHOULD NOT BE CONSIDERED A CERTIFIED DOCUMENT.

NOTE:
DISTANCES SHOWN OF THIS PLAT ARE GRID LENGTHS. TO CONVERT TO HORIZONTAL GROUND LENGTHS DIVIDE THE DISTANCES SHOWN BY A COMBINED SCALE AND SEA LEVEL FACTOR OF 0.9997832.

D.B.295 PG.425 → BILTMORE ESTATE CO → EDITH VANDERBILT
D.B.415 PG.181 → EDITH S VANDERBILT TO CORNELIA CECIL
D.B.449 PG.203 → CORNELIA CECIL → BILT. COMPANY
D.B.1745 PG. 567 → BILTMORE COMPANY → RIGHT OF WAY TO THE TOWN OF BILTMORE FOREST

NOTES:

THE INITIAL POSITIONS FOR THIS PROJECT WERE PRODUCED FROM RAPID STATIC GPS OBSERVATIONS UTILIZING TRIMBLE DUAL FREQUENCY 5800 RECEIVERS AND WERE COMPUTED BY NGS UTILIZING THE ONLINE POSITIONING USER SERVICE (OPUS) AND ARE RELATIVE TO THE FOLLOWING NGS CORS BASE STATIONS.

PID	DESIGNATION	LATITUDE	LONGITUDE	DISTANCE(m)
DE8230	MARI MARION CORS ARP	N353913.385	W0815716.172	558
DH3755	SCGP GREER CPW CORS ARP	N345615.688	W0821357.268	71219.4
DH3874	NCSY SW COMMUNITY COLL CORS ARP	N352052.407	W0831223.389	62765.3
DJ9536	TN13 TDOT DISTRICT 13 CORS ARP	N355637.031	W0831226.416	75512.4
DH7137	NCMG MORGANTON CORS ARP	N354227.073	W0813923.998	83437.6
DG4257	FRKN FRANKLIN CORS ARP	N351130.686	W0832341.746	85218.7
DJ9534	TN12 TDOT DISTRICT 12 CORS ARP	N361452.937	W0831711.072	104264.1

REF FRAME: NAD_83(2011)(EPOCH:2010.0000)

POSITIONAL ACCURACY: X= 0.04(m), Y=0.03(m), Z= 0.07(m) 95% CONFIDENCE LEVEL

ELEVATIONS ARE NAVD 1988 (GEOID MODEL=GEOID12B

AVERAGE COMBINED GRID FACTOR = 0.9997832

UNITS ARE IN U.S. SURVEY FEET UNLESS DESIGNATED OTHERWISE

DATE: September 05, 2019
RINEX FILE: 5043240s.19o TIME: 14:07:21 UTC
TRIMBLE 5800 DUEL FREQUENCY RECEIVERS

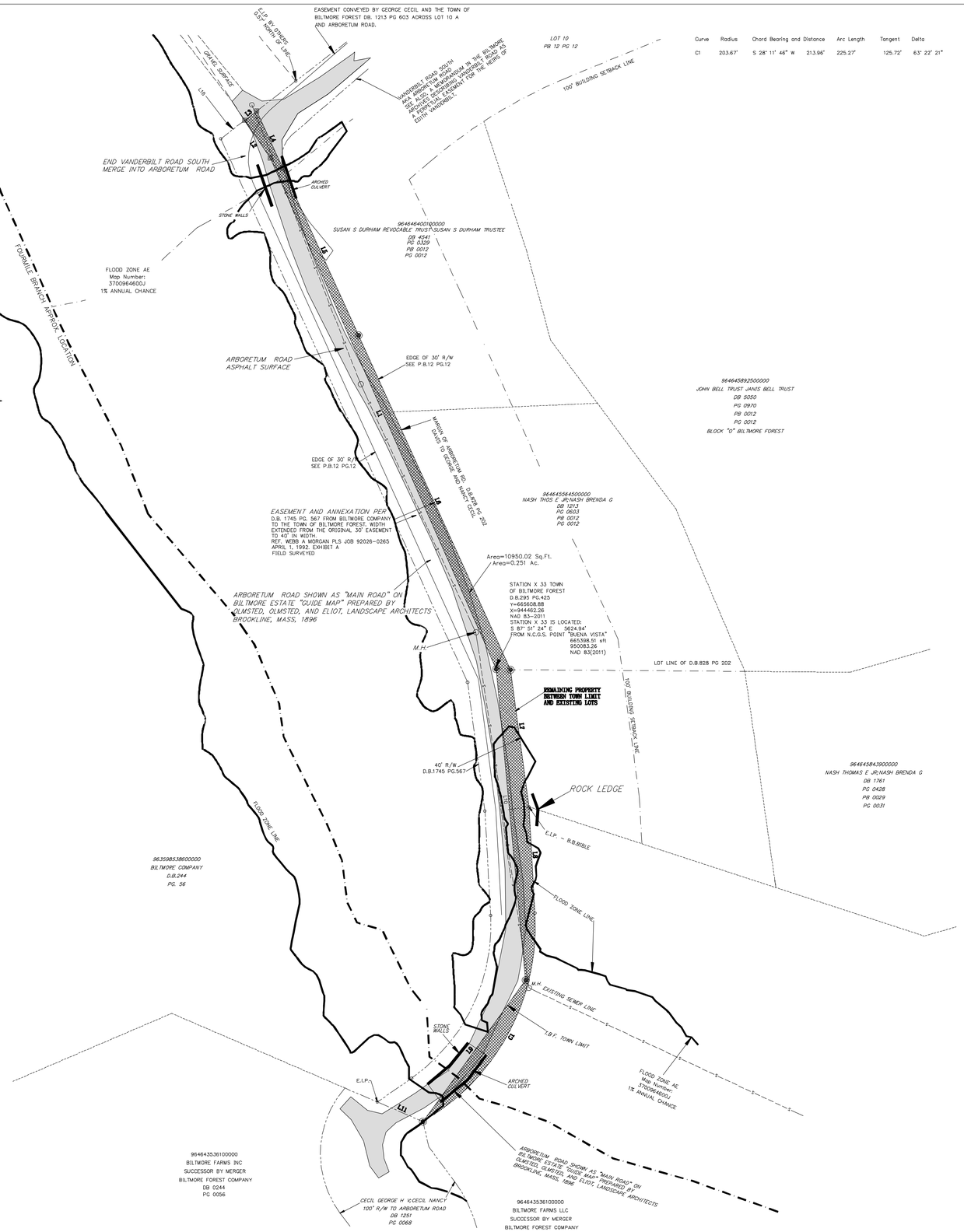
LINE TYPE LEGEND

CALCULATED LOT/FROM DEEDS AND PLATS
ADJACENT PROPERTY
LINE FROM COUNTY GIS NOT SURVEYED
RIGHT OF WAY
SEWER LINE (APPROXIMATE)
ARBORETUM RD R\W SURVEYED

LEGEND:
....IRON PIPE OR PIN SET
....POINT NOT SET
....SPIKE OR NAIL SET
....EXISTING IRON PIPE OR PIN
2" E.I.P WITH CONCRETE CENTER
–X––––X– FENCE LINE
C= CURVE (SEE CURVE TABLE)
L= LINE (SEE LINE TABLE)
U.P.= UTILITY POLE
M.H.= MANHOLE

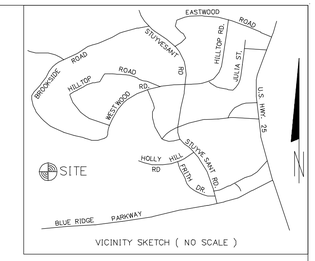
AREA OF SUBJECT SURVEY

PAVED SURFACE



Curve	Radius	Chord Bearing and Distance		Arc Length	Tangent	Delta
C1	203.67'	S 28° 11' 46" W	213.96'	225.27'	125.72'	63° 22' 21"

Line	Bearing	Distance
L1	N 23° 50' 17" W	505.09'
L2	N 34° 02' 33" W	41.25'
L3	N 82° 21' 12" E	13.72'
L4	S 24° 23' 05" E	56.71'
L5	S 24° 24' 48" E	166.02'
L6	S 24° 24' 48" E	332.07'
L7	S 7° 40' 40" E	125.08'
L8	S 3° 09' 02" E	96.13'
L9	N 35° 53' 39" E	158.12'
L10	N 5° 25' 17" W	282.44'
L11	N 66° 43' 35" W	44.78' TIE LINE



VICINITY SKETCH (NO SCALE)

N.C. GRID NORTH N.A.D. 83– 2011

A MAP REPRESENTING THE AREA BETWEEN THE BILTMORE FOREST TOWN LIMIT AND EXISTING BOUNDARIES ALONG ARBORETUM ROAD
PREPARED FOR:

BILTMORE FARMS LLC

TOWN OF BILTMORE FOREST
BUNCOMBE COUNTY, N.C.

REVISIONS			FIELD PARTY	INITIAL DATE APRIL 2019	JOB FILE No. 84031–NAD 83
No	DATE	BY	DRAWN BY JY & GS	DATE FEB. 13, 2020	PRECISION 1:10000
			SCALE 1 IN = 50 FT	AREA BY D.M.D.	
			NO ADJUSTMENT	ADJ per ANGLE:N/A.	
			DWG FILE: 84031_NAD 83	PSD FILE: 84031	
			RECORD REFERENCES: D.B.244 PG.56, D.B.295 PG.425 AND OTHERS		

50 25 0 50 100 150
GRAPHIC SCALE

NC Survey, P.C.
*** PROFESSIONAL LAND SURVEYORS ***
50 NORTH MERRIMON AVENUE, BLDG. 50, SUITE 109,
ASHEVILLE, NORTH CAROLINA, 28804
PHONE:(828) 252–1530
PROFESSIONAL CORPORATION NUMBER–C–0268

BK 1745 PG 567

RETURN TO: ~~Town of Biltmore Forest~~
Van Winkle ~~P.O. Box 5352, Biltmore Forest, NC, 28813~~
QE Starnes, PO Box 7376, Asheville, NC 28802-7376

STATE OF NORTH CAROLINA

RIGHT OF WAY

COUNTY OF BUNCOMBE

This Right of Way, made this the 16th day of ~~May, 1992~~ April, 1993, by and between The Biltmore Company, a Delaware Corporation, hereafter "Biltmore"; and The Town of Biltmore Forest, a North Carolina municipal corporation, hereafter, "Town";

W I T N E S S E T H:

WHEREAS, Biltmore is the owner of that certain property as described in a Deed recorded in the Office of the Register of Deeds for Buncombe County, North Carolina, in Deed Book 295 at Pages 425 and 436; and

WHEREAS, the Town is a municipal corporation whose town limits adjoin in part the property of Biltmore along a road known as Arboretum Road that presently leads generally southwest and southerly from Vanderbilt Road; and

WHEREAS, the Town desires to have a right-of-way for the purpose of maintaining Arboretum Road over the hereafter described land;

NOW, THEREFORE, for and in consideration of the sum of One Dollar ($1.00), and other good and valuable considerations, to each in hand paid, the receipt of which is hereby acknowledged, Biltmore does hereby give and grant unto the Town a perpetual nonexclusive right of way for full and free ingress, egress and regress over and upon the following particularly described real estate located in Buncombe County, Limestone Township, North Carolina: Being all that certain land as described in Schedule A that is attached and incorporated herein by reference.

TO HAVE AND TO HOLD said nonexclusive right of way and the rights and interests hereby granted unto the Town forever.

REGISTERED
93 MAY 20 A9:45
REGISTER OF DEEDS
BUNCOMBE CO., N.C.

EXHIBIT A

BEGINNING at a point which is the terminus of the sixth call of Deed Book 295 at page 425, Buncombe County Registry, (described as Station X-35) and running from said Beginning point North 66° 41' 08" West 39.78 feet crossing an existing gravel drive to an iron pipe; thence North 55° 02' 04" East 37.58 feet to an iron pipe; thence on a curve to the left having a radius of 168.32 feet, an arc length of 170.82 feet and a chord bearing of North 25° 57' 39" East 163.58 feet to an iron pipe; thence North 3° 06' 45" West 94.55 feet to an iron pipe; thence North 7° 37' 31" West 117.51 feet to an iron pipe; thence North 24° 22' 31" West 539.90 feet to an iron pipe; thence North 52° 19' 52" East 27.68 feet to an iron pipe; thence South 33° 36' 08" East 40.88 feet to a point; thence South 23° 42' 08" East 505.09 feet to a point; thence South 5° 17' 08" East 232.44 feet to a point; thence South 37° 14' 52" West 158.47 feet crossing a bridge to the point and place of Beginning, containing 0.621 acres more or less and being shown as Arboretum Road on a survey dated March 17, 1992, last revised April 1, 1992, prepared for Town of Biltmore Forest by Webb A. Morgan & Associates, PA (Job File 92026-0265).

IN TESTIMONY WHEREOF Biltmore has caused this document to be executed on its behalf by its duly authorized officers.

ATTEST: THE BILTMORE COMPANY

THE BILTMORE COMPANY CORPORATE SEAL 1932 DELAWARE

BY: _____ Secretary

BY: _____ (SEAL)
SENOIR VICE-PRESIDENT

STATE OF NORTH CAROLINA

COUNTY OF BUNCOMBE

I, _____, a Notary Public for said County and State, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the _____ day of _____, 1992.

_____
NOTARY PUBLIC

My Commission Expires: _____

BK 1745 PG 570

STATE OF NORTH CAROLINA

COUNTY OF BUNCOMBE

I, Carol Ann Michael, a Notary Public for said County and State, do hereby certify that Vincent D. Childress, Jr personally appeared before me this day and acknowledged that he is Assistant Secretary of THE BILTMORE COMPANY, a North Carolina corporation, and that by authority duly given and as the act of the Corporation, the foregoing instrument was signed in its name by its Senior Vice-President, sealed with its corporate seal and attested by Vincent D. Childress, Jr as its Assistant Secretary.

Witness my hand and official seal, this the 16th day of April, 1993, ~~1992~~.

Carol Ann Michael
NOTARY PUBLIC

My Commission Expires: 1-18-96

State of North Carolina, County of Buncombe

Each of the foregoing certificates, namely of Carol Ann Michael a notary or Notaries public of the State and County designated is certified to be correct.

This 20 day of May, 19 93.

OTTO W. DeBRUHL
Register of Deeds, Buncombe County
By: Judy R. Smith, Deputy

Filed for registration on the 20 day of May, 19 93 at 9:45 A. M.

OTTO W. DeBRUHL
Register of Deeds, Buncombe County
By: Judy R. Smith, Deputy

BB&T Prepared By and Return to Lloyd M. Sigman BK 1745 PG 571

JUNIOR MORTGAGEE NOTIFICATION

North Carolina

Buncombe County

REGIS

In accordance with the provisions of N.C.G.S. § 45-21.17(5), request is hereby made that a copy of any notice of sale under the Deed of Trust recorded on the 14 day of May '93 MAY 20 09:58, 19 ____, in Book 1461, Page 281, of the records of Buncombe County, executed by Parker A. Bollinger and Brenda C. Bollinger (MORTGAGOR), as Trustor(s) in which REGISTER OF DEEDS

Branch Banking and Trust Company is named as beneficiary and Jerone C. Herring, as Trustee, be mailed to Branch Banking and Trust Company, PO BOX 486 (ADDRESS) FLETCHER (CITY), North Carolina 28732 (Zip Code)

Branch Banking and Trust Company

By: _____

Title: VP

North Carolina

BUNCOMBE County

I, LINDA L WATERS Notary Public of BUNCOMBE County, North Carolina, do hereby certify that JAMES A EVANS, III personally appeared before me this day and acknowledged that he is VICE PRESIDENT (TITLE) of Branch Banking and Trust Company, a corporation, and acknowledged on behalf of said corporation the due execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 15 day of APRIL, 19 93

My Commission Expires 12-4-96.

My Commisson Expires: _____

Linda L Waters
Notary Public

North Carolina Buncombe County

The foregoing certificate(s) of Linda L. Waters a Notary Public of Buncombe County is certified to be correct. This instrument was filed for registration in this office on the 20 day of May, 19 93 at 9:58 o'clock A M. and was duly recorded in Book _____, Page _____

Otto W. DeBruhl
REGISTER OF DEEDS

Buncombe County

F850-191 (1/90)

355 Vanderbilt Rd | Biltmore Forest, NC
Po Box 5352 | Biltmore Forest, NC 28803
P (828) 274-0824 | F (828) 274-8131

www.biltmoreforest.org

George F. Goosmann, III, Mayor
Fran G. Cogburn, Mayor-Pro Tem
E. Glenn Kelly, Commissioner
Doris P. Loomis, Commissioner

Jonathan B. Kanipe,
Town Manager

MEMORANDUM

To: Mayor and Board of Commissioners

From: Jonathan Kanipe, Town Manager

Re: Consideration of Resolution 2020-05 – A Resolution regarding the Dedication of Land Adjacent to Greenwood Park

Date: July 7, 2020

Background

For many years, the Town has maintained the unopened right of way that exists to the northwest of Greenwood Park, near the intersection of Stuyvesant and Greenwood Roads. This area is owned by Biltmore Farms as a successor from merger of the Biltmore Forest Company. Biltmore Farms agreed to donate this piece of property to the Town as part of an application to the North Carolina Parks and Recreation Trust Fund (NC PARTF) in 2019. The Town did not receive grant funding for this project, but Biltmore Farms still wishes to donate this land to the Town.

The resolution is currently being drafted by the Town Attorney, Billy Clarke, and will be provided to the Board ahead of Tuesday's meeting. A copy of this resolution will also be posted to the Town's website once available. This area comprises the entirety of the property north of Greenwood Park and adjoining 115 Stuyvesant Road and 14 Greenwood Road.

Note: This resolution was updated in the agenda packet and on Town website to include Resolution 2020-05 on Monday, July 13, 2020.

Staff Recommendation

Staff recommends approval.

STATE OF NORTH CAROLINA)
)
COUNTY OF BUNCOMBE)

TOWN OF BILTMORE FOREST
BOARD OF COMMISSIONERS

****

RESOLUTION 2020-05

****

RESOLUTION TO ACCEPT PROPERTY ADJACENT TO GREENWOOD PARK

WHEREAS, The Biltmore Estate Company, by deed recorded in Deed Book 405 at Page 510 Buncombe County Registry on February 9, 1929, conveyed to the Town of Biltmore Forest certain roads, streets and rights of ways for the streets and roads in the Town of Biltmore Forest; and

WHEREAS, The Biltmore Estate Company, in Book 405 at Page 510, also conveyed three parks to the Town of Biltmore Forest to, including the property known as Greenwood Park; and

WHEREAS, The park known now as Greenwood Park is shown on a plat recorded in Plat Book 12 at Page 86 Buncombe County Registry; and

WHEREAS, a portion of Brookside Road (now "Greenwood Place") from its intersection with Greenwood Road northeast to Stuyvesant Road is shown on Plat Book 12 at Page 86, but was never constructed; and

WHEREAS, Biltmore Farms, LLC ("Biltmore Farms") has succeeded to the interest of the Biltmore Estate Company with respect to the unconstructed portion of Greenwood Circle; and

WHEREAS, Biltmore Farms is willing to convey its interest in the unconstructed portion of Greenwood Circle from its intersection with Greenwood Road in a northeasterly direction to Stuyvesant Road; and

WHEREAS, The Town of Biltmore Forest is willing to accept the conveyance and to include the land as a part of Greenwood Park;

NOW THEREFORE BE IT RESOLVED that the Town of Biltmore Forest accepts the offer of Biltmore Farms to convey the unconstructed portion of Greenwood Place from its intersection with Greenwood Road in a northeasterly direction to Stuyvesant Road, said land to be used by the Town of Biltmore Forest as part of Greenwood Park.

This the 14th day of July, 2020.

_____

George F. Goosmann, III
Mayor

Attest:

_____

Laura Jacobs
Town Clerk

355 Vanderbilt Rd | Biltmore Forest, NC
Po Box 5352 | Biltmore Forest, NC 28803
P (828) 274-0824 | F (828) 274-8131
www.biltmoreforest.org

George F. Goosmann, III, Mayor
Fran G. Cogburn, Mayor-Pro Tem
E. Glenn Kelly, Commissioner
Doris P. Loomis, Commissioner

Jonathan B. Kanipe,
Town Manager

MEMORANDUM

To: Mayor and Board of Commissioners

From: Jonathan Kanipe, Town Manager

Re: Consideration of Resolution 2020-06 – A Resolution of Appreciation for Dr. Richard Landau

Date: July 9, 2020

Background

Dr. Richard Landau has served on the Town's Board of Adjustment since April 2014. Prior to this, Dr. Landau served for nearly a year on the Town's Planning Commission. The Town wishes to thank Dr. Landau for his dedication and service to the Town. The attached resolution commends and thanks him for his service to the Town.

Staff Recommendation

Staff recommends approval of this resolution.

STATE OF NORTH CAROLINA)
)
COUNTY OF BUNCOMBE)

TOWN OF BILTMORE FOREST
BOARD OF COMMISSIONERS

*****

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E. Glenn Kelly, Commissioner
Doris P. Loomis, Commissioner

Jonathan B. Kanipe,
Town Manager

MEMORANDUM

To: Mayor and Board of Commissioners

From: Jonathan Kanipe, Town Manager

Re: Discussion – Brush Pick-up Procedures and Ordinance

Date: July 9, 2020

Background

A mission critical task for Public Works is brush pick-up. The public works team does a terrific job providing this service. As noted in the Public Works Director's report, the Town has recently improved our communication regarding brush pick-up and enforcement. We continue to monitor this in hopes that we can improve both the efficiency of the pickup and the service provided.

Staff's request for discussion related to this specific ordinance is for the Board's input on the current timing of brush pickup (once per month between February and November) and whether the Board approves increased enforcement of the ordinance related to timing and placement of brush. The existing ordinance is listed on the next page for review, and again, this is simply for staff to receive feedback and input regarding what we currently do and whether there are changes that the Board would like to pursue.

§ 51.07 TREE LIMBS, BRUSH, LEAVES, AND THE LIKE.

(A) (1) All trees or portions thereof to be picked up shall be cut up and reduced in lengths so that no portion shall be more than six feet in length. Limbs shall be no greater than six inches in diameter (distance through the limb).

(2) All limbs shall be cut from the main body of any limb or trunk. All such materials shall be neatly piled with the length of such items substantially parallel to the street. One dump truck load of limbs and brush shall be allowed each resident per two months without additional charges. Should the volume exceed one dump truck load, a fee will be charged for each two cubic yards or any portion thereof.

(3) A fee, in an amount as set by the Board of Commissioners from time to time, per two cubic yards will be charged when limbs and brush have exceeded one dump truck load in a two-month period.

(B) Loose leaves shall be collected at roadside by town forces from November 1 through January 15. Leaves shall be free of sticks, rocks, and other debris, and not placed in plastic bags.

(C) Tree limbs and brush shall not be placed at roadside more than five days prior to the collection date.

(D) Limbs and brush shall not be placed at roadside from November 1 through January 15.

(E) Removal of limbs, brush, and debris of all types resulting from work of commercial tree services shall be the responsibility of the property owner, and not the town.

(2013 Code, § 9-7)

§ 51.08 PLACEMENT OF LIMBS, BRUSH, LEAVES, AND THE LIKE.

Limbs, brush, and leaves shall be placed by occupant upon that portion of residents' property immediately adjacent to the street right-of-way normally used by vehicles, but at least three feet off of the pavement.

(2013 Code, § 9-8)

355 Vanderbilt Rd | Biltmore Forest, NC
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George F. Goosmann, III, Mayor
Fran G. Cogburn, Mayor-Pro Tem
E. Glenn Kelly, Commissioner
Doris P. Loomis, Commissioner

Jonathan B. Kanipe,
Town Manager

MEMORANDUM

To: Mayor and Board of Commissioners

From: Jonathan Kanipe, Town Manager

Re: Appointment of Martha Barnes to Board of Adjustment
Re-Appointment of Andrea Eglinton and Trudy Cappiello to Design Review Board

Date: July 10, 2020

Background

The Board of Commissioners must make appointments to various advisory boards annually. These Board members typically serve three (3) year terms as laid out in the Town's Code of Ordinances. Ms. Martha Barnes is nominated for the position of Board of Adjustment member (alternate). Ms. Andrea Eglinton and Ms. Trudy Cappiello are eligible for re-appointment to the Design Review Board. Each member's term will expire in July 2023.