

PROPOSED AGENDA

Meeting of the Town of Biltmore Forest
Board of Commissioners

To be held Tuesday, April 13, 2021 at 4:30 p.m.

***MEETING WILL BE HELD IN-PERSON WITH CAPACITY LIMIT OF 25
SOCIAL DISTANCING AND MASK REQUIREMENTS WILL BE IN EFFECT
REMOTE VIEWING AVAILABLE VIA ZOOM INFORMATION ON OPPOSITE PAGE***

A. Roll Call by the Clerk

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

B. The minutes of the March 9, 2021 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 Manager

D. New Business

1. Consideration of Revisions to Carolina Day School Entrance Sign
2. Consideration of FY20-21 Budget Amendment
3. Consideration of Design Review Board Appointment
4. FY22 Preliminary Budget Discussion

E. Petitions, Motions, and Other Business

F. Public Comment

G. Adjourn

How to Access April Board of Commissioners Meeting

Note – Meeting will be held in-person with attendance capped at 25 persons

Topic: April Board of Commissioners Meeting

Time: Apr 13, 2021 04:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/81608703383?pwd=UnMvUFhlcC91VHZMWDJLS2JETWhTZz09>

Meeting ID: 816 0870 3383

Passcode: 217236

One tap mobile

+13126266799,,81608703383#,,,,*217236# US (Chicago)

+16468769923,,81608703383#,,,,*217236# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

+1 301 715 8592 US (Washington DC)

+1 346 248 7799 US (Houston)

+1 408 638 0968 US (San Jose)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

Meeting ID: 816 0870 3383

Passcode: 217236

Find your local number: <https://us02web.zoom.us/j/81608703383?pwd=UnMvUFhlcC91VHZMWDJLS2JETWhTZz09>

MINUTES OF THE MEETING OF THE MAYOR AND THE TOWN COMMISSIONERS OF
BILTMORE FOREST HELD MARCH 9, 2021.

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 taken 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. Roll call was taken by the Clerk.

Mayor Goosmann called the meeting to order at 4:30 pm. Commissioner Kelly made a motion to approve the minutes from February 9, 2021. The motion was seconded by Commissioner Cogburn and unanimously approved. Roll call was taken by the Clerk.

Mr. Harry Buckner gave the report for the Public Works Department. Mr. Buckner said the Public Works crew laid mulch in Greenwood Park. There is an increase in requests for tree removal and Mr. Charles Tesner is working on this. Mr. Buckner said Mr. Mike Dale and Mr. Daniel Rice are doing an outstanding job as new employees and is thankful to have them on board.

Mr. Buckner said there will be a couple of water service renewals in March.

Commissioner Cogburn said she drove by the park this morning and the park looked very nice. Mr. Buckner thanked Commissioner Cogburn.

Commissioner Loomis asked about the status of dog waste containers. Mr. Buckner said they are currently working on this and the project should be completed soon.

The status of paving and striping the Town was asked about by Mayor Goosmann. Mr. Buckner said they would like to get it done within the next season.

Mr. Kanipe indicated that one item under consideration is for Town provided trash containers in the future. This will most likely be done the next budget year.

Chief Chris Beddingfield gave the report for the Police Department. Chief Beddingfield said there were 665 calls which is average. Chief Beddingfield said there were also multiple large events, including multi-agency events that occurred. Some involved being on the local news. All of these involved a pursuit. Chief Beddingfield said they assisted the Highway Patrol which involved all agencies within this area with a subject who was on foot from a crash on Vanderbilt Park Drive. Chief Beddingfield said the suspect was caught on I-40 about one hour later and said everyone seemed to work well together.

Chief Beddingfield said the second incident was similar to the last one, but it occurred in the middle of the night. It was a vehicle accident that went through the edge of the Town's property and onto the Biltmore Estate. This subject however, was not located until days later.

Another incident was a bank robbery that occurred. Chief Beddingfield said employees did a great job. The suspect police caught was not related to the bank robbery but everyone did a wonderful job.

Chief Beddingfield said there was a felony arrest and several misdemeanor arrests as well.

Commissioner Kelly asked Chief Beddingfield why he does not receive the Nixle alerts. Commissioner Kelly said he signed up for them but is not receiving them. Chief Beddingfield said he had the lead telecommunicator, Ms. Aslyne Tate look into this situation, however, Nixle customer support would not give her information regarding who is signed up. Chief Beddingfield and Mr. Kanipe said they will look into this further and see what they can find out for Commissioner Kelly. Commissioner Kelly thanked Chief Beddingfield and Mr. Kanipe.

Mayor Goosmann thanked the Chief for all the police department does.

Chief Ryan Cole gave the report for the report for the Skyland Fire Department. Chief Cole said this past month was rather slow with many people staying indoors. Chief Cole said about 4-5 people per day have been working in vaccination clinics to help with distributing COVID-19 vaccinations. This clinic will be moving to Biltmore Baptist Church on Clayton Road March 19th. There was a fire last night and that fire is under investigation in the Bent Creek Community.

Mr. Jonathan Kanipe gave the report for the Town. Mr. Kanipe provided the Board with budget reallocations for the month.

Mr. Kanipe said the Duke Energy underground project is coming along well. Duke Energy is currently working on week five of the fourteen week project. The lines will get buried along phase one of the project area. Mr. Kanipe continues to have conversations with AT&T and Spectrum regarding their consideration of joining in. AT&T currently has this within their engineering department and they are reviewing the plans and potential for possibly joining in phase two. Spectrum is also reviewing this as well and are in touch with Duke Energy about the future phasing for it and hopefully joining in as well to get those utilities underground as well.

Mr. Kanipe informed the Board he will meet with Mr. Roy Smith who is their vegetation manager to review some specific lines along Forest Road and Vanderbilt Road which are areas that are frequently “knocked out” with power issues.

Mr. Kanipe said there will be some work being done in Rosebank Park with tree and landscaping projects.

Mr. Kanipe said there are 9-10 large oak trees and one tulip poplar that need to be removed due to health and safety concerns. They are not considered protected under the Town’s Tree Protection Ordinance but they will be replanting at a higher threshold than what we would be required to do anyway in terms of reforesting the park. Mr. Kanipe said a plan will be developed of when to replant and where. The Town Arborist, Mr. Charles Tesner and Mr. Mike Dale will be

working together to put this plan together. Mr. Kanipe said they will have this ready for the Board soon.

Mr. Kanipe said the Greenwood Park Stream Restoration project is moving forward. Mr. Kanipe received final approval from the U.S. Army Corps of Engineers last week which allows the Town to move forward quickly with the construction portion of it. Final comments from the State, delayed the construction for 2-3 weeks.

The Planning Commission will meet the fourth Thursday of every month at 5:00pm for the next several months. These meetings will take place via Zoom. They will be reviewing the formal changes necessary with North Carolina Statutory changes to Land Use regulations. Those regulations will then go to the Board of Commissioners. Mr. Kanipe said he hopes to have those changes approved by the Board of Commissioners by July 1st.

Mr. Kanipe said the Fiscal Year 2022 budget work is continuing. In April, there will be a small budget workshop and we will have the information available to the public ahead of that meeting.

Mayor Goosmann noted item number two on the agenda under “New Business” is postponed until the Board of Commissioners meeting in April.

Mr. Kanipe discussed the Consideration of Resolution 2021-03 which is the Resolution Authorizing the Town of Biltmore Forest to engage in electronic payments as defined by G.S. 159-28. This was one of the recommendations that came out of the State auditor’s report. The attachments are the memos that will be given to department heads. Commissioner Cogburn made the motion to approve the Resolution, Commissioner Loomis seconded the motion. Roll call was taken by the Clerk and unanimously approved.

Mr. Kanipe discussed the Consideration of New Appointments to the Planning Commission. Mr. Doug Bailey will no longer be able to serve as Chairperson of the Planning Commission. The Board asked Ms. Rhoda Groce to serve as interim Chairperson of the Planning

Commission. Mr. Paul Zimmerman is also going to serve as an alternate member. Ms. Groce's term will last through August of 2021. Mr. Zimmerman's term would start in March 2021 and last through March of 2024. Commissioner Loomis made the motion, Commissioner Kelly seconded the motion. Roll call was taken by the Clerk and unanimously approved.

Mr. Kanipe discussed the reopening plan of the town facilities. The buildings have been locked since March 17th of 2020. Mr. Kanipe suggested the Town Hall, Police Department, and Public Works Department formally reopen to the public. The reopening would occur Monday, March 15th. Mayor Goosmann also said next month, the Board of Commissioners meeting will be held in person. Mr. Kanipe said anyone from the public can also watch via Zoom if they prefer. Participants in the meeting will receive wireless microphones which will help with sound quality as well.

Mr. Kanipe discussed changes to the water bill mailings. The postcards will no longer be issued and will change to a standard 8.5"x11" piece of paper. The postcards tend to get torn up and damaged in the mailing process which makes it difficult for residents' to decipher their water bills. This will also allow residents to be able to easily read their water bill and we can add longer messages and notifications with this new format. The water bill mailings will cost fifty-one (51) cents vs thirty-eight (38) cents for a postcard. Ms. Laura Jacobs added that it will be a good change and benefit residents by making the bill much easier to read and will be much more cost efficient in the long run.

Mr. Kanipe discussed changes to the Badger water meter and AMI endpoint changes/updates. Since 2017, the Town migrated from a manual read water meter system to an automatic infrastructure network. This is a continuous reading that puts it out into the cloud. Residents can check their water usage through an app called "Eye on Water." The Town is also able to catch leaks and notify residents. We are currently under a five year warranty with those. We are currently in year four of the five year full warranty. Badger is changing the actual reader which sends the cellular signal out. They are moving from 3G technology to 4G LTE technology. The benefit of 4G LTE technology is that it will be utilized nationwide for machine to machine communication. This LTE network is designed in order to have the machine to machine

technology. Badger wants to get ahead of this changeover so they will be sending us 802 endpoints which will need to be changed out. Mr. Harry Buckner showed the Board what an endpoint and an encoder looks like on a water meter. He showed the Board the cellular device that “talks” to the cloud. Mr. Buckner said there will only be one piece of equipment that needs to be changed out. Badger will provide the materials at no cost. Commissioner Kelly asked if the Town has to do the installation or will Badger provide that service? Mr. Buckner said the Town will do the installation. Mr. Buckner said Ms. Jacobs will have some work to do with updating the endpoint numbers in the billing software as well. Mr. Buckner said it will take approximately three months.

Mr. Kanipe said Badger is offering a \$25 per endpoint to upgrade the warranty. We are in year four of five for the full warranty. We also have a pro-rated warranty for six more years. This option would give us another full ten year warranty starting whenever we receive the new endpoints and then a ten year pro-rated warranty after that. This would take us to 2041 if we decided we want to upgrade to the \$25 per endpoint warranty. Mr. Kanipe will bring back more information when the budget for next year is discussed.

Public Comment

Drew Stephens made public comment. Mr. Stephens suggested letting residents know about the Eye on Water app in the next newsletter or posted on the Town’s website. Mr. Stephens would also like to see the Zoom option for future meetings stay active in addition to meeting in person.

Mayor Goosmann adjourned the meeting at 5:21 p.m. The next meeting is scheduled for Tuesday, April 13, 2021 at 4:30 pm.

ATTEST:

Ms. Laura Jacobs
Town Clerk

George F. Goosmann, III
Mayor



Skyland Fire & Rescue

Biltmore Forest Valley Springs Station



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

Biltmore Forest Valley Springs Station

Incident Response

March 2021

Station: 4 - BILTMORE FOREST STATION	
311 - Medical assist, assist EMS crew	1
321 - EMS call, excluding vehicle accident with injury	3
322 - Motor vehicle accident with injuries	1
324 - Motor vehicle accident with no injuries.	1
412 - Gas leak (natural gas or LPG)	1
500 - Service Call, other	1
531 - Smoke or odor removal	1
554 - Assist invalid	1
600 - Good intent call, other	2
611 - Dispatched & cancelled en route	1
735 - Alarm system sounded due to malfunction	1
736 - CO detector activation due to malfunction	1
745 - Alarm system activation, no fire - unintentional	2
# Incidents for 4 - Biltmore Forest Station:	17

Respectfully Submitted,

Trevor C. Lance

Interim Fire Chief
Skyland Fire Rescue

Biltmore Forest Police
Department

355 Vanderbilt Road
Biltmore Forest, NC 28803
828-274-0822
www.biltmoreforest.org



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

M. Chris Beddingfield, Chief of Police

Department head report for the Board of Commissioners meeting held April 13th, 2021

Chris Beddingfield, Police Chief

Calls for Service: 646

Officers responded to the following calls for service:

Accident – 3	Accident - Pl - 0	Special Assignment - 1
Alarm – 22	Animal Carcass - 0	Special Check - 47
Assist EOC – 5	Assist Motorist - 8	Speed/Reckless Driving- 0
Assist Other Agency – 9	Assist Resident - 12	Suspicious Person – 12
Bear Report – 0	Business Check- 161	Suspicious Vehicle – 18
Crime Prev. – 5	Chase- 0	Vandalism – 0
Direct Traffic – 1	Distressed Animal - 0	Vehicle Stop – 25
Disturbance – 0	Dog Complaint - 5	Well-being Check – 4
Domestic disturbance-0	Fire-0	Road Blocked – 4
Fight- 0	Gun fire/Shots fired - 1	Service of Car – 3
Hit and Run - 1	House Check - 96	Sign Ord Violation - 0
Improper Parking- 3	Incomplete 911- 0	
Investigation - 2	Intoxicated Driver- 0	
Mental Patient - 0	Missing Person - 2	
Noise Disturbance - 1	Ordinance Violation - 3	
Person Down - 0	Power Outage - 0	

Professionalism Respect Integrity Dedication Excellence

Arrests:

2-Felony Arrests-Both out of traffic stops. One was a stolen vehicle where the suspect was arrested. The other the suspect had felony amount of marijuana and a concealed handgun.

1-Misdemeanor Arrest-One from a call for service at the police department. One for damage to property and attempted breaking and entering

Time Consumption Summary (approximate):

Business Checks- 5 hours

House Checks- 4 hours

Radar Operation- 5 hours

Vehicle Crash Investigation- 1 hours

Notable Calls and Projects:

Had incident where subject tried to forcefully break into the police department. Subject was arrested and trespassed from town property.

Had two missing persons incidents both related to dementia patients. Both were located safely with in a very short time period.

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



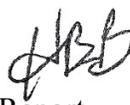
George F. Goosmann, III, Mayor
Doris P. Loomis, Mayor-Pro Tem
E. Glenn Kelly, Commissioner
Fran G. Cogburn, Commissioner

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 March 2021 Monthly Report

Date: April 9, 2021

Recurring Activities:

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

- Collected 36.90 tons of garbage.
- Diverted 18.77 tons of recycled goods from garbage.
- Picked up 22 loads of brush (approximately 660 cubic yards) with the knuckle boom truck over 9 days.
- Responded to 130 total utility locate requests, comprised of 35 new requests, 94 updates, (including 86 requests for the Duke Energy Progress utility relocation project), and 1 emergency request.
- Visited 20 residences for Tree Inspections, approving the removal of 54 trees.
- Completed daily chlorine residual tests across town and passed the required two bacteriological tests. Results are reported via the State's on-line reporting system.
- Used the Beacon/Badger Meter automated meter reading system to monitor for water leaks daily and informed residents of suspected leaks.
- We continue to perform litter pick-ups as needed, focusing on the entrances.
- Routine brush pickup continued on the normal schedule, with South pick-up beginning on March 1 and March 30, and North pick-up on the 15th. This schedule will continue until adjustments are needed, or November 1, 2021.

Coronavirus (COVID-19) Related Activities:

- All of the Town's facilities are now open to the public.

- We are continuing to track any additional costs and activities associated with complying with the COVID-19 response effort.
- We are logging employee temperatures and keeping self-reporting documents daily.
- COVID supplies and PPE have been purchased and are stored at Public Works in a new PPE cabinet, all funded through the CARES grant.
- Vaccinations were coordinated for Public Works staff members who were interested in obtaining the vaccine.

Miscellaneous Activities in March

- We have a Public Works employee out with a shoulder injury for the month of March, and he is anticipated to be out approximately three months. We have reassigned his tasks to the remaining Public Works team members and all essential services are being covered.
- Mr. Tesner, Mrs. Jacobs, and I continue to troubleshoot non-reporting automatic water meters. We currently only have 1 meter with a technical error, and 5 meters that are not reliably connecting to the system out of 792 meters. Our goal is to completely eliminate these technical issues.
- Mr. Dale and Mr. Anderson have begun their C-Water Distribution operator's certification course with the State. The course work will finish in April and the exam is scheduled for the end of May. I continue to encourage staff to obtain as many relevant certifications as possible.
- Mr. Dale obtained his Class B CDL Learners Permit in March.
- I continued my virtual attendance at the Municipal and County Administrator's School through the UNC School of Government. This course will continue through May, 2021.
- The new work order and asset management software package is being used to help schedule work orders and maintenance work.
- Manager Kanipe and I completed budget discussions for FY 2021/2022. There is a separate agenda item for budget discussions.
- Three new dog clean-up stations were ordered. Installation is scheduled for April.
- New playsafe mulch was installed at the Greenwood Park playgrounds.
- We completed a segment of right-of-way cleaning along Brooklawn Chase to provide pedestrians with a safe walking path on the shoulder.
- We aerated, fertilized and overseeded the Town Hall complex and installed fresh mulch.
- We aerated and fertilized the ballfield at Rosebank Park.
- We installed an additional water service for the property at 2 Southwood Rd.
- We completed the planning of the Police Department kitchen remodel and have placed the order for new countertops and all new appliances. The project is scheduled to be completed by early July and is dependent on appliance delivery times.
- Routine maintenance for the department's motorized equipment is completed.

- As you are aware, Mr. Anderson was involved in a motor vehicle accident in the 2017 Ford F550 recycling truck on March 16, 2021. Mr. Anderson was fortunately not injured at all, however the other driver was taken to the hospital for evaluation. Mrs. Jacobs and I did communicate with the Town's insurance company and filed the necessary paperwork to effect the repairs to the vehicle. A final estimate was provided and totaled \$4,747.40. Work began on the vehicle April 1, 2021 and should be concluded in about two weeks.
- While the recycling truck was out of service, we have been forced to use our back-up recycling and garbage trucks. Because these vehicles have quite a bit of age and mileage on them, and they are largely unused, they have deteriorated quite a bit. Several emergency repairs were needed to keep the vehicles in service and the team performed commendably in the adverse conditions. I do, however, believe this exposed a weakness in our back-up systems and I will be working with Mr. Dale to make sure our preventive maintenance and storage routines are established and followed in order to improve the reliability of the back-up vehicles.

Larger/Capital Projects Updates

Greenwood Park Stream Restoration

The final, minor comments from were received from the North Carolina Department of Environmental Quality on March 16 and included the following updated schedule:

- Advertise, Receive, Submit and Approve Bids – July 1, 2020
- Execute Construction Contracts – August 2, 2020

We did meet with the Consultant to discuss integration of the parks master plan with the stream restoration project and are continuing to develop opportunities to improve the overall park while the stream restoration project is ongoing.

Automatic Water Meter Reading System Endpoint Replacement Program

Work is anticipated to begin on this project in the next budget year.

Cedar Hill Road / Area 4 Stream Restoration

During the most recent heavy rain events of March, as part of our routine inspections throughout town we noticed continued significant erosion along Cedar Hill Road from Hemlock Road south to the end of the recently completed sinkhole repair project. We anticipate the need for a larger stream stabilization and restoration project in order to stabilize this section of Cedar Hill Road, and will be developing a project scope and budget in the next month for presentation to the Board.

Additionally, the costs for the pavement repair work adjoining the sinkhole repair project have been finalized and this work is currently being scheduled.

Upcoming in April

- Regular mowing activities at all parks and road shoulders will begin in earnest this month.
- Perform the bi-monthly water billing including performing necessary manual reads.
- As soon as the additional dog clean-up stations arrive they will be installed.
- Work will begin on the refresh of the Police Department break room and kitchen towards the end of the month.
- We will be replacing a subpar section of 2-inch water line along Hendersonville Road from Cedarcliff Road approximately 200 feet to the north.
- We have identified and scheduled an additional section of storm drain piping to be replaced under Fairway Place at #3. This work is tentatively scheduled for April.
- Road right-of-way clearing and ditch repair and stabilization is scheduled for the upper section of Arboretum Road.
- Continue roll-out of the new work order and asset management system to the department staff.
- Complete preventive maintenance activities for the roof at the Police Department.
- Work with Mr. Dale to review and/or establish our preventive maintenance and storage routines to improve the reliability of our back-up sanitation vehicles.
- Mr. Dale and Mr. Anderson will complete their C-Water Distribution operator's certification course.
- I will be attending the Backflow and Cross Connection Control ORC School offered by the North Carolina Rural Water Association from April 5 through April 8. I will take the State certification exam at the end of May.
- I will continue my virtual attendance at the Municipal and County Administrator's School through the UNC School of Government.
- Continue the staff-level budget planning effort for FY 2021/2022 with Manager Kanipe.

As always, the Department requests 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.

BOARD OF COMMISSIONERS MEETING STAFF MEMORANDUM

April 13, 2021



Agenda Item C-4

Town Manager's Monthly Report

Duke Energy Targeted Underground Program

The underground project has proceeded very well. There have been limited issues, and Duke's sub-contractors are making quick work. As of this writing, the most recent update we have from Duke is as follows.

- *Boring: Minor weather delays but overall making good progress*
 - *Finishing week of 4/5-4/9*
- *Cable Pulling / Setting Boxes: 10 boxes set and 12k of cable pulled with 900' remaining in this phase*
- *Transformers / Terminations: Terminations underway*
- *Cutovers: On Track for May cutovers*

Duke is also working on additional action items requested by the Town. These include handing out information explaining the project and new contact cards for customers; postcards will be sent beginning with the next phase to residents updating them at each phase on their street; and Duke is developing a Biltmore Forest specific Duke Energy web page outlining the project, and key updates. Additionally, we are working with Duke on properly re-landscaping the intersection of Stuyvesant Road and the Parkway Connector, and their staff is meeting with Town Public Works staff on April 16 regarding the cutovers for Town street lights as part of the project. The most recent phased mapping for the Town is attached to this memo.

Greenwood Park Stream Restoration Project

The Town's consultant continues working on final design drawings. The next phase for this project will be putting these designs into a bid packet, approval from the State for this packet, and then bidding the project. The State was delayed in their overall review and approval for our drawings, so we are likely a month behind schedule to begin construction.

Planning Commission Meeting

The Biltmore Forest Planning Commission met Thursday, March 25 to kick off work on the NCGS 160D changes. The Commission is reviewing the Town's existing ordinance, in conjunction with the required statutory changes, and staff will be providing them a full redline ordinance package next week. This will include all required changes, and we will assess these (along with changes requested for clarity and/or ambiguity) during the next meeting on April 22.

Friends of Biltmore Forest Committee Lecture

The Friends of Biltmore Forest Committee (formerly Biltmore Forest Community Preservation Committee) will hold a Zoom lecture at 7pm on Thursday, April 22. Dr. Sara Villani from NCSCU Cooperative Extension will join to provide an update on boxwood blight within the area. Representatives from the Hemlock Restoration Initiative (HRI) will also present information on hemlocks within the Town and methods/sources for treating these hemlocks. This lecture is being done in lieu of the Town holding an on-site Arbor Day event.

NCLM Annual Summit (Virtual)

Commissioner Loomis and I are both scheduled to (virtually) attend the NC League of Municipalities Annual Summit. One significant part of this year's summit is that Chief Chris Beddingfield has been nominated, and recommended from the nominating committee, to serve as a member of the NCLM Board of Directors. Chief Beddingfield will serve as the Board member representing affiliate organizations within the State, and specifically, will represent the NC Association of Chiefs of Police. We are excited Chief Beddingfield will represent the Town in this manner.

Hiring for New Finance Director

Longtime town staff member Helen Stephens has left the Town, and we are in process of hiring a replacement. Ms. Stephens performed outstanding work for the Town and will be missed. The Town hopes to have this position filled within the next few weeks and, ideally, will have someone present for our next Board meeting.



Town of Biltmore Forest
Targeted Underground Program
February 2021

Targeted Underground Program

Improving the quality of electric service in your area.

What You Can Expect



Evaluation

A Duke Energy representative will be in your area to determine the best route for the proposed underground relocation. They will also look at the current meter base on your property to determine if any modifications are needed.

Obtain Easements

Easements give Duke Energy permission to install and maintain equipment along the proposed route. Duke Energy representatives will work with property owners to secure necessary easements along the planned underground route. If easements cannot be obtained, the work may be delayed or canceled.

Reviewing the Plan

You will have a chance to review the preliminary design and proposed equipment with our team so you understand the proposed underground plan.

Marking the Site

When it is time to relocate the lines underground, we will work with the utility locating service to mark and/or flag any public or privately owned pre-existing facilities (e.g., water, cable, septic). These markings ensure a safe installation. In most cases, work will begin within 48 hours after the locating service has completed the markings.



Line Relocation

When possible, Duke Energy will use low-impact drilling equipment to minimize property disruption. Once the final switch from overhead to underground takes place, there will be a short outage. We will communicate the outage date and time to you in advance so you can plan accordingly.

Restoring the Site

Once the work is complete, Duke Energy representatives will remove any overhead lines and/or other equipment. We will also lay seed and straw on the ground over the property where the lines are relocated.



Ask our representative to see an authorized Duke Energy identification badge.



Other Equipment Required

In order to provide underground service in your area, we may also need to install the following equipment:

- **Padmount Transformer**

These transformers are in a locked steel cabinet mounted on a concrete pad. They are used with underground electric power distribution lines to supply power to a large building or many homes.

- **Pedestal**

If necessary, a pedestal will be used to extend the underground system.

- **Meter Base Adapter**

In order to use your current meter with your new underground lines, this adapter will need to be installed. Our team will determine which adapter will work best with your meter.

Targeted Undergrounding



Leveraging historical data to strategically move thousands of miles of hard-to-access overhead power lines underground to improve reliability for customers

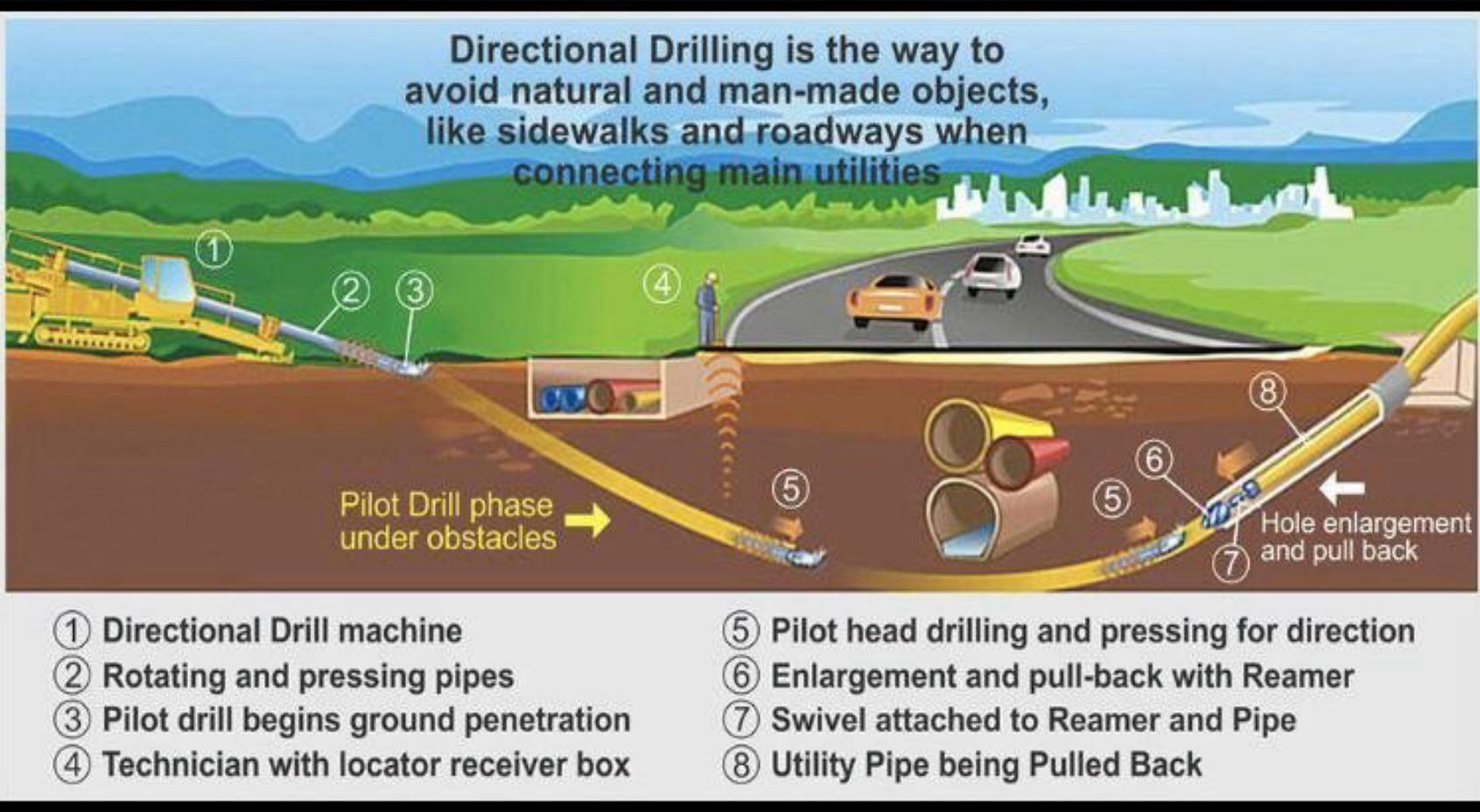
TARGETED UNDERGROUNDING BENEFITS

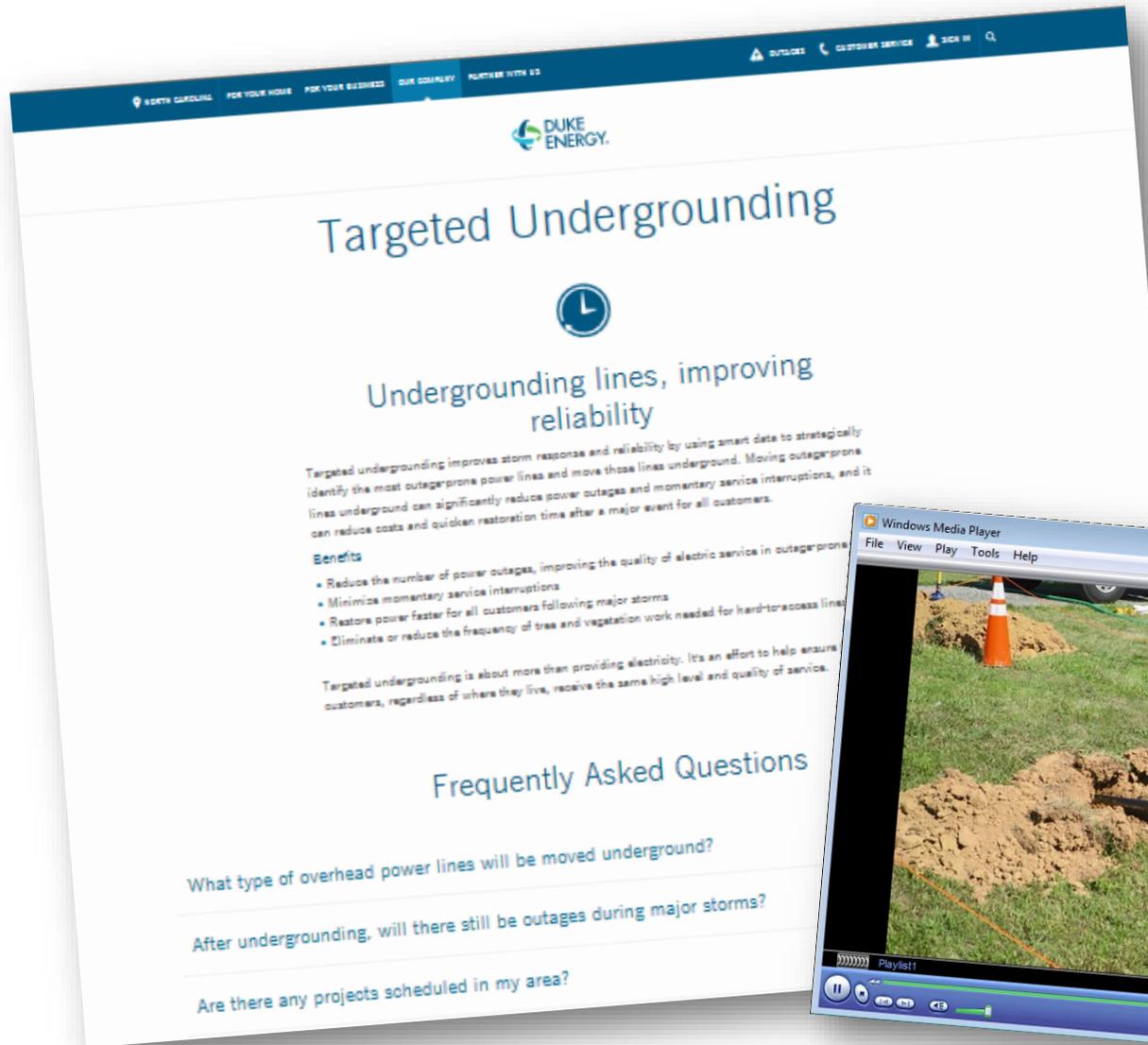
- Significantly reduce outages
- Minimize momentary interruptions
- Restore power faster
- Eliminate tree trimming in hard-to-access areas

Targeted undergrounding drives **higher reliability** by significantly reducing risk on outage-prone power line segments.



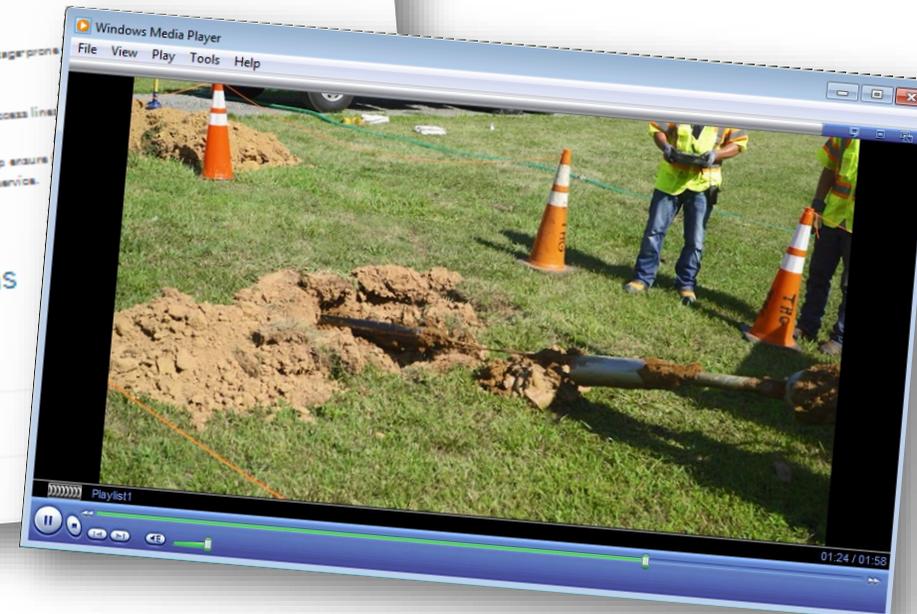
The Construction Experience: Relating to Our Customers





Resources for Customers
(Click link below)

[Duke Energy Targeted Underground Website](#)

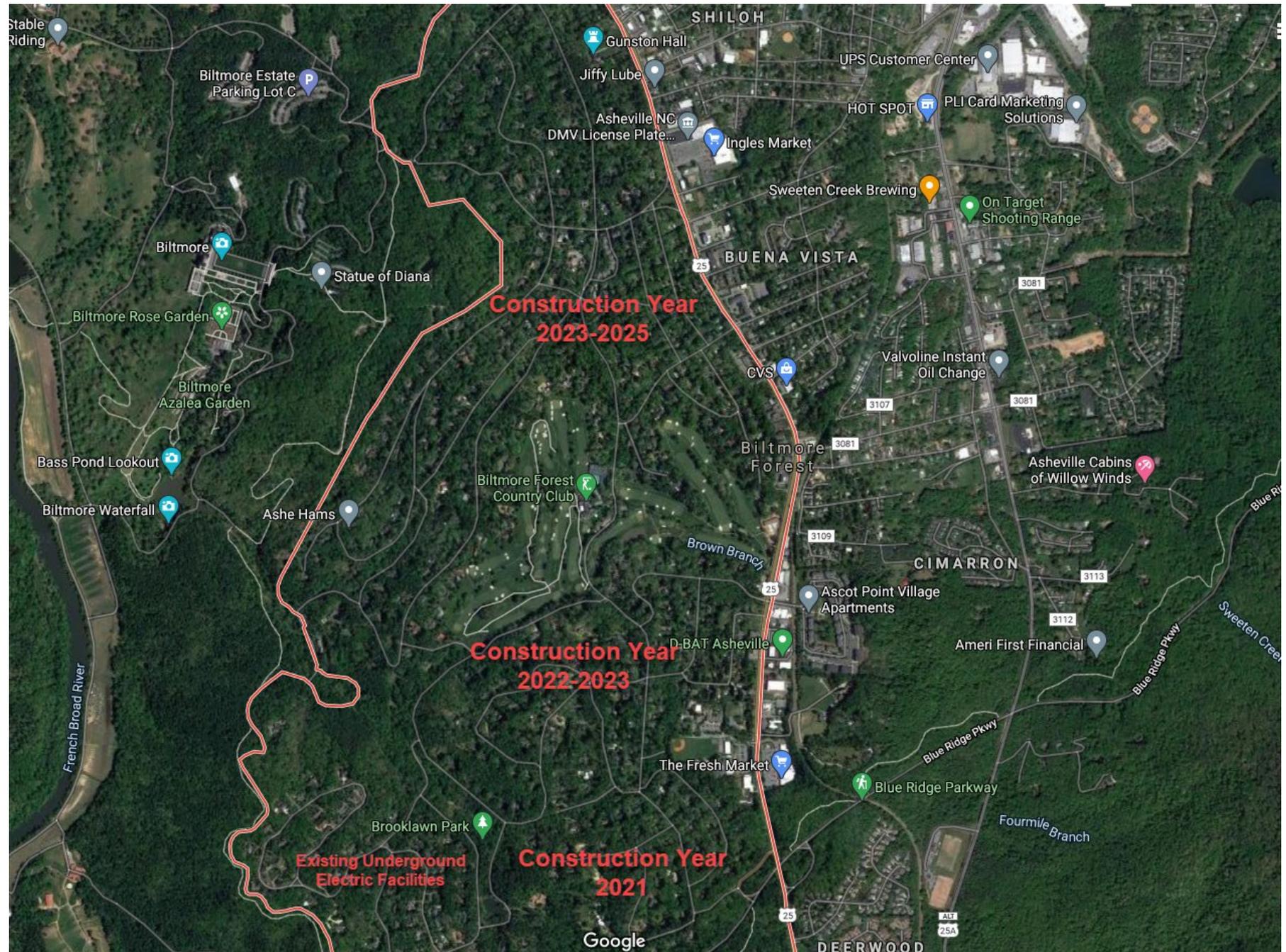


Town of Biltmore Forest Area Map

South of Biltmore
Forest Country Club
Construction Year:
2021-2023

North of Biltmore
Forest Country Club
Construction Year:
2023-2025

***Construction schedule and completion is contingent upon right of way acquisition, ground conditions, annual budgets, and other variables. Updates to construction schedule will be provided when applicable.*





REVENUE & EXPENDITURE STATEMENT

Town of Biltmore Forest

07/01/2020 To 04/01/2021

FY 2020-2021

Account	Budget (\$)	Current Period (\$)	YTD With Encumbrance (\$)	Encumbrance (\$)	Remaining Balance (\$)	% Used
3010 Ad Valorem Tax						
Revenue						
3010 Ad Valorem Tax						
10-3010-0000 AD VALOREM TAXES (PROPERTY)	2,670,639.00	2,670,639.12	2,670,639.12	0.00	-0.12	100
10-3010-0100 AD VALOREM TAXES (DMV)	101,460.00	69,020.50	69,020.50	0.00	32,439.50	68
10-3010-0200 TAX INTEREST & PENALTIES	11,200.00	12,334.94	12,334.94	0.00	-1,134.94	110
3010 Ad Valorem Tax Subtotal	\$2,783,299.00	\$2,751,994.56	\$2,751,994.56	\$0.00	\$31,304.44	99
Revenue Subtotal	\$2,783,299.00	\$2,751,994.56	\$2,751,994.56	\$0.00	\$31,304.44	99
After Transfers	Excess Of Revenue Subtotal	\$2,783,299.00	\$2,751,994.56	\$2,751,994.56	\$0.00	99
3020 Unrestricted Intergovernm						
Revenue						
3020 Unrestricted Intergovernm						
10-3020-0000 FRANCHISE & UTILITIES TAX DIST.	177,778.00	99,317.41	99,317.41	0.00	78,460.59	56
10-3020-0100 ALCOHOL BEVERAGE TAX	6,000.00	0.00	0.00	0.00	6,000.00	0
10-3020-0200 BUNCOMBE COUNTY 1% TAX	492,564.00	225,855.62	225,855.62	0.00	266,708.38	46
10-3020-0300 1/2 CENT SALES TAX A.40	191,837.00	100,991.76	100,991.76	0.00	90,845.24	53
10-3020-0400 1/2 CENT SALES TAX A.42	257,554.00	119,689.38	119,689.38	0.00	137,864.62	46
10-3020-0600 SALES TAX REFUND	10,000.00	58,022.42	58,022.42	0.00	-48,022.42	580
10-3020-0700 GASOLINE TAX REFUND	3,000.00	4,049.94	4,049.94	0.00	-1,049.94	135
3020 Unrestricted Intergovernm Subtotal	\$1,138,733.00	\$607,926.53	\$607,926.53	\$0.00	\$530,806.47	53
Revenue Subtotal	\$1,138,733.00	\$607,926.53	\$607,926.53	\$0.00	\$530,806.47	53
After Transfers	Excess Of Revenue Subtotal	\$1,138,733.00	\$607,926.53	\$607,926.53	\$0.00	53
3030 Restricted Intergovernmen						
Revenue						
3030 Restricted Intergovernmen						
10-3030-0000 SOLID WASTE DISPOSAL TAX	950.00	493.91	493.91	0.00	456.09	52
10-3030-0100 POWELL BILL	56,404.00	56,403.28	56,403.28	0.00	0.72	100
10-3030-0300 COVID REIMBURSEMENTS	79,867.00	49,332.71	49,332.71	0.00	30,534.29	62
3030 Restricted Intergovernmen Subtotal	\$137,221.00	\$106,229.90	\$106,229.90	\$0.00	\$30,991.10	77
Revenue Subtotal	\$137,221.00	\$106,229.90	\$106,229.90	\$0.00	\$30,991.10	77
After Transfers	Excess Of Revenue Subtotal	\$137,221.00	\$106,229.90	\$106,229.90	\$0.00	77
3040 Permits & Fees						
Revenue						
3040 Permits & Fees						
10-3040-0000 BUILDING PERMITS	35,000.00	25,610.00	25,610.00	0.00	9,390.00	73
10-3040-0100 DOG LICENSE FEE	1,400.00	1,300.10	1,300.10	0.00	99.90	93
3040 Permits & Fees Subtotal	\$36,400.00	\$26,910.10	\$26,910.10	\$0.00	\$9,489.90	74
Revenue Subtotal	\$36,400.00	\$26,910.10	\$26,910.10	\$0.00	\$9,489.90	74
After Transfers	Excess Of Revenue Subtotal	\$36,400.00	\$26,910.10	\$26,910.10	\$0.00	74
3050 Investment Earnings						
Revenue						
3050 Investment Earnings						
10-3050-0000 INTEREST EARNED	30,000.00	766.32	766.32	0.00	29,233.68	3

REVENUE & EXPENDITURE STATEMENT

Town of Biltmore Forest

07/01/2020 To 04/01/2021

FY 2020-2021

Account	Budget (\$)	Current Period (\$)	YTD With Encumbrance (\$)	Encumbrance (\$)	Remaining Balance (\$)	% Used
3050 Investment Earnings Subtotal	\$30,000.00	\$766.32	\$766.32	\$0.00	\$29,233.68	3
Revenue Subtotal	\$30,000.00	\$766.32	\$766.32	\$0.00	\$29,233.68	3
After Transfers	Excess Of Revenue Subtotal	\$30,000.00	\$766.32	\$766.32	\$0.00	3
3060 Miscellaneous						
Revenue						
3060 Miscellaneous						
10-3060-0100 AMERICAN TOWER AGREEMENT	37,645.00	29,219.61	29,219.61	0.00	8,425.39	78
10-3060-0200 MISCELLANEOUS	15,000.00	17,805.04	17,805.04	0.00	-2,805.04	119
3060 Miscellaneous Subtotal	\$52,645.00	\$47,024.65	\$47,024.65	\$0.00	\$5,620.35	89
Revenue Subtotal	\$52,645.00	\$47,024.65	\$47,024.65	\$0.00	\$5,620.35	89
After Transfers	Excess Of Revenue Subtotal	\$52,645.00	\$47,024.65	\$47,024.65	\$0.00	89
3290						
Revenue						
3290						
30-3290-0000 INTEREST EARNED	1,000.00	13.60	13.60	0.00	986.40	1
3290 Subtotal	\$1,000.00	\$13.60	\$13.60	\$0.00	\$986.40	1
Revenue Subtotal	\$1,000.00	\$13.60	\$13.60	\$0.00	\$986.40	1
After Transfers	Excess Of Revenue Subtotal	\$1,000.00	\$13.60	\$13.60	\$0.00	1
3350 Commissions, Sw Chg Coll						
Revenue						
3350 Commissions, Sw Chg Coll						
30-3350-0000 COMMISSIONS, SEWER CHARGE COLL	8,000.00	6,510.85	6,510.85	0.00	1,489.15	81
3350 Commissions, Sw Chg Coll Subtotal	\$8,000.00	\$6,510.85	\$6,510.85	\$0.00	\$1,489.15	81
Revenue Subtotal	\$8,000.00	\$6,510.85	\$6,510.85	\$0.00	\$1,489.15	81
After Transfers	Excess Of Revenue Subtotal	\$8,000.00	\$6,510.85	\$6,510.85	\$0.00	81
3500 Other Financing						
Other Financing Source						
3500 Other Financing						
10-3500-0000 SALE OF PERSONAL PROPERTY	15,000.00	6,238.00	6,238.00	0.00	8,762.00	42
10-3500-0300 TRANSFER FROM FUND BALANCE	88,429.00	0.00	0.00	0.00	88,429.00	0
10-3500-0700 INTERGOVERNMENTAL LOAN (RESTRIC	300,000.00	0.00	0.00	0.00	300,000.00	0
3500 Other Financing Subtotal	\$403,429.00	\$6,238.00	\$6,238.00	\$0.00	\$397,191.00	2
Other Financing Source Subtotal	\$403,429.00	\$6,238.00	\$6,238.00	\$0.00	\$397,191.00	2
After Transfers	Excess Of Revenue Subtotal	\$403,429.00	\$6,238.00	\$6,238.00	\$0.00	2
3710 Water Sales						
Revenue						
3710 Water Sales						
30-3710-0000 WATER CHARGES	434,271.00	272,062.92	272,062.92	0.00	162,208.08	63
30-3710-0100 MSD CHARGES	343,446.00	225,093.44	225,093.44	0.00	118,352.56	66
30-3710-0200 AMI TRANSMITTER CHARGES	7,700.00	5,541.14	5,541.14	0.00	2,158.86	72
3710 Water Sales Subtotal	\$785,417.00	\$502,697.50	\$502,697.50	\$0.00	\$282,719.50	64
Revenue Subtotal	\$785,417.00	\$502,697.50	\$502,697.50	\$0.00	\$282,719.50	64
After Transfers	Excess Of Revenue Subtotal	\$785,417.00	\$502,697.50	\$502,697.50	\$0.00	64

REVENUE & EXPENDITURE STATEMENT

Town of Biltmore Forest

07/01/2020 To 04/01/2021

FY 2020-2021

Account	Budget (\$)	Current Period (\$)	YTD With Encumbrance (\$)	Encumbrance (\$)	Remaining Balance (\$)	% Used
3730 Water Tap & Connect Fees						
Revenue						
3730 Water Tap & Connect Fees						
30-3730-0000 WATER TAP AND CONNECTION FEES	9,000.00	4,930.00	4,930.00	0.00	4,070.00	55
3730 Water Tap & Connect Fees Subtotal	\$9,000.00	\$4,930.00	\$4,930.00	\$0.00	\$4,070.00	55
Revenue Subtotal	\$9,000.00	\$4,930.00	\$4,930.00	\$0.00	\$4,070.00	55
After Transfers	Excess Of Revenue Subtotal	\$9,000.00	\$4,930.00	\$4,930.00	\$0.00	55
4200 Administration						
Expenditure						
4200 Administration						
10-4200-0200 SALARIES	218,357.00	201,430.99	201,430.99	0.00	16,926.01	92
10-4200-0300 OVERTIME	5,000.00	3,457.83	3,457.83	0.00	1,542.17	69
10-4200-0500 FICA	16,704.00	15,115.90	15,115.90	0.00	1,588.10	90
10-4200-0600 HEALTH INSURANCE (MEDICAL)	27,145.00	22,807.62	22,807.62	0.00	4,337.38	84
10-4200-0650 DENTAL, VISION, LIFE INSURANCE	4,470.00	3,939.84	3,939.84	0.00	530.16	88
10-4200-0675 HEALTH REIMBURSEMENT ACC	3,750.00	3,375.00	3,375.00	0.00	375.00	90
10-4200-0700 LGERS RETIREMENT	36,457.00	34,769.45	34,769.45	0.00	1,687.55	95
10-4200-0800 401K SUPP RETIREMENT	10,918.00	10,247.77	10,247.77	0.00	670.23	94
10-4200-1000 ACCOUNTING & TAXES	45,000.00	20,549.75	20,549.75	0.00	24,450.25	46
10-4200-1200 POSTAGE, PRINTING, STATIONARY	6,000.00	3,472.67	3,472.67	0.00	2,527.33	58
10-4200-1400 MILEAGE & BOARD SALARY	22,000.00	16,200.00	16,200.00	0.00	5,800.00	74
10-4200-3300 SUPPLIES AND EQUIPMENT	7,000.00	3,883.06	3,883.06	0.00	3,116.94	55
10-4200-5300 DUES & FEES	4,500.00	1,508.51	1,786.01	277.50	2,713.99	40
10-4200-5700 MISCELLANEOUS	1,000.00	640.73	640.73	0.00	359.27	64
10-4200-6500 STAFF DEVELOPMENT	10,750.00	3,134.00	3,779.00	645.00	6,971.00	35
4200 Administration Subtotal	\$419,051.00	\$344,533.12	\$345,455.62	\$922.50	\$73,595.38	82
Expenditure Subtotal	\$419,051.00	\$344,533.12	\$345,455.62	\$922.50	\$73,595.38	82
Before Transfers	Deficiency Of Revenue Subtotal	-\$419,051.00	-\$344,533.12	-\$344,533.12	-\$922.50	82
After Transfers	Deficiency Of Revenue Subtotal	-\$419,051.00	-\$344,533.12	-\$344,533.12	-\$922.50	82
5100 Police Department						
Expenditure						
5100 Police Department						
10-5100-0200 SALARIES	837,914.00	684,798.84	684,798.84	0.00	153,115.16	82
10-5100-0300 OVERTIME	42,000.00	20,974.25	20,974.25	0.00	21,025.75	50
10-5100-0400 SEPARATION ALLOWANCE	30,617.00	23,551.80	23,551.80	0.00	7,065.20	77
10-5100-0500 FICA	67,313.00	53,519.67	53,519.67	0.00	13,793.33	80
10-5100-0550 UNEMPLOYMENT INSURANCE	450.00	437.16	437.16	0.00	12.84	97
10-5100-0600 HEALTH INSURANCE (MEDICAL)	141,349.00	104,019.54	104,019.54	0.00	37,329.46	74
10-5100-0650 DENTAL, VISION, LIFE INSURANCE	18,892.00	13,499.64	13,499.64	0.00	5,392.36	71
10-5100-0675 HRA HEALTH REIMB ACCT	24,000.00	18,000.00	18,000.00	0.00	6,000.00	75
10-5100-0700 LGERS RETIREMENT	146,508.00	117,118.73	117,118.73	0.00	29,389.27	80
10-5100-0800 401K SUPP RETIREMENT	42,721.00	33,951.61	33,951.61	0.00	8,769.39	79
10-5100-1500 MAINT/REPAIR - BLDG/GROUNDS	25,000.00	19,395.68	28,680.63	9,284.95	-3,680.63	115

REVENUE & EXPENDITURE STATEMENT

Town of Biltmore Forest

07/01/2020 To 04/01/2021

FY 2020-2021

Account	Budget (\$)	Current Period (\$)	YTD With Encumbrance (\$)	Encumbrance (\$)	Remaining Balance (\$)	% Used
10-5100-1600 MAINT/REPAIR - EQUIPMENT	6,250.00	1,572.92	1,656.92	84.00	4,593.08	27
10-5100-1700 MAINT/REPAIR - VEHICLES	13,000.00	8,419.39	9,869.06	1,449.67	3,130.94	76
10-5100-3100 MOTOR FUELS	13,650.00	8,000.78	8,000.78	0.00	5,649.22	59
10-5100-3300 SUPPLIES	10,000.00	7,540.58	7,540.58	0.00	2,459.42	75
10-5100-3600 UNIFORMS	6,250.00	2,686.94	3,273.19	586.25	2,976.81	52
10-5100-3700 SOFTWARE	29,000.00	10,262.41	13,910.85	3,648.44	15,089.15	48
10-5100-3800 TECHNOLOGY	32,925.00	33,019.55	38,812.05	5,792.50	-5,887.05	118
10-5100-5700 MISCELLANEOUS	7,500.00	6,472.87	6,472.87	0.00	1,027.13	86
10-5100-5800 PHYSICAL EXAMS	3,500.00	1,640.78	2,968.68	1,327.90	531.32	85
10-5100-6500 STAFF DEVELOPMENT	7,500.00	1,585.86	1,585.86	0.00	5,914.14	21
10-5100-7400 CAPITAL EQUIPMENT PURCHASES	95,000.00	96,421.77	103,293.19	6,871.42	-8,293.19	109
5100 Police Department Subtotal	\$1,601,339.00	\$1,266,890.77	\$1,295,935.90	\$29,045.13	\$305,403.10	81
Expenditure Subtotal	\$1,601,339.00	\$1,266,890.77	\$1,295,935.90	\$29,045.13	\$305,403.10	81
Before Transfers	Deficiency Of Revenue Subtotal	-\$1,601,339.00	-\$1,266,890.77	-\$1,266,890.77	-\$29,045.13	79
After Transfers	Deficiency Of Revenue Subtotal	-\$1,601,339.00	-\$1,266,890.77	-\$1,266,890.77	-\$29,045.13	79
5200 Fire Services						
Expenditure						
5200 Fire Services						
10-5200-0000 FIRE CONTRACT	425,000.00	318,750.00	318,750.00	0.00	106,250.00	75
5200 Fire Services Subtotal	\$425,000.00	\$318,750.00	\$318,750.00	\$0.00	\$106,250.00	75
Expenditure Subtotal	\$425,000.00	\$318,750.00	\$318,750.00	\$0.00	\$106,250.00	75
Before Transfers	Deficiency Of Revenue Subtotal	-\$425,000.00	-\$318,750.00	-\$318,750.00	\$0.00	75
After Transfers	Deficiency Of Revenue Subtotal	-\$425,000.00	-\$318,750.00	-\$318,750.00	\$0.00	75
5600 Public Works						
Expenditure						
5600 Public Works						
10-5600-0200 SALARIES	256,719.00	198,303.15	198,303.15	0.00	58,415.85	77
10-5600-0300 OVERTIME	10,000.00	5,189.85	5,189.85	0.00	4,810.15	52
10-5600-0500 FICA	20,404.00	15,214.67	15,214.67	0.00	5,189.33	75
10-5600-0550 UNEMPLOYMENT INSURANCE	450.00	437.15	437.15	0.00	12.85	97
10-5600-0600 HOSPITAL INSURANCE (MEDICAL)	37,159.00	27,630.74	27,630.74	0.00	9,528.26	74
10-5600-0650 DENTAL, VISION, LIFE INSURANCE	5,616.00	4,269.52	4,269.52	0.00	1,346.48	76
10-5600-0675 HRA HEALTH REIMB ACCT	7,500.00	5,500.00	5,500.00	0.00	2,000.00	73
10-5600-0700 LGERS RETIREMENT	44,329.00	34,198.09	34,198.09	0.00	10,130.91	77
10-5600-0800 401K SUPP RETIREMENT	13,336.00	10,157.12	10,157.12	0.00	3,178.88	76
10-5600-1000 OUTSIDE SERVICES	6,000.00	5,500.00	5,500.00	0.00	500.00	92
10-5600-1300 STREETLIGHTS ELECTRIC	7,000.00	4,986.49	4,986.49	0.00	2,013.51	71
10-5600-1500 MAINT/REPAIR - BLDG/GROUNDS	8,000.00	6,953.56	10,740.70	3,787.14	-2,740.70	134
10-5600-1600 MAINT/REPAIR- STREETLIGHTS	10,000.00	628.36	628.36	0.00	9,371.64	6
10-5600-1700 MAINT/REPAIR - VEHICLES	20,000.00	3,944.82	4,644.97	700.15	15,355.03	23
10-5600-3100 MOTOR FUELS	11,250.00	6,732.73	6,732.73	0.00	4,517.27	60
10-5600-3300 SUPPLIES	10,000.00	5,899.70	7,232.67	1,332.97	2,767.33	72
10-5600-3400 STREET SIGNS & NUMBERS	1,000.00	228.98	228.98	0.00	771.02	23

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Town of Biltmore Forest

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FY 2020-2021

Account	Budget (\$)	Current Period (\$)	YTD With Encumbrance (\$)	Encumbrance (\$)	Remaining Balance (\$)	% Used
10-5600-3600 UNIFORMS	10,000.00	4,924.00	8,310.93	3,386.93	1,689.07	83
10-5600-3800 TECHNOLOGY	9,000.00	5,155.34	5,155.34	0.00	3,844.66	57
10-5600-5200 PARKS	15,000.00	1,949.91	3,791.37	1,841.46	11,208.63	25
10-5600-5202 GREENWOOD PARK STREAM RESTORA	300,000.00	35,485.00	35,485.00	0.00	264,515.00	12
10-5600-5800 PHYSICAL EXAMS	250.00	130.00	130.00	0.00	120.00	52
10-5600-5900 MISCELLANEOUS	1,000.00	745.33	745.33	0.00	254.67	75
10-5600-6000 CAPITAL OUTLAY	8,250.00	0.00	0.00	0.00	8,250.00	0
10-5600-6500 STAFF DEVELOPMENT	5,000.00	4,495.12	4,495.12	0.00	504.88	90
5600 Public Works Subtotal	\$817,263.00	\$388,659.63	\$399,708.28	\$11,048.65	\$417,554.72	49
Expenditure Subtotal	\$817,263.00	\$388,659.63	\$399,708.28	\$11,048.65	\$417,554.72	49
Before Transfers	Deficiency Of Revenue Subtotal	-\$817,263.00	-\$388,659.63	-\$388,659.63	-\$11,048.65	48
After Transfers	Deficiency Of Revenue Subtotal	-\$817,263.00	-\$388,659.63	-\$388,659.63	-\$11,048.65	48
5700 Streets & Transportation						
Expenditure						
5700 Streets & Transportation						
10-5700-0200 SALARIES	50,533.00	32,243.77	32,243.77	0.00	18,289.23	64
10-5700-0300 OVERTIME	5,000.00	0.00	0.00	0.00	5,000.00	0
10-5700-0500 FICA	3,866.00	2,466.82	2,466.82	0.00	1,399.18	64
10-5700-0600 HEALTH INSURANCE (MEDICAL)	7,440.00	4,638.08	4,638.08	0.00	2,801.92	62
10-5700-0650 DENTAL, VISION, LIFE INSURANCE	681.00	442.56	442.56	0.00	238.44	65
10-5700-0675 HRA HEALTH REIMB ACCT	1,500.00	1,000.00	1,000.00	0.00	500.00	67
10-5700-0700 LGERS RETIREMENT	8,399.00	5,371.82	5,371.82	0.00	3,027.18	64
10-5700-0800 401K SUPP RETIREMENT	2,527.00	1,612.20	1,612.20	0.00	914.80	64
10-5700-1700 VEHICLE REPAIRS - STREET DEPT.	13,750.00	2,919.24	3,240.24	321.00	10,509.76	24
10-5700-2200 CONTRACTS- PAVING & STRIPING	35,000.00	10,600.00	10,600.00	0.00	24,400.00	30
10-5700-2300 SUPPLIES	10,250.00	7,305.07	7,305.07	0.00	2,944.93	71
10-5700-2400 TRAFFIC SIGNS	2,000.00	4.14	4.14	0.00	1,995.86	0
10-5700-2500 STORM WATER DRAINAGE	160,000.00	147,919.84	148,149.89	230.05	11,850.11	93
10-5700-3800 TECHNOLOGY	5,000.00	2,175.13	2,175.13	0.00	2,824.87	44
10-5700-6500 STAFF DEVELOPMENT	1,000.00	220.00	220.00	0.00	780.00	22
10-5700-7400 CAPITAL EQUIPMENT PURCHASES	8,000.00	1,460.00	1,460.00	0.00	6,540.00	18
10-5700-7500 ENGINEERING	42,500.00	62,633.01	62,633.01	0.00	-20,133.01	147
5700 Streets & Transportation Subtotal	\$357,446.00	\$283,011.68	\$283,562.73	\$551.05	\$73,883.27	79
Expenditure Subtotal	\$357,446.00	\$283,011.68	\$283,562.73	\$551.05	\$73,883.27	79
Before Transfers	Deficiency Of Revenue Subtotal	-\$357,446.00	-\$283,011.68	-\$283,011.68	-\$551.05	79
After Transfers	Deficiency Of Revenue Subtotal	-\$357,446.00	-\$283,011.68	-\$283,011.68	-\$551.05	79
5800 Sanitation & Recycling						
Expenditure						
5800 Sanitation & Recycling						
10-5800-0200 SALARIES	118,318.00	90,527.54	90,527.54	0.00	27,790.46	77
10-5800-0300 OVERTIME	10,000.00	715.59	715.59	0.00	9,284.41	7
10-5800-0500 FICA	9,815.00	6,980.27	6,980.27	0.00	2,834.73	71
10-5800-0600 HEALTH INSURANCE (MEDICAL)	32,762.00	15,630.12	15,630.12	0.00	17,131.88	48

REVENUE & EXPENDITURE STATEMENT

Town of Biltmore Forest

07/01/2020 To 04/01/2021

FY 2020-2021

Account	Budget (\$)	Current Period (\$)	YTD With Encumbrance (\$)	Encumbrance (\$)	Remaining Balance (\$)	% Used
10-5800-0650 DENTAL, VISION, LIFE INSURANCE	4,170.00	1,305.50	1,305.50	0.00	2,864.50	31
10-5800-0675 HRA HEALTH REIMB ACCT	4,500.00	3,375.00	3,375.00	0.00	1,125.00	75
10-5800-0700 LGERS RETIREMENT	21,326.00	15,232.96	15,232.96	0.00	6,093.04	71
10-5800-0800 401K SUPP RETIREMENT	6,416.00	4,640.72	4,640.72	0.00	1,775.28	72
10-5800-1700 MAINT/REPAIRS - VEHICLES	23,000.00	9,137.98	10,579.36	1,441.38	12,420.64	46
10-5800-3100 MOTOR FUELS	13,125.00	9,116.59	9,116.59	0.00	4,008.41	69
10-5800-3300 SUPPLIES	1,500.00	770.82	770.82	0.00	729.18	51
10-5800-3600 UNIFORMS	500.00	340.90	340.90	0.00	159.10	68
10-5800-3800 TECHNOLOGY	1,000.00	388.56	388.56	0.00	611.44	39
10-5800-8000 TIPPING FEES & BRUSH REMOVAL	49,500.00	37,042.88	37,042.88	0.00	12,457.12	75
10-5800-8100 RECYCLING	11,250.00	7,049.21	7,049.21	0.00	4,200.79	63
5800 Sanitation & Recycling Subtotal	\$307,182.00	\$202,254.64	\$203,696.02	\$1,441.38	\$103,485.98	66
Expenditure Subtotal	\$307,182.00	\$202,254.64	\$203,696.02	\$1,441.38	\$103,485.98	66
Before Transfers	Deficiency Of Revenue Subtotal	-\$307,182.00	-\$202,254.64	-\$202,254.64	-\$1,441.38	66
After Transfers	Deficiency Of Revenue Subtotal	-\$307,182.00	-\$202,254.64	-\$202,254.64	-\$1,441.38	66
6600 General Government						
Expenditure						
6600 General Government						
10-6600-0401 LEGAL SERVICES	40,000.00	16,906.30	16,906.30	0.00	23,093.70	42
10-6600-1100 TECHNOLOGY	90,000.00	57,018.14	57,018.14	0.00	32,981.86	63
10-6600-1300 MUNICIPAL UTILITIES	18,569.00	12,159.93	12,159.93	0.00	6,409.07	65
10-6600-1500 GE. REPS. AND MAINT.	20,000.00	17,302.37	21,632.03	4,329.66	-1,632.03	108
10-6600-2800 ELECTIONS	6,000.00	150.33	150.33	0.00	5,849.67	3
10-6600-3300 SUPPLIES & EQUIPMENT	30.00	25.27	25.27	0.00	4.73	84
10-6600-5400 INSURANCE	90,000.00	77,965.32	77,965.32	0.00	12,034.68	87
10-6600-6000 CONTINGENCY	12,222.00	0.00	0.00	0.00	12,222.00	0
10-6600-6100 MISCELLANEOUS	5,000.00	3,435.45	3,435.45	0.00	1,564.55	69
10-6600-6201 COVID EXPENDITURES	79,867.00	42,414.18	42,747.64	333.46	37,119.36	54
10-6600-6301 4TH OF JULY	7,500.00	0.00	0.00	0.00	7,500.00	0
10-6600-6302 NATIONAL NIGHT OUT	2,500.00	196.01	196.01	0.00	2,303.99	8
10-6600-6303 HOLIDAY LIGHTING	11,000.00	12,700.44	12,700.44	0.00	-1,700.44	115
10-6600-6400 WILDLIFE MANAGEMENT	3,000.00	446.46	446.46	0.00	2,553.54	15
10-6600-6500 FOREST MANAGEMENT	60,000.00	16,506.00	16,506.00	0.00	43,494.00	28
6600 General Government Subtotal	\$445,688.00	\$257,226.20	\$261,889.32	\$4,663.12	\$183,798.68	59
Expenditure Subtotal	\$445,688.00	\$257,226.20	\$261,889.32	\$4,663.12	\$183,798.68	59
Before Transfers	Deficiency Of Revenue Subtotal	-\$445,688.00	-\$257,226.20	-\$257,226.20	-\$4,663.12	58
After Transfers	Deficiency Of Revenue Subtotal	-\$445,688.00	-\$257,226.20	-\$257,226.20	-\$4,663.12	58
6700 Debt Service						
Expenditure						
6700 Debt Service						
10-6700-0100 Police Dept Renovations-Principal	23,334.00	17,499.99	17,499.99	0.00	5,834.01	75
10-6700-0200 Street Improvements-Principal	6,667.00	5,000.01	5,000.01	0.00	1,666.99	75
10-6700-0400 2017 Garbage Truck-Principal	34,327.00	34,327.22	34,327.22	0.00	-0.22	100

REVENUE & EXPENDITURE STATEMENT

Town of Biltmore Forest

07/01/2020 To 04/01/2021

FY 2020-2021

Account	Budget (\$)	Current Period (\$)	YTD With Encumbrance (\$)	Encumbrance (\$)	Remaining Balance (\$)	% Used
10-6700-0500 Public Works Building-Principal	84,211.00	42,105.26	42,105.26	0.00	42,105.74	50
10-6700-0600 2020 POLICE CARS-PRINCIPAL	29,506.00	28,326.38	28,326.38	0.00	1,179.62	96
10-6700-1100 Police Dept Renovations-Interest	3,223.00	2,500.32	2,500.32	0.00	722.68	78
10-6700-1200 Street Improvements-Interest	921.00	714.37	714.37	0.00	206.63	78
10-6700-1400 2017 Garbage Truck-Interest	1,626.00	1,625.30	1,625.30	0.00	0.70	100
10-6700-1500 Public Works Building-Interest	23,343.00	12,025.26	12,025.26	0.00	11,317.74	52
10-6700-1600 2020 POLICE CARS-INTEREST	1,600.00	1,579.38	1,579.38	0.00	20.62	99
6700 Debt Service Subtotal	\$208,758.00	\$145,703.49	\$145,703.49	\$0.00	\$63,054.51	70
Expenditure Subtotal	\$208,758.00	\$145,703.49	\$145,703.49	\$0.00	\$63,054.51	70
Before Transfers	Deficiency Of Revenue Subtotal	-\$208,758.00	-\$145,703.49	-\$145,703.49	\$0.00	70
After Transfers	Deficiency Of Revenue Subtotal	-\$208,758.00	-\$145,703.49	-\$145,703.49	\$0.00	70
8100 Water Dept.						
Expenditure						
8100 Water Dept.						
30-8100-0200 SALARIES	68,050.00	0.00	0.00	0.00	68,050.00	0
30-8100-0400 PROFESSIONAL SERVICES	6,000.00	4,670.00	6,110.00	1,440.00	-110.00	102
30-8100-0500 FICA	5,206.00	0.00	0.00	0.00	5,206.00	0
30-8100-0600 HEALTH INSURANCE (MEDICAL)	17,477.00	0.00	0.00	0.00	17,477.00	0
30-8100-0650 DENTAL, VISION, LIFE INSURANCE	2,718.00	0.00	0.00	0.00	2,718.00	0
30-8100-0675 HRA HEALTH REIMBURSEMENT ACCT	2,250.00	0.00	0.00	0.00	2,250.00	0
30-8100-0700 LGERS RETIREMENT	11,310.00	0.00	0.00	0.00	11,310.00	0
30-8100-0800 401K SUPP RETIREMENT	3,403.00	0.00	0.00	0.00	3,403.00	0
30-8100-1200 POSTAGE, PRINTING, & STATIONARY	5,000.00	1,747.86	1,747.86	0.00	3,252.14	35
30-8100-1500 GENERAL REPAIRS	11,707.00	502.62	2,002.62	1,500.00	9,704.38	17
30-8100-3300 SUPPLIES & EQUIPMENT	20,000.00	4,999.81	8,698.49	3,698.68	11,301.51	43
30-8100-3800 TECHNOLOGY	5,000.00	2,175.13	2,175.13	0.00	2,824.87	44
30-8100-4800 WATER PURCHASES	237,275.00	106,470.61	106,470.61	0.00	130,804.39	45
30-8100-4900 SEWER PURCHASES	344,823.00	224,061.19	224,061.19	0.00	120,761.81	65
30-8100-5000 AMI TRANSMITTER FEES	7,700.00	5,155.77	5,155.77	0.00	2,544.23	67
30-8100-5700 MISCELLANEOUS	500.00	248.80	248.80	0.00	251.20	50
30-8100-6500 STAFF DEVELOPMENT	5,000.00	2,382.86	2,808.68	425.82	2,191.32	56
30-8100-7400 CAPITAL IMPROVEMENT	50,000.00	0.00	0.00	0.00	50,000.00	0
8100 Water Dept. Subtotal	\$803,419.00	\$352,414.65	\$359,479.15	\$7,064.50	\$443,939.85	45
Expenditure Subtotal	\$803,419.00	\$352,414.65	\$359,479.15	\$7,064.50	\$443,939.85	45
Before Transfers	Deficiency Of Revenue Subtotal	-\$803,419.00	-\$352,414.65	-\$352,414.65	-\$7,064.50	44
After Transfers	Deficiency Of Revenue Subtotal	-\$803,419.00	-\$352,414.65	-\$352,414.65	-\$7,064.50	44

BOARD OF COMMISSIONERS MEETING
STAFF MEMORANDUM
April 13, 2021



Agenda Item D-1

Presentation - Revisions to Carolina Day School Entrance Sign (Sarah Goldstein, CDS Director of Marketing Comm.)

Background

Carolina Day School request the Board's permission to alter the existing entry sign to the school. This is not a tear down project, but a refacing of the existing sign. This change will include the addition of a cabinet that houses internal illumination, new rebar, and new masonry around the sign itself. CDS has provided a schematic rendering showing the proposed sign.

Proposed Changes

The refaced signage is 16.5 square feet on each side facing the road. The sign panels will be both internally illuminated and externally illuminated. The full masonry portion of the sign will be 44 inches tall.

Compliance with Town's Sign Ordinance

These proposed changes comply with the Town's sign ordinance, a copy of which is included below. The sign may be a maximum of eight (8) feet tall, and the full masonry portion of the sign will be 3 feet and 8 inches. The portions of the sign facing the road are allowed to be a maximum of forty (40) square feet, and this sign is 16.5 feet on each side. Additionally, the ordinance also allows both interior and exterior illumination within the R-4 district.

93.03 (D) (3) On-premises single-tenant signs.

(a) Allowed within the R-4 and R-5 Zoning District may be either:

1. Freestanding. Pole or ground; or
- 2.. Attached. Wall.

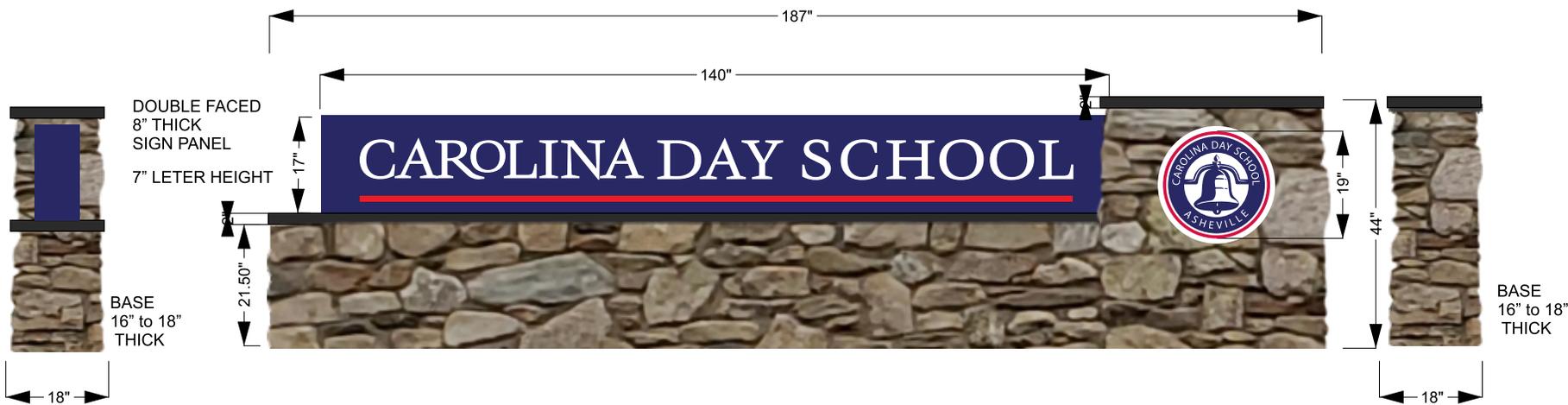
(b) Two business identification signs are allowed per lot, only one of which shall be a freestanding or ground sign. For freestanding or attached signs, the total allowable area per face of selected sign(s) shall not exceed 40 square feet per face, with two faces per freestanding or ground sign allowed. In the event the freestanding sign is less than the 40 square feet per face allowed, the size of the attached sign erected may be increased by that difference. Signs may be internally or externally illuminated.

(c) Additionally, the following requirements must be met based on the type of sign selected:

1. If freestanding pole or ground, then the sign shall be a maximum of eight feet in height with a minimum setback of ten feet; and
2. If wall, then the maximum projection from a wall shall be six inches.

Carolina Day School Presentation

Sarah Goldstein, Director of Marketing Communications at Carolina Day School, will attend the meeting to address any questions or concerns from the Board prior to considering this proposal.



*Speed
Graphics*

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828-771-0322

**Carolina Day School
Monument sign: Measurements**

DATE: 03/12/2020 REVISION #: 1



	ALL DRAWINGS ARE THE PROPERTY OF SPEEDGRAPHICS AND MAY NOT BE USED OR REPRODUCED WITHOUT WRITTEN CONSENT FROM SPEEDGRAPHICS UNDER PENALTY OF THE LAW.	Carolina Day School Monument sign: day time
	828-771-0322	DATE: 03/12/2020 REVISION #: 1



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Graphics*

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828-771-0322

Carolina Day School
Monument sign: side view

DATE: 03/12/2020 REVISION #: 1



*Speed
Graphics*

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828-771-0322

Carolina Day School
Monument sign: externally lit

DATE: 03/12/2020 REVISION #: 1



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Graphics*

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828-771-0322

Carolina Day School
Monument sign: internally lit cabinet

DATE: 03/12/2020 REVISION #: 1

**BOARD OF COMMISSIONERS MEETING
STAFF MEMORANDUM**

April 13, 2021



Agenda Item D-2

Consideration of FY20-21 Budget Amendment

Background

The attached budget amendment provided for your consideration reflects year to date revenue and expenditure changes for the Town. Please note, this budget amendment includes both an amendment within the General Fund and the Water Fund.

General Fund Revenue Changes

The revenue changes proposed within this amendment reflect increased sales tax receipts for the first nine (9) months of FY21, with estimates for the next three (3) months based on year to date actual revenues. Conversely, as interest rates have remained historically low, the revised budget also reduces these to negligible amounts.

General Fund Expenditure Changes

The expenditure changes are mostly related to actual costs within the police and public works department, including capital outlay within the Police Department and Engineering within the Streets department. These changes are offset by reductions within maintenance/repair costs for vehicles. In some instances, the specific location of line item expenses is being changed, as is the case for technology and software within the Police Department.

Water Fund Revenue Changes

Similar to the General Fund, the interest received on the water fund is being reduced to twenty (20) dollars. We do not keep significant funds dedicated to the water system in the NC Capital Management Trust, so this interest revenue is always significantly lower than the General Fund.

Water Fund Expenditure Changes

The budget for professional services was increased to provide for costs associated with a water line replacement along Cedarcliff Road and Hendersonville Road. The budget for general repairs is being reduced by just over \$3,000 to offset much of this cost.

Recommendation

The budget ordinance allows the re-allocation of funds within each department not to exceed \$5,000. However, in the interest of providing a more comprehensive look to the Board, I wanted to

provide the entirety of these changes as an amendment. Please let me know if you have any questions or concerns.



FY 2020-2021 BUDGET ORDINANCE AMENDMENT

BE IT ORDAINED by the Governing Board of the Town of Biltmore Forest, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2021.

Copies of this budget amendment shall be furnished to the Clerk, to the Governing Board, and to the Finance Officer for their direction.

Adopted this 13th day of April, 2021.

George F. Goosmann, III
Mayor

FY20-21 Budget Amendment #3

Section 1. To amend the General Fund Revenues as follows:					
Account #	Account Description	Original Budget Amt	Increase	Decrease	Revised Budget Amt
10-3010-0200	Tax Interest & Penalties	11,200	2,000	-	13,200
10-3020-0200	Art. 39 (1% Sales Tax)	492,564	9,851	-	502,415
10-3020-0300	Art. 40 (1/2% Sales Tax)	191,837	19,184	-	211,021
10-3020-0400	Art. 42 (1/2% Sales Tax)	257,554	5,151	-	262,705
10-3050-0000	Interest Earned	30,000	-	(29,000)	1,000
Section 2. To amend the General Fund Expenditures as follows:					
Police					
10-5100-1600	Maint/Repair - Equipment	6,250	-	(4,088)	
10-5100-1500	Maint/Repair - Building	25,000	5,000	-	30,000
10-5100-3700	Software	29,000	-	(15,000)	14,000
10-5100-3800	Technology	32,925	15,000	-	47,925
10-5100-6500	Staff Development	7,500	-	(4,500)	3,000
10-5100-7400	Capital Equipment Purchases	95,000	15,000		110,000
Public Works					
10-5600-1700	Maintenance/Repair Vehicles	20,000	-	(10,000)	10,000
Streets					
10-5700-1700	Maintenance/Repair Vehicles	13,750	-	(7,000)	6,750
10-5700-7500	Engineering	42,500	22,500	-	65,000
Sanitation					
10-5800-1700	Maintenance/Repair Vehicles	23,000	-	(10,000)	13,000
General Government					
10-6600-0401	Legal Services	40,000	-	(5,000)	35,000
10-6600-0402	Technology	90,000	-	(5,000)	85,000
10-6600-1500	General Repairs/Maint.	20,000	5,000	-	25,000
10-6600-6000	Contingency	12,222	-	(10,000)	2,222
10-6600-6303	Holiday Lighting	11,000	1,701	-	12,701
10-6600-6400	Wildlife Management	3,000	-	(2,500)	500
10-6600-6303	Holiday Lighting	11,000	1,701	-	12,701
Net Increase in General Fund Expenditures			102,088	(102,088)	-
Section 3. To amend the Water Fund Revenues as follows:					
Account #	Account Description	Original Budget Amt	Increase	Decrease	Revised Budget Amt
30-3290-0000	Interest Earned	1,000	-	(980)	20
Section 4. To amend the Water Fund Expenditures as follows:					
30-8100-0400	Professional Services	6,000	4,000	-	10,000
30-8100-1500	General Repairs	11,707	-	(3,020)	8,687
Net Increase in Water Fund Expenditures			4,000	(4,000)	-

**BOARD OF COMMISSIONERS MEETING
STAFF MEMORANDUM**

April 13, 2021



Agenda Item D-3

Consideration of Appointment to Design Review Board

Background

Mr. Fred Groce has served on the Town's Design Review Board for a number of years and will be leaving the Board. The Town is appreciative of Mr. Groce's service and dedication in this endeavor. As a result, the Town needs to make an appointment to fill this position.

Mr. Tony Saponaro has been nominated to fill this position by Commission Cogburn. The Board must vote on this appointment, and if approved, Mr. Saponaro would begin serving this April with a term to expire April 30, 2024.

STAFF MEMORANDUM

April 13, 2021



Agenda Item D-4

FY22 Preliminary Budget Discussion

Background

Town staff began planning the FY22 budget in mid-January 2021. This preliminary review is designed to provide an early, 30,000-foot view of the Town's FY22 budget and gather initial feedback from the Board. The full budget proposal will be provided during next month's regular meeting.

Budget development for the current year (FY21) was the most challenging during my career as a Town Manager. There were no guideposts for how to budget during local, state, national, and international lockdowns. Forecasting was a dart throw, at best, and we were unsure the impacts to state derived revenues (sales tax) that would occur. We believed, correctly, that property tax collection would remain consistent. Some revenues continued to fall below even March and April 2020 levels (investment earnings), but others revenues rebounded well as we moved through FY21. The Town's projection of a 17 percent reduction in sales tax from budgeted FY20 levels proved to be too pessimistic. Sales tax revenues are nearing full year budget levels with continued growth anticipated for the remaining three months of FY21. As I have noted previously, one thing is certain: the ability to gather sales tax from online retailers (Amazon, etc.) helped the State, counties, and towns weather the storm of Covid-19.

FY 22 Revenue Planning

The coming fiscal year provides the Town multiple options for revenue growth and subsequent program development. Buncombe County has completed a revaluation process that has resulted in growth in the Town's property tax base of 7.42 percent. This is a reduction from the initial preliminary estimate of 12 percent, and is likely the result of the revaluation appeals process. The final number will be available in late April, but for now, the Town estimates this increased amount. State law requires the Town provide a budget revenue neutral tax rate to the Board for review anytime there is a revaluation. With the current numbers provided, the revenue neutral tax rate would be two (2) cents below the current tax rate of 34.5 cents.

Total Valuation (excluding motor vehicles):	\$824,570,446
Property Tax Collection Percentage (from FY21):	99.66%
Current Tax Rate:	\$0.345/\$100 valuation
Revenue Neutral Tax Rate:	\$0.325/\$100 valuation

One penny brings the Town \$82,177. While a formal proposal will be made in May, at this time I do not intend to recommend a property tax reduction in order to provide a revenue neutral rate. The additional \$164,353 that the current tax rate, at minimum, brings will enable the Town to

move forward with multiple projects as laid out below. Again, the above numbers may change between now and May if more property tax appeals are considered and approved. Motor vehicle valuations increased by 3.18 percent to \$30,344,306. This results in an overall expected increase in the motor vehicle collection of \$3,217.

As noted above, sales tax numbers have proved to be better for FY21 than anticipated. Forecasts for FY22 include more information on economic recovery, stimulus impacts, and additional movement out of the Covid-19 pandemic. That being said, it remains hard to foresee a full recovery to prior year revenue in the coming year. The NC League of Municipalities has forecast a 2.5 percent increase for sales tax from current year levels. My instinct is that the actual revenue received by the Town will be greater than this for reasons outlined below, but at this time, I am using the 2.5 percent figure to forecast our growth in sales tax. This would result in a \$25,000 increase in sales tax from current year.

As noted above, I think it entirely probable that the Town sees increases greater than 2.5 percent of our current numbers. The primary reason for this belief is that as Covid-19 restrictions ease and travel becomes somewhat more common, Buncombe County will begin seeing an increase in funds spent within the County. Urban counties did not recover as well, with regard to sales tax, as more urban counties in North Carolina. This is because those urban cities typically include large shopping areas, restaurants, and other “destination” type locations where people from an entire region congregate. That simply did not occur in FY21, and is only now starting to open back up. For that reason, and because I anticipate our sales tax to continue growing in the current year, I do believe our sales tax numbers will reflect greater than 2.5 percent growth.

Other revenues are more static year to year. Powell Bill funds are now statutorily set and should return to pre-pandemic levels over the course of the next two years as people return to commuting and traveling more frequently. Other state derived revenues (telecommunications, natural gas, electricity, etc.) are volatile and generally based on weather events and overall usage. I do not foresee investment earnings returning close to FY20 levels until several years from now, unfortunately.

American Recovery Plan

The American Recovery Plan (ARP), signed into law in mid-March 2021, will provide direct payments to local governments throughout the United States. These direct payments are based on population and funds will be allocated in two tranches. As of this writing, the Town anticipates receiving \$410,000 from the ARP – one installment (\$205,000) will be provided by May 15, 2021 and the second installment will be provided by May 15, 2022. The Town, and all local governments, continue to await official guidance from the Treasury Department regarding the appropriate utilization of these funds. Until we receive official guidance, the Town (and others) are relying on subject matter experts to review the law and provide insight. Attached to this memorandum is the latest information from the UNC School of Government regarding ARP funding. This article focuses in detail on the four specific areas where funding is authorized and how it may be implemented from a local government. As you review this, please let me know what questions you have regarding potential projects and needs. Undoubtedly, the Town will be able to utilize the \$410,000 for significant projects and needs that will be one-time expenditures.

FY22 Expenditures

I anticipate proposing the Town move back into the merit pool system for salary adjustments and anticipate providing a cost of living increase for employees. The merit pool system is a specific allocation of each department's salary that is dedicated to employee salary increases. These increases are tied back to performance reviews and specific objectives. We did not budget for merit increases in FY21 due to the uncertainty surrounding revenues with Covid-19.

The projects within the Police and Public Works Departments below reflect general thinking now. It is possible these items will change between now and the final proposal next month, but I do think providing this information now is beneficial. I have not included proposals from administration or general government now, as most of these items are project based and final funding amounts are still being determined.

Police Department

Vehicles

- Two (2) new hybrid vehicles – allows us to maintain and keep an excellent spare vehicle
- Plan for just one (1) vehicle in following year and keep transitioning older cars out of fleet
- Rough cost for both vehicles is \$95,000
- Budget \$6,000 for motorcycle/NCGHSP grant

Software and CAD

- Quartermaster (inventory system) is needed and has an approximate cost of \$4,000
- CAD (Computer Aided Dispatch) for Biltmore Forest Police Department

CAD Software is through our existing PolicePak vendor (Southern Software) and would be an additional tool that allows telecommunicators to efficiently obtain information and respond to Calls for Service in a pre-planned, uniform system. It gives users an organized method of assigning and tracking calls and responding units.

Some strong advantages of the CAD system includes:

- Advanced Report and data search capabilities: It is a much more efficient way to find prior call data, report actions and outcomes, and subject histories.
- Can provide more detailed data of daily shift reports and monthly call history.
- Creates a much more organized audit trail of actions taken in handling emergency calls.
- Has the capability to put personalized notes for individual addresses and give automatic call guides with instruction displays. (i.e.. Gate Codes, medical reminders, resident requests pertaining to security or house checks)

- Interfaces with mapping software, which can also be personalized with things such as road construction/closures that can be more easily passed on to other emergency services like Fire and EMS.
- Automatic time stamping for responding units and statuses as well as times stamped notes and progress updates.

CAD System will give our Dispatchers and Officers the tools to handle more calls for service with quicker response times because all the information needed is readily available in a standard, user-friendly format.

Additional Equipment

- Thermal imaging camera – roughly \$1900. Current cost with Navy lease is \$1200/year. Cut that lease out and then spend \$700 to own device.
- Property and intersection camera installations throughout the Town. First set of these are being installed on the Police Department in coming weeks.
- Two (2) additional speed monitoring signs to be placed and included into the rotation

Public Works Department

General Public Works

- Equipment ideas – try out (via rental) a brush cutter before purchasing it (\$17,500 purchase) to see if this is something that would prove useful for park upkeep and maintenance (specifically woodland areas)
- Develop preventative maintenance/replacement schedule for equipment while still operable and working to develop a replacement schedule – likely to include funding for replacement of F-350 in FY22.
- Backhoe and tractor are oldest pieces of equipment, but still operable and being evaluated
- Greenwood Park renovation funding will be included in proposal – should occur early within FY22 once stream restoration project is completed.

Streets

- Box blade attachment purchased for tractor (\$7,500). This will allow staff to pull down shoulders and more effectively perform shoulder repairs along streets.
- Working on a full review of the storm water master plan project areas. Likely to include several projects within the coming year from master plan, as well as projects that are necessary due to greater erosion and damage.
- This can be done in-house to fine tune the concept plan from stormwater master plan. Have consultant come in after the fact to perform final design for plan.

- Town staff evaluating whether approximately 400 feet of stormwater pipe installation can be done within Rosebank Park by Town forces. This is an attractive area to work, as there is little to no traffic issues and allows staff the ability to work and train in an uninterrupted fashion.

Sanitation

- Likely to include recommendation for purchasing sanitation cans for all residents. Approximate cost for this will be just over \$30,000. This will reduce workplace injuries for Town staff and lost time and productivity for the entire department. Considering cost and methods of offering multiple sizes for residents to consider.

Water Department

- General maintenance and water service renewal projects. Intend to complete a small water line replacement project in FY21.
- Purchase of electric utility vehicle for multitude of operations within the Town. This vehicle can also be utilized by Police Department or Administration during Town events.

Coates' Canons Blog: American Rescue Plan Act of 2021: Local Government Authority to Expend their Allocations

By Kara Millonzi

Article: <https://canons.sog.unc.edu/american-rescue-plan-act-of-2021-local-government-authority-to-expend-their-allocations/>

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On March 11, 2021, the federal American Rescue Plan Act of 2021 (ARP) became law. There is still a lot to be deciphered in this \$1.9 trillion stimulus package; the third such major relief act since the onset of the COVID-19 pandemic. We do know that the law includes substantial aid for state and local governments. With respect to local governments, some monies will be distributed directly to them (specifically, allocations to counties and municipalities with populations over 50,000). Other monies will be allocated to the State for distribution to qualifying local governments (all other municipalities). See Part 8, Subtitle M—Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021. The monies will be distributed in tranches, with the first payment made within 60 days' of the law's enactment. The second tranche will be distributed a year after the first. The monies may be used for costs incurred by December 31, 2024.

Aside from their expected allocation amount, local government officials want to know the purposes for which the monies may be spent and whether or not the grant of funds from the federal government is sufficient to provide North Carolina local governments expenditure authority. This blog post addresses these two issues. As a caveat, this post is based on interpretations of the federal law and current state law. There may be different interpretations promulgated by the agencies charged with implementing the aid to local governments and there may be changes to state law to facilitate the receipt and expenditure of funds by local governments. I will update this post as more information becomes available, particularly guidance on reporting and accountability measures.

Note also that this post only deals with monies allocated directly to local governments by the ARP. The General Assembly may appropriate additional monies from the State's ARP allocation to local governments, and to certain special districts and public authorities, and will set the expenditure parameters for those funds. And the ARP provides funding for many other programs, services, activities, and projects, that will directly aid a local government's citizens, utility customers, community groups, businesses, nonprofits, and other government entities. (For a brief overview of key provisions of the ARP, see this National Conference of State Legislatures' [summary](#).) Local government officials will want to understand how all of this targeted relief will impact their communities as they make their own appropriation decisions.

Turning back to the purpose of this post, let's look at local government authority to spend ARP allocations for the specified purposes.

General Authority to Spend ARP Funds

In North Carolina, local governments must have statutory authority to undertake any activity, including the receipt and expenditure of federal grant/aid monies. The fact that the federal government is providing monies either directly or indirectly to NC local governments does not, alone, give those local governments authority to spend that money. We have to look to state law for that authority—specifically **G.S. 160A-17.1**, which allows

the governing body of any city or county ... to make contracts for and to accept grants-in-aid and loans from the federal and State governments and their agencies for constructing, expanding, maintaining, and operating any project or facility, or performing any function, which such city or county may be authorized by general law or local act to provide or perform.

Thus, a local government has specific authority to accept ARP funds, but must spend the monies consistent with federal requirements and within the contours of state law authority. Note, also, that once grant proceeds are received by a local government, they are public funds and subject to the same budgeting, fiscal management, expenditure control, and

accounting rules as all other local government monies, according to the **Local Government Budget and Fiscal Control Act, G.S. Ch. 159, Art. 3.**

ARP Expenditure Parameters for Local Government Allocations

That leads to the second issue. What does ARP authorize local governments to spend the stimulus monies on and do local governments have state law authority to spend the monies for these purposes?

According to new Sect. 603(c) of 42 USC 801 (Coronavirus Local Fiscal Recovery Fund), monies received by any of the qualifying local government entities (whether directly from the federal government or from the State as a pass-through) may be used for the following four categories of expenditures. Under each purpose stated in the federal law (which is in bold italics), I detail whether, and to what extent, state law authority currently exists for a local government to spend monies for this purpose.

To respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality.

This provision encompasses a broad array of potential local government expenditures. There are myriad ways that counties and municipalities might provide assistance to community members and organizations to mitigate the negative economic impacts of COVID-19. As detailed above, though, a local government must have state law authority to undertake any specific program, service, activity, or project (collectively, programs). A local government may use this money to fund existing or new local government programs, to make grants to nonprofits or other community organizations, and to provide aid to small businesses.

Local government programs. A local government has broad authority to undertake programs that benefit its citizens. It will be difficult to catalogue all of the possible state statutes that authorize such programs. They may range from public health and social services programs, to community and economic development programs, to social, cultural, and recreational programs.

Under **G.S. 160D-1311**, for example, a local government has wide-ranging authority to provide “programs concerned with employment, economic development, crime prevention, child care, health, drug abuse, education, and welfare needs of persons of low and moderate income.” A local government may use some (or all) of its ARP monies to fund current or new programs related to the negative economic impact of COVID-19 on its low- or moderate-income citizens. And these programs could be structured to provide services, supplies, infrastructure, or even direct monetary aid to qualifying citizens.

Similarly broad is the authority under **G.S. 160A-497**, which allows a county or municipality to “undertake programs for the assistance and care of its senior citizens [defined as those who are at least 60 years of age] including but not limited to programs for in-home services, food service, counseling, recreation and transportation....” A local government may use its ARP monies to support its senior citizens dealing with pandemic-related issues.

These are, of course, just two examples. There are many other sources of state law authority that allow a local government to use ARP monies to fund its own programs that will aid its community members in responding to COVID-19 and mitigating its financial impact. And the only expenditure limitation under the federal law is no ARP monies may be used to fund pensions.

Grants to nonprofits. What about providing grants or donations to private entities, such as nonprofits, chambers of commerce, or other organizations that are serving the community during the pandemic? This is a little more complicated. The ARP specifically authorizes a local government to transfer any of these monies to a private nonprofit organization (as defined by 42 USC 11360(17)) or a public benefit corporation involved in the transportation of passengers or cargo.

However, unless pursuant to a specific, statutorily authorized program, a local government may not simply grant, appropriate, or donate monies to nonprofit entities, even if it only uses ARP dollars. Under current law,* though, a local government may contract with a private individual or entity to carry out an activity/program/project that the

local government has statutory authority to undertake. See **G.S. 160A-20.1** (municipalities); **G.S. 153A-449** (counties).

In other words, if a municipality or county has statutory authority to finance a particular program, then it may contract with a private entity to perform that program. But a municipality or county may not appropriate public monies to a private entity, including a non-profit, if the monies ultimately will be spent on a program that the government could not fund directly.

Further, a local government that contracts with a nonprofit for a particular purpose has an obligation to ensure that the nonprofit carries out the public purpose that it was contractually obligated to undertake. There are a number of ways that a local government may go about monitoring the expenditures of public funds by a nonprofit—and the methods likely will vary depending on the size of the unit and the types of expenditures at issue. The North Carolina Supreme Court has provided some guidance to local governments on this issue—sanctioning a particular oversight method in *Dennis v. Raleigh*, 253 N.C. 400 (1960). That case involved a challenge to an appropriation of funds by the City of Raleigh to a local chamber of commerce, to be spent on advertising the city. The chamber of commerce engaged in a variety of activities, some of which were unlikely to be considered public purposes. Thus, the city sought to ensure that the public funds it appropriated to the chamber of commerce were spent appropriately. The city put in place three separate “controls.” First, the appropriation to the chamber of commerce was specific—it stated that the monies were to be used “exclusively for . . . advertising the advantages of the City of Raleigh in an effort to secure the location of new industry.” Second, the city council reserved the right to approve each specific piece of advertising. Third, the chamber of commerce had to account for the funds at the end of the fiscal year. On the basis of the control exercised by the city over the expenditure of the public funds, the court upheld the appropriation.

The first and third “controls” placed on the chamber of commerce by the City of Raleigh in *Dennis* likely are particularly instructive. These controls parallel the appropriation and annual audit requirements placed by the **Local Government Budget and Fiscal Control Act** on moneys spent directly by a municipality or county. At a minimum, a local government should provide clear guidelines and directives to the private entity as to how and for what purposes public monies may be spent, and the unit should require some sort of accounting from the private entity that it fully performed its contract obligations. See this **previous post** for more information on the performance accounting options.

**Note that it is possible that the General Assembly will give local governments authority to make these grants directly to nonprofits. At least one bill has been introduced that would allow the City of Durham to provide such grants —H268. (As of this writing the bill has not been enacted by the General Assembly.)*

Aid to small businesses. With respect to providing aid to small businesses, my colleague, Tyler Mulligan, has summarized a local government’s state law authority to provide that type of assistance here and here. (Note that at least one of those blog posts was written to address issues related to the first federal stimulus bill, known as the CARES Act. Although the ARP is a different federal law, the state law considerations are the same.)

To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers of the [qualifying local government] that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work. Eligible workers are “those workers needed to maintain continuity of operations of essential critical infrastructure sectors” and additional sectors that a local government’s manager, administrator, or mayor designates as critical to protect the health and well-being of the local government’s residents. Premium pay is defined as “an amount of up to \$13 per hour that is paid to an eligible worker, in addition to wages or remuneration the eligible worker otherwise receives, for all work performed by the eligible worker during the COVID-19 public health emergency.” The total amount of premium pay per worker may not exceed \$25,000.

Under current law, local governments have broad statutory authority to provide for employee compensation and fringe benefits (see **G.S. 160A-162** for municipalities and **G.S. 153A-92** for counties). This state law authority is sufficient to allow local governments to use ARP funds to award premium pay to essential workers, consistent with federal law. Local government officials will need to work with their attorney to determine who qualifies and how to implement the premium pay, consistent with other employment laws and the local unit’s personnel policies.

Counties, in particular, need to be careful in how premium pay is structured because of statutory prohibitions on reducing the compensation of certain employees, including sheriff office employees and register of deed employees. County commissioners also do not have direct control over the compensation of certain county employees, including election office employees (other than the director of elections).

The ARP also allows a local government to give grants to private sector employers to provide premium pay to their essential workers. However, there is no clear state statutory authority for a local government to do this. It is possible, that a local government could establish a hazard pay program for low- or moderate- income workers (as per above), but that would not allow grants to eligible employers for all of their essential employees. Similarly, if a nonprofit or small business contracts with a local government to perform a specific function (as per above), it's possible that the private entity could use some of its payment from the local government to provide premium pay to its essential employees. But I am not aware of a current state statute that would allow a local government to grant monies to private entities solely for the purpose of providing premium pay to essential workers.

For the provision of government services to the extent of the reduction in revenue of such [qualifying local government] due to the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the [local government] prior to the emergency.

This provision allows a local government to use the stimulus funds to replace lost revenue due to the pandemic. A local government will need to document the loss by comparison to the 2018-2019 fiscal year (which was the most recent full fiscal year prior to the COVID-19 pandemic). These replacement revenues may replenish a local government's fund balance or be appropriated for other purposes by the local government's governing board. As mentioned above, the monies must be used to cover costs incurred by December 31, 2024. A local government should fully understand the reporting and accountability requirements before using ARP monies to replace lost revenue; more guidance on this issue from the federal and state agencies should be forthcoming.

To make necessary investments in water, sewer, or broadband infrastructure.

Many local governments provide water and sewer services. There is existing statutory authority to allow these governments to spend ARP monies on necessary water and sewer infrastructure projects. See **G.S. 153A-276** for counties and **G.S. 160A-313** for municipalities. The monies may not be used to cover operating expenses (although the revenue replacement provision in number (3) allows a local government to cover lost water and sewer revenues due to the pandemic). Pending further direction from the federal or state government, it will be up to the local government's governing board to determine what infrastructure investments are necessary.

The state law authority for broadband is much more limited. Currently, counties do not have authority to construct or fund broadband infrastructure, except as needed for county operations. Pursuant to G.S. 153A-459 (enacted by SL 2019-111), a county may

provide grants to unaffiliated qualified private providers of high-speed Internet access service, as that term is defined in G.S. 160A-340(4), for the purpose of expanding service in unserved areas for economic development in the county. The grants shall be awarded on a technology neutral basis, shall be open to qualified applicants, and may require matching funds by the private provider. A county shall seek and consider requests for proposal from qualified private providers within the county prior to awarding a broadband grant and shall use reasonable means to ensure that potential applicants are made aware of the grant, including, at a minimum, compliance with the notice procedures set forth in G.S. 160A-340.6(c). The county shall use only unrestricted general fund revenue for the grants. For the purposes of this section, a qualified private provider is a private provider of high-speed Internet access service in the State prior to the issuance of the grant proposal. Nothing in this section authorizes a county to provide high-speed Internet broadband service.

Counties may only use "unrestricted general fund revenue" to make these grants, though. That does not include ARP monies because these funds are restricted.

Municipalities have authority to fund broadband (and construct broadband infrastructure) as a public enterprise, see *BellSouth Telecommunications, Inc. v. City of Laurinburg*, 606 S.E.2d 721 (2005), but the General Assembly

severely curtailed that authority several years ago. A municipality must be able to satisfy all of the process and substantive requirements in **G.S. Ch. 160A, Art. 16A** in order to construct broadband infrastructure other than for municipal government purposes, even dark fiber that it then leases or sells to private entities to provide broadband services. (See **this post** for more details.)

Outside of developing it for its own purposes, a local government likely will not be able to use ARP monies to construct broadband infrastructure more broadly absent additional legislative authority.

Sharing Allocations with Other Local Government Entities

A local government may wish to partner with another local government entity to use ARP funds to carry out one or more of the allowed purposes. The ARP specifically authorizes a local government to transfer any of its allocation to a “special-purpose unit of State or local government.” A special-purpose unit of State or local government likely encompasses all of the special districts and public authorities that are subject to the Local Government Budget and Fiscal Control Act. (See **this blog post** for a list of those entities).

Under state law, there also is broad authority for a local government to enter into an interlocal agreement with another government entity to accomplish a public purpose that the local government has statutory authority to undertake. See **G.S. Ch. 160A, Art. 20**.

Links

- www.congress.gov/bill/117th-congress/house-bill/1319/text#H65C66E46488F4CB6ACD99E77DF090885
- www.ncsl.org/Portals/1/Documents/statefed/The-American-Rescue-Plan-Act-Provisions_v01.pdf
- www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_160A/GS_160A-17.1.pdf
- www.ncleg.net/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_159/Article_3.html
- www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_160D/GS_160D-1311.html
- www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_160A/GS_160A-497.pdf
- www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_160A/GS_160A-20.1.html
- www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_153A/GS_153A-449.html
- www.ncga.state.nc.us/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_159/Article_3.html
- www.ncleg.gov/Sessions/2021/Bills/House/PDF/H268v1.pdf
- ced.sog.unc.edu/using-federal-coronavirus-relief-funds-for-small-business-support/
- ced.sog.unc.edu/local-government-support-for-small-business-recovery-and-reopening/
- www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_160A/GS_160A-162.pdf
- www.ncleg.gov/EnactedLegislation/Statutes/HTML/BySection/Chapter_153A/GS_153A-92.html
- www.ncleg.net/EnactedLegislation/Statutes/HTML/BySection/Chapter_153A/GS_153A-276.html
- www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_160A/GS_160A-313.pdf
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