

PROPOSED AGENDA

Meeting of the Town of Biltmore Forest
Board of Commissioners

To be held Tuesday, July 12, 2022 at 4:30 p.m.

****Zoom Log-In Information Found on Following Page****

A. Pledge of Allegiance

B. Roll Call

Mayor George F. Goosmann, III

Commissioner Fran G. Cogburn

Commissioner E. Glenn Kelly

Commissioner Doris P. Loomis

C. The minutes of the June 7, 2022 meeting will be presented for approval.

D. Reports of Officers

1. Chief of Skyland Fire and Rescue
2. Chief of Police Chris Beddingfield
3. Public Works Director Harry Buckner
4. Town Manager Jonathan Kanipe

E. New Business

1. Fire Insurance Rating Announcement – Skyland Fire Department
2. Traffic Improvements Study Review
Intersection at Vanderbilt Road and Lone Pine Road/ Stuyvesant Road
Intersection at Vanderbilt Road and Busbee Road
3. Town Code Criminal Enforcement Ordinance Review

F. Public Comment

G. Adjourn

Topic: Biltmore Forest Board of Commissioners Meeting - July 12, 2022
Time: Jul 12, 2022 04:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/81208686537?pwd=emZYdUdnRWFUUC80NVFWZjRUYYVVEQT09>

Meeting ID: 812 0868 6537

Passcode: 304282

One tap mobile

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+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

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MINUTES OF THE MEETING OF THE MAYOR AND THE TOWN COMMISSIONERS OF
BILTMORE FOREST HELD JUNE 7, 2022

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, and Mr. William Clarke, the Town Attorney, were also present.

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

Commissioner Cogburn made a motion to approve the minutes from May 10, 2022. The motion was seconded by Commissioner Kelly and the minutes were unanimously approved.

Chief Chris Beddingfield presented lifesaving certificates to the following police personnel: Telecommunicator Shelby Tate-Frady, Head Telecommunicator Aslyne Tate, Mr. Joseph Zub, Officer Michael Anton, Officer Patrick Ridgeway, and Lieutenant Mark Allen. The certificate was awarded for saving the life of a choking resident in Biltmore Forest. Chief Beddingfield said police personnel went above and beyond and is very proud of the staff.

Chief Beddingfield gave the monthly police report. The total calls for the month were 679 calls. Carolina Day School had some threats, and the issues were resolved. There was a significant vehicle crash with two transport buses who hit head on at MAHEC. There was also a subject on the Blue Ridge Parkway who overdosed and ended up in The Ramble. Multiple agencies responded to this call. Mayor Goosmann thanked Chief Beddingfield for his and the Department's hard work.

Mr. Harry Buckner gave the report for the public works department. A significant water leak was repaired on Stuyvesant Crescent. The failure occurred when the tap for an air release valve failed due to corrosion. The failure occurred adjacent to the new primary Duke Energy line which was inadvertently nicked as we searched for the leak. In addition to replacing the air release valve, we also assisted Duke Energy with repairing the damaged power cable.

The power has been upgraded at Rosebank Park which will now accommodate the food trucks.

The resurfacing project is scheduled to begin June 8th with milling and road shoulder improvements. Resurfacing activities are scheduled to begin June 12th. The paving work will be completed in 2-4 days.

The 95-gallon trash cans will be delivered in June or July. The smaller cans will take a bit longer.

Mr. Jonathan Kanipe gave the report for the Town. The first topic of discussion was the criminal penalty recommendations for Town code of ordinances. Senate Bill 300 was signed into law in September of 2021. This omnibus law enforcement bill includes provisions that affect the violation of city and county ordinances. Town staff has reviewed specific ordinances that result in misdemeanor charges and is prepared to offer recommendations for the ordinances that need to be recodified to include criminal violation provisions. However, upon further review, Chief Beddingfield and Mr. Kanipe realized numerous references existed within the Code of Ordinances to infractions as penalties. As infractions are considered criminal penalties, they believe it is prudent to review these specific ordinances in more depth and provide a full recommendation to the Board next month.

The next topic discussed was the Hemlock Road and Cedar Hill stream restoration project. The permit application for this work was submitted last week. The engineer for the project has prepared permit ready designs which focuses on restoring the stream channel and

protecting Cedar Hill Drive from road destabilization. An informal bid request will be issued in late summer. The construction will most likely happen in the late fall.

The June Board of Adjustment meeting was moved back one week and will be held on Monday, June 27th at 4pm. There will be nine matters scheduled on the agenda for this meeting.

The Town's Fourth of July parade and picnic will take place on Monday, July 4th. The parade starts at 9:45. The festival will be held at Rosebank Park 10am-12pm.

PUBLIC HEARING

A motion was made by Commissioner Loomis to go into Public Hearing regarding the Fiscal Year 2022-2023 Annual Budget. Commissioner Cogburn seconded the motion and was unanimously approved. The North Carolina Local Government Budget and Fiscal Control Act requires the Town hold a public hearing before considering adoption of the budget. There will no tax rate increase and this will stay at \$.345/\$100 valuation. Mr. Kanipe also said a six (6) percent cost of living adjustments are included for all full-time employees. The budget also includes a merit pool for each department. There will also be a benefit enhancement within the Town's dental program as well as short term disability benefits for all full-time employees. There will also be equipment improvements for the police department such as body cameras and Tasers. Public works will focus on parks and streetlight maintenance, stormwater improvements, and street repair.

The North Carolina Department of Environmental Quality loan funding for the Greenwood Park stream restoration project is shown in full for FY 23. The Town has expended funds on design and permitting in prior fiscal years, and this is now eligible for reimbursement as construction work is going on.

Water and sewer rate increases in line with pass-through increases from the City of Asheville and Metropolitan Sewerage District at 2.5 percent.

Mr. Kanipe noted contingency funds were lowered from the May 2022 proposal to increase funding for insurance and community events line items. Further adjustments were made, however, since final distribution of the budget that resulted in the contingency line item increasing. The revisions move the salary and fringe benefit amounts from the proposed new full-time position in the administration department to the contingency line item under General Government. This revision allows a greater and more detailed review of a potential new full-time position while also ensuring flexibility and funding availability if any significant or emergency projects arise.

Commissioner Kelly asked if the equipment line item under the police department included police vehicles. Mr. Kanipe said no, this would include Tasers and body cameras, and equipment upgrades.

A motion was made by Commissioner Cogburn to go out of Public Hearing. Commissioner Loomis seconded, and the motion was unanimously approved.

Commissioner Loomis made a motion to approve the Fiscal Year 2023 Budget. Commissioner Cogburn seconded, and the motion was unanimously approved.

The next topic was the consideration of the FY23 Fee Schedule. The changes recommended are associated with increases in water and sewer fees. Mr. Kanipe and Mr. Buckner suggested an increase in the meter tap fee for a meter larger than 5/8". This cost would increase by \$1,000 and the new fee would be \$3,000 per tap installation. A motion was made by Commissioner Cogburn to approve the FY23 Fee Schedule, seconded by Commissioner Kelly and unanimously approved.

Next, the Consideration of Law Enforcement Special Separation Allowance Policy was discussed. The Board directed Chief Beddingfield and Mr. Kanipe to develop a policy that included guidelines for when an early-retiring law enforcement officer may be eligible for a lump sum payment from the Town. These specific guidelines include a minimum of five years full time service to the Town of Biltmore Forest Police Department as a sworn, law enforcement officer, a

lump sum payment of \$500 per year served to the Town of Biltmore Forest Police Department as a full-time sworn law enforcement officer, and finally to retire in good standing with the Town of Biltmore Forest. These guidelines would be applicable for any early retiree law enforcement officer which is effective immediately. A motion was made by Commissioner Kelly to approve the early retiree special separations allowance guidelines. Commissioner Loomis seconded the motion and was unanimously approved.

The next topic discussed was the Consideration of the Fiscal Year 2022 Audit Contract. The fees are in line with years past. Commissioner Cogburn made a motion to approve the audit contract for FY 22 with Carter P.C. Commissioner Loomis seconded the motion and was unanimously approved.

The final topic of discussion was the Fiscal Year 2021-2022 Budget Ordinance Amendment. Commissioner Cogburn made a motion to approve the FY 21-22 Budget Ordinance. Commissioner Loomis seconded the motion and was unanimously approved.

Public Comment

Ms. Martha Barnes recognized Officer Patrick Ridgeway and the excellent job the police department does to assist with calls. Ms. Barnes was thankful Officer Ridgeway assisted them with a call and thanked him.

Mayor Goosmann adjourned the meeting at 5:08 p.m. The next meeting is scheduled for Tuesday, July 12th, 2022 at 4:30 pm.

ATTEST:

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

June 2022

Station: 4 - BILTMORE FOREST STATION	
111 - Building fire	1
311 - Medical assist, assist EMS crew	6
321 - EMS call, excluding vehicle accident with injury	1
322 - Motor vehicle accident with injuries	1
324 - Motor vehicle accident with no injuries.	1
341 - Search for person on land	1
412 - Gas leak (natural gas or LPG)	1
445 - Arcing, shorted electrical equipment	1
554 - Assist invalid	2
611 - Dispatched & cancelled en route	2
622 - No incident found on arrival at dispatch address	1
735 - Alarm system sounded due to malfunction	2
745 - Alarm system activation, no fire - unintentional	2
# Incidents for 4 - Biltmore Forest Station:	22

Respectfully Submitted,

Trevor C. Lance

Fire Chief
Skyland Fire Rescue

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

A handwritten signature in black ink, appearing to read "HBB".

Re: Public Works Department June 2022 Monthly Report

Date: July 7, 2022

Recurring Activities:

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

- Collected 33.19 tons of garbage.
- Diverted 16.15 tons of recycled goods from garbage.
- Picked up 24 loads of brush (approximately 720 cubic yards) over 10 days.
- Responded to 110 total utility locate requests, comprised of 98 new requests, 10 updates, 1 rush, and 1 cancellation. This total includes 3 emergency requests and 2 short notice requests.
- Visited 4 residences for Tree Assessments, approving the removal of 9 trees, and requiring the installation of 9 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.
- Normal brush collection continued on the North Route on June 15th, and the South Route on June 30th. This schedule will continue typically with one collection for each route per month.

Miscellaneous Activities in June

- Mr. Kasey Lake, Public Services Worker is continuing his departmental training.
- We assisted the FOBF committee at the June 10th Food Truck Friday event.

- Supervisor Dale and I continued to work with our consultant to evaluate the feasibility of installing traffic circles at either intersection at the end of the median in front of Town Hall. We did review and receive the conceptual layouts from them during a July 7, 2022 virtual meeting, and Manager Kanipe has a separate agenda item to cover the results of this work so far.
- Our Contractor completed the replacement of the failing storm drain under Fairway Place at 28 Browntown Road on June 17th. They did break an unmarked 3-inch gas line during this project (which was repaired by the gas company) but there was no other collateral damage during the completion of the project.
- Manager Kanipe and I attended a virtual meeting on June 28th with the Duke TUG team regarding the streetlight meter base project. We are continuing to work through technical solutions with Duke, including options for keeping the streetlights unmetered and eliminating the disconnects. We have a follow-up meeting scheduled for July 13th to continue the discussion.
- We completed several spot repairs of low shoulders this month, including 9 Park Road, 57 Forest Road, and others.
- Staff responded to four (4) downed trees near 296 Vanderbilt on the same day as the death of a visitor by a falling tree at the Estate. The primary tree was twisted off at the base and took three smaller, but still substantial, trees with it across Vanderbilt Road, completely closing it. We cleared about 60 cubic yards of debris from this incident, and it took about 4 hours to open the road fully.
- We completed more dead and damaged tree removals on Town-owned property utilizing an outside tree company on June 14th.
- I worked with Manager Kanipe to close out the Department's 2021-2022 budget for the year.
- I worked with Mrs. Jacobs to complete and distribute the required 2021 Consumer Confidence Report (CCR) on the Town's water system. You each should have received a copy at the same address you receive your water bill.
- We participated in planning efforts during June for the Town-wide Independence Day event on Monday, July 4, 2022. This included preparing the necessary equipment and pre-event planning with the other departments.
- We have had a significant mechanical failure with our primary recycling truck. The turbo on the 2016 Ford F550 has completely failed again after being replaced under warranty in August of 2021. We towed the truck to Parks Ford (previously Four Seasons Ford) and have been informed that another replacement turbo will be provided under warranty. Last year the delivery time for the repair parts was more than 8 weeks; they have not provided an estimated delivery yet, but parts are ordered.
- To add insult to injury, we also have a significant mechanical failure on our back-up recycling truck. The Power Take-Off (PTO) unit (the part that drives the hydraulics on the compactor) has failed, taking that vehicle out of service. Olen Hensley Automotive has the truck, has removed the PTO from it and sent it to a specialty repair shop in

Hickory, NC to be assessed and repaired. Like our primary truck, we do not have an estimated time to complete the repairs.

- We are now without any backup sanitation vehicles, and we have had to double up the workers on the recycling route because cans must be emptied by hand-dumping them into the bed of the truck.

Larger/Capital Projects Updates

Greenwood Park Stream Restoration

- Project construction began on May 2nd, and the in-stream work (grade control structures, boulder vanes, and boulder toes) is complete. Current activities include the completion of the three (3) stormwater control measures (bioretention cells) on the site, which intercept runoff from Stuyvesant Road and Greenwood Road and provide some basic treatment before spreading the flow into the stream.
- One conflict with the main Duke Power feeder line that serves the south end of Town was encountered. A high voltage, three-phase duct bank was found passing over top of a storm drain line slated for replacement, which is causing the need for a slight modification to the layout around SCM#3 near Greenwood Road. The contractor also damaged a significant unmarked phone cable in the same vicinity, also installed above the storm drain with minimal cover. We are working with the Contractor and the engineering consultant to modify the design slightly to work around these existing utilities.
- All permanent planting activities will be performed in the fall during the ideal planting season. This includes planting significant stretches of native bare root shrubbery between the soil lifts along the stream bank as well as other native flowering plants throughout the site.

Automatic Water Meter Reading System Endpoint Replacement Program

- With the addition of Mr. Stashenko as a summer intern, we have tasked this project as his primary job responsibility. Because of Mr. Stashenko's hard work, we anticipate having the project complete by mid-July.
- We have completed the installation of approximately 465 of the 715 replacement endpoints (65.0%).
- As we visit each water meter in Town, we are also identifying additional meter maintenance that may be required. We will develop work orders for these identified preventive maintenance improvements and schedule the work as appropriate.

Cedar Hill Road Stream Stabilization Project

- This project remains in the permitting process, which is anticipated to conclude in another 30 days or so.

- The schedule remains unchanged, with the design and permitting phase of the project being completed in the spring, allowing us to pursue informal bids. Construction is anticipated to be completed by the end of the 2022, pending Board approval.

2021/2022 Resurfacing Project

- The Contractor completed work on this year's resurfacing and shoulder repair project along Vanderbilt Road between Cedarcliff Road and the I-40 Bridge on June 30th. We are continuing to monitor the stability of the road shoulders as we have had several very large storms pass through the area with significant rainfall. We will perform spot repairs to the shoulders and continue stabilization efforts as needed along this area until it becomes fully restored.

Master Plan Project Area 1 & Area 9 – Vanderbilt/Stuyvesant/Lone Pine Stormwater Project

- We are continuing to work with the consultant on this project to finalize their proposal to move forward with final design in the 2022-2023 fiscal year.

Garbage Can and Cart Tipper Project

- We took delivery of seven hundred (700) 95-gallon garbage cans on June 27th. Supervisor Dale and I are working on a delivery schedule and process to get the cans to residents as soon as we have the grabbers installed on our trucks. This will likely occur at the end of July or early August.
- We have scheduled installation of our first new cart tipper on July 13th. We will send a truck to CES Environmental in Greenville, SC each week until the three we have in service are outfitted. Significant repairs to our primary recycling truck and back-up recycling truck have hampered our ability to schedule the installations more quickly because we cannot have a truck out-of-service, but CES is working with us to turn the trucks around as quickly as possible.
- CES Environmental has not been able to provide us an estimated delivery date on the 65-gallon cans, as this is a much smaller order (only 80 cans) in an atypical size.
- I will continue to monitor this work frequently and will continue to report here and with Manager Kanipe with any updates.

Upcoming in July

- Training will continue with our new Public Works employee.
- Scheduled brush collection will continue in July, beginning Monday, July 18th for the North Route, and Monday, August 1st on the South Route.
- Weekly mowing of public areas will continue, weather pending.
- We will perform annual performance reviews with each employee this month.
- We anticipate installation of the new building signage in July, pending delivery.
- We have tentatively scheduled two more days of dead or damaged tree removals from Town property in mid-July.

- We will continue work on the streetlight meter project, incorporating new direction from Duke and feedback from the Board.
- Both the primary and back-up recycling trucks are out of service awaiting repairs. It is unknown, but unlikely, that repairs to either vehicle will be completed in July.
- Installation of the new cart grabbers will begin on July 13th.
- We anticipate beginning the distribution of the new trash cans at the end of the month or in early August.

As always, please do not hesitate to contact me with any questions or feedback.

Biltmore Forest Police
355 Vanderbilt Road
Biltmore Forest, NC 28803
828-274-0822
Chief M. Chris
Beddingfield



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

Biltmore Forest Police Department July 12th, 2022 Commission Report

June 2022 Data

Total Calls For Service:

601 (679 last month)

Arrests:

0 Felony Arrests- No felony arrests reported for June

3 Misdemeanor Arrests – Two for court violations out of traffic stops

One for Communicating threats, Intoxicated and Disruptive, Resisting Officers and Failure to Pay Restaurant Check. This was out of disturbance call for service.

Citations:

17 – Citations for various traffic violations (8 last month)

Time Consumption Summary:

Approximations:

Business Checks- 4 hours

House Checks- 4 hours

Radar Operation- 1 hour

Vehicle Crash Investigation- 7 hours

Notable Calls and Projects:

- High number of vehicle accidents (6) for the month. One major crash and arrest on our side of Hendersonville Rd.
- Multiple missing persons calls (5) for the month.
- Continued work on 33 Busbee situation.

BILTMORE FOREST POLICE DEPARTMENT	Count	Percent
ALARM	18	3.00%
ANIMAL CONTROL	11	1.83%
ASSIST MOTORIST	6	1.00%
ASSIST OTHER AGENCY	16	2.66%
ASSIST RESIDENT	12	2.00%
B&E	1	0.17%
BUSINESS CHECK	228	37.94%
CRIME PREVENTION	1	0.17%
DEBRIS IN ROADWAY	4	0.67%
DEPARTMENT OTHER	1	0.17%
DISCHARGE FIREARM	2	0.33%
DISPUTE	2	0.33%
DISTURBANCE	1	0.17%
EXTRA PATROL	2	0.33%
FIRE	2	0.33%
FOLLOW-UP INVESTIGATION	5	0.83%
FRAUD	2	0.33%
HOUSE CHECK	125	20.80%
IDENTITY THEFT	1	0.17%
IMPROPER PARKING	4	0.67%
INTOXICATED PERSON	1	0.17%
JUVENILE ISSUE	2	0.33%
LARCENY	1	0.17%
MEDICAL EMERGENCY	6	1.00%
MISSING PERSON	5	0.83%
No CallType	1	0.17%
NOISE COMPLAINT	5	0.83%
ORDINACE VIOLATION	7	1.16%
RADAR OPERATION	1	0.17%
ROAD BLOCKED	1	0.17%
SMOKE COMPLAINT	1	0.17%
SPECIAL ASSIGNMENT	3	0.50%
SPECIAL CHECK	27	4.49%
SUSPICIOUS ACTIVITY	2	0.33%
SUSPICIOUS PERSON	8	1.33%
SUSPICIOUS VEHICLE	24	3.99%
TALK WITH OFFICER	3	0.50%
TEST CALL	7	1.16%
TOWN HALL BUSINESS	1	0.17%
TRAFFIC CONTROL	1	0.17%
TRAFFIC STOP	37	6.16%
VEHICLE ACCIDENT	6	1.00%
WELFARE CHECK	7	1.16%
Total Records for Biltmore Forest Police	601	100.00

BOARD OF COMMISSIONERS MEETING STAFF MEMORANDUM

July 12, 2022



Agenda Item D-4

Town Manager's Monthly Report

Greenwood Park Stream Restoration Project

The Town's stream restoration project has continued through June and Phase 1 is nearing completion. Public Works Director Harry Buckner has a good breakdown of the project in his report. From a financial perspective, we have received and signed the Promissory Note from the Local Government Commission that enables us to begin requesting reimbursement and payment for the project. In addition to the construction portion, the Town will also be able to begin recouping fees for engineering services related to the project. All told, the Town's loan from the Department of Environmental Quality is \$292,000 with zero (0) percent interest. The first payment, \$14,630, will be due in May 2023 and continue through April 2042.

Cedar Hill Road Stabilization Project

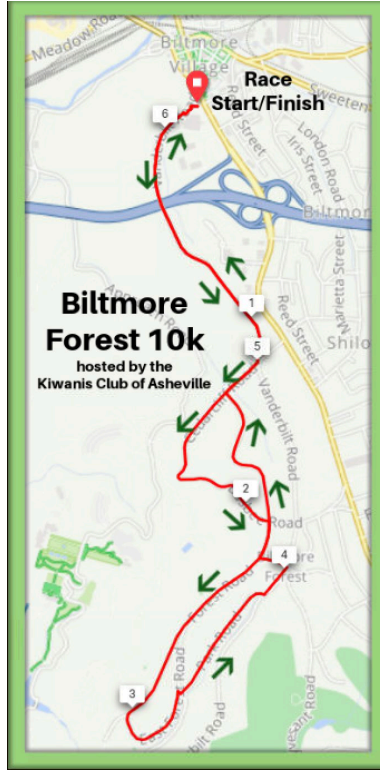
The Town's stream restoration and road stabilization project on Cedar Hill Road continues to move forward. We are currently in the review phase, and the North Carolina Department of Environmental Quality's wetlands department will provide feedback on the design within the next 60-90 days. Once permit approval is granted, Jennings Environmental will develop final design specifications and the Town will either bid the project or begin interviewing potential contractors. The current design estimate for the project falls below the standard for formal bidding requirements. The Town's goal is to have this bidding completed in the early fall with the project itself to commence in December or January.

Trash Can Project Implementation

As noted in Mr. Buckner's report, the Town received the 700 95-gallon containers for trash. These trash containers will be assembled in-house and distributed to each residence. Staff has also been in touch with City of Asheville sanitation staff regarding their implementation of a bearproof trash container that is able to be picked up mechanically. There are some significant differences in how Asheville picks up trash and how the Town will perform this (cart grabbers versus cart tippers), but we are investigating this possibility. If this option is serviceable within our new pickup scheme, we will follow up with those residents who requested bearproof containers and inform them of this option. The cost is higher (approximately \$280 more per can) and we would ask those residents to make up the difference in the cost.

Kiwanis Club of Asheville Biltmore Forest 10k

The Kiwanis Club will be hosting a 10k event in Biltmore Forest on Saturday, July 23. The event will take place from 7:30 AM through 9:00 AM. Participants will be utilizing Town roads with the start of the race beginning at TGI Friday's in Biltmore Village. The full race route is shown below. There should be minimal impact to Town residents and vehicular traffic. Race organizers will have volunteers present and have agreed to clean up any debris or litter left behind during the race.



REVENUE & EXPENDITURE STATEMENT

Town of Biltmore Forest

07/01/2021 To 06/30/2022

FY 2021-2022

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)	2,940,096.00	2,940,958.77	2,940,958.77	0.00	-862.77	100
10-3010-0100 AD VALOREM TAXES (DMV)	104,332.00	97,826.12	97,826.12	0.00	6,505.88	94
10-3010-0200 TAX INTEREST & PENALTIES	10,000.00	5,314.30	5,314.30	0.00	4,685.70	53
3010 Ad Valorem Tax Subtotal	\$3,054,428.00	\$3,044,099.19	\$3,044,099.19	\$0.00	\$10,328.81	100
Revenue Subtotal	\$3,054,428.00	\$3,044,099.19	\$3,044,099.19	\$0.00	\$10,328.81	100
After Transfers	Excess Of Revenue Subtotal	\$3,054,428.00	\$3,044,099.19	\$3,044,099.19	\$0.00	100
3020 Unrestricted Intergovernm						
Revenue						
3020 Unrestricted Intergovernm						
10-3020-0000 FRANCHISE & UTILITIES TAX DIST.	205,227.00	218,104.44	218,104.44	0.00	-12,877.44	106
10-3020-0100 ALCOHOL BEVERAGE TAX	6,000.00	5,594.46	5,594.46	0.00	405.54	93
10-3020-0200 BUNCOMBE COUNTY 1% TAX	690,724.00	689,928.28	689,928.28	0.00	795.72	100
10-3020-0300 1/2 CENT SALES TAX A.40	287,111.00	292,188.30	292,188.30	0.00	-5,077.30	102
10-3020-0400 1/2 CENT SALES TAX A.42	367,736.00	365,732.49	365,732.49	0.00	2,003.51	99
10-3020-0600 SALES TAX REFUND	10,000.00	0.00	0.00	0.00	10,000.00	0
10-3020-0700 GASOLINE TAX REFUND	3,500.00	0.00	0.00	0.00	3,500.00	0
3020 Unrestricted Intergovernm Subtotal	\$1,570,298.00	\$1,571,547.97	\$1,571,547.97	\$0.00	-\$1,249.97	100
Revenue Subtotal	\$1,570,298.00	\$1,571,547.97	\$1,571,547.97	\$0.00	-\$1,249.97	100
After Transfers	Excess Of Revenue Subtotal	\$1,570,298.00	\$1,571,547.97	\$1,571,547.97	\$0.00	100
3030 Restricted Intergovernmen						
Revenue						
3030 Restricted Intergovernmen						
10-3030-0000 SOLID WASTE DISPOSAL TAX	950.00	803.77	803.77	0.00	146.23	85
10-3030-0100 POWELL BILL	67,805.00	67,821.50	67,821.50	0.00	-16.50	100
3030 Restricted Intergovernmen Subtotal	\$68,755.00	\$68,625.27	\$68,625.27	\$0.00	\$129.73	100
Revenue Subtotal	\$68,755.00	\$68,625.27	\$68,625.27	\$0.00	\$129.73	100
After Transfers	Excess Of Revenue Subtotal	\$68,755.00	\$68,625.27	\$68,625.27	\$0.00	100
3040 Permits & Fees						
Revenue						
3040 Permits & Fees						
10-3040-0000 ZONING PERMITS	70,949.00	73,729.00	73,729.00	0.00	-2,780.00	104
10-3040-0100 DOG LICENSE FEE	1,300.00	1,220.10	1,220.10	0.00	79.90	94
3040 Permits & Fees Subtotal	\$72,249.00	\$74,949.10	\$74,949.10	\$0.00	-\$2,700.10	104
Revenue Subtotal	\$72,249.00	\$74,949.10	\$74,949.10	\$0.00	-\$2,700.10	104
After Transfers	Excess Of Revenue Subtotal	\$72,249.00	\$74,949.10	\$74,949.10	\$0.00	104
3050 Investment Earnings						
Revenue						
3050 Investment Earnings						
10-3050-0000 INTEREST EARNED	1,000.00	3,778.18	3,778.18	0.00	-2,778.18	378
3050 Investment Earnings Subtotal	\$1,000.00	\$3,778.18	\$3,778.18	\$0.00	-\$2,778.18	378

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Account	Budget (\$)	Current Period (\$)	YTD With Encumbrance (\$)	Encumbrance (\$)	Remaining Balance (\$)	% Used
Revenue Subtotal	\$1,000.00	\$3,778.18	\$3,778.18	\$0.00	-\$2,778.18	378
After Transfers	Excess Of Revenue Subtotal	\$1,000.00	\$3,778.18	\$3,778.18	\$0.00	378
3060 Miscellaneous						
Revenue						
3060 Miscellaneous						
10-3060-0100 AMERICAN TOWER AGREEMENT	38,000.00	31,044.39	31,044.39	0.00	6,955.61	82
10-3060-0200 MISCELLANEOUS	38,330.00	38,548.54	38,548.54	0.00	-218.54	101
3060 Miscellaneous Subtotal	\$76,330.00	\$69,592.93	\$69,592.93	\$0.00	\$6,737.07	91
Revenue Subtotal	\$76,330.00	\$69,592.93	\$69,592.93	\$0.00	\$6,737.07	91
After Transfers	Excess Of Revenue Subtotal	\$76,330.00	\$69,592.93	\$69,592.93	\$0.00	91
3290						
Revenue						
3290						
30-3290-0000 INTEREST EARNED	50.00	78.01	78.01	0.00	-28.01	156
3290 Subtotal	\$50.00	\$78.01	\$78.01	\$0.00	-\$28.01	156
Revenue Subtotal	\$50.00	\$78.01	\$78.01	\$0.00	-\$28.01	156
After Transfers	Excess Of Revenue Subtotal	\$50.00	\$78.01	\$78.01	\$0.00	156
3350 Commissions, Sw Chg Coll						
Revenue						
3350 Commissions, Sw Chg Coll						
30-3350-0000 COMMISSIONS, SEWER CHARGE COLL	8,000.00	8,182.30	8,182.30	0.00	-182.30	102
3350 Commissions, Sw Chg Coll Subtotal	\$8,000.00	\$8,182.30	\$8,182.30	\$0.00	-\$182.30	102
Revenue Subtotal	\$8,000.00	\$8,182.30	\$8,182.30	\$0.00	-\$182.30	102
After Transfers	Excess Of Revenue Subtotal	\$8,000.00	\$8,182.30	\$8,182.30	\$0.00	102
3500 Other Financing						
Other Financing Source						
3500 Other Financing						
10-3500-0000 SALE OF PERSONAL PROPERTY	15,000.00	3,520.00	3,520.00	0.00	11,480.00	23
10-3500-0700 INTERGOVERNMENTAL LOAN (RESTRIC	300,000.00	0.00	0.00	0.00	300,000.00	0
3500 Other Financing Subtotal	\$315,000.00	\$3,520.00	\$3,520.00	\$0.00	\$311,480.00	1
Other Financing Source Subtotal	\$315,000.00	\$3,520.00	\$3,520.00	\$0.00	\$311,480.00	1
After Transfers	Excess Of Revenue Subtotal	\$315,000.00	\$3,520.00	\$3,520.00	\$0.00	1
3710 Water Sales						
Revenue						
3710 Water Sales						
10-3710-0000 TAX REFUNDS	0.00	-383.24	-383.24	0.00	383.24	0
30-3710-0000 WATER CHARGES	442,800.00	434,705.05	434,705.05	0.00	8,094.95	98
30-3710-0100 MSD CHARGES	338,789.00	350,217.25	350,217.25	0.00	-11,428.25	103
30-3710-0200 AMI TRANSMITTER CHARGES	7,700.00	6,813.84	6,813.84	0.00	886.16	88
3710 Water Sales Subtotal	\$789,289.00	\$791,352.90	\$791,352.90	\$0.00	-\$2,063.90	100
Revenue Subtotal	\$789,289.00	\$791,352.90	\$791,352.90	\$0.00	-\$2,063.90	100
After Transfers	Excess Of Revenue Subtotal	\$789,289.00	\$791,352.90	\$791,352.90	\$0.00	100
3730 Water Tap & Connect Fees						

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Revenue						
3730 Water Tap & Connect Fees						
30-3730-0000 WATER TAP AND CONNECTION FEES	6,000.00	4,870.00	4,870.00	0.00	1,130.00	81
3730 Water Tap & Connect Fees Subtotal	\$6,000.00	\$4,870.00	\$4,870.00	\$0.00	\$1,130.00	81
Revenue Subtotal	\$6,000.00	\$4,870.00	\$4,870.00	\$0.00	\$1,130.00	81
After Transfers	Excess Of Revenue Subtotal	\$6,000.00	\$4,870.00	\$4,870.00	\$0.00	81
4000						
Revenue						
4000						
40-4000-1100 ARP DISTRIBUTION	451,275.58	225,637.79	225,637.79	0.00	225,637.79	50
4000 Subtotal	\$451,275.58	\$225,637.79	\$225,637.79	\$0.00	\$225,637.79	50
Revenue Subtotal	\$451,275.58	\$225,637.79	\$225,637.79	\$0.00	\$225,637.79	50
After Transfers	Excess Of Revenue Subtotal	\$451,275.58	\$225,637.79	\$225,637.79	\$0.00	50
4200 Administration						
Expenditure						
4200 Administration						
10-4200-0200 SALARIES	214,530.00	217,542.88	217,542.88	0.00	-3,012.88	101
10-4200-0300 OVERTIME	5,000.00	85.14	85.14	0.00	4,914.86	2
10-4200-0500 FICA	16,794.00	14,236.49	14,236.49	0.00	2,557.51	85
10-4200-0600 HEALTH INSURANCE (MEDICAL)	28,502.00	23,188.80	23,188.80	0.00	5,313.20	81
10-4200-0650 DENTAL, VISION, LIFE INSURANCE	4,470.00	4,649.52	4,649.52	0.00	-179.52	104
10-4200-0675 HEALTH REIMBURSEMENT ACC	3,750.00	3,750.00	3,750.00	0.00	0.00	100
10-4200-0700 LGERS RETIREMENT	39,581.00	34,602.51	34,602.51	0.00	4,978.49	87
10-4200-0800 401K SUPP RETIREMENT	10,976.00	10,638.27	10,638.27	0.00	337.73	97
10-4200-1000 ACCOUNTING & TAXES	51,000.00	51,381.45	51,381.45	0.00	-381.45	101
10-4200-1200 POSTAGE, PRINTING, STATIONARY	8,000.00	6,203.57	7,048.63	845.06	951.37	88
10-4200-1400 MILEAGE & BOARD SALARY	22,000.00	21,600.00	21,600.00	0.00	400.00	98
10-4200-3300 SUPPLIES AND EQUIPMENT	8,750.00	8,248.90	8,248.90	0.00	501.10	94
10-4200-5300 DUES & FEES	8,000.00	7,655.60	7,655.60	0.00	344.40	96
10-4200-5700 MISCELLANEOUS	4,000.00	2,986.22	2,986.22	0.00	1,013.78	75
10-4200-6500 STAFF DEVELOPMENT	16,000.00	7,356.70	8,205.12	848.42	7,794.88	51
4200 Administration Subtotal	\$441,353.00	\$414,126.05	\$415,819.53	\$1,693.48	\$25,533.47	94
Expenditure Subtotal	\$441,353.00	\$414,126.05	\$415,819.53	\$1,693.48	\$25,533.47	94
Before Transfers	Deficiency Of Revenue Subtotal	-\$441,353.00	-\$414,126.05	-\$414,126.05	-\$1,693.48	94
After Transfers	Deficiency Of Revenue Subtotal	-\$441,353.00	-\$414,126.05	-\$414,126.05	-\$1,693.48	94
5100 Police Department						
Expenditure						
5100 Police Department						
10-5100-0200 SALARIES	965,986.00	965,498.62	965,498.62	0.00	487.38	100
10-5100-0300 OVERTIME	17,000.00	16,585.44	16,585.44	0.00	414.56	98
10-5100-0400 SEPARATION ALLOWANCE	30,617.00	30,617.34	30,617.34	0.00	-0.34	100
10-5100-0500 FICA	71,526.00	66,543.64	66,543.64	0.00	4,982.36	93
10-5100-0600 HEALTH INSURANCE (MEDICAL)	148,416.00	146,900.80	146,900.80	0.00	1,515.20	99

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10-5100-0650 DENTAL, VISION, LIFE INSURANCE	18,892.00	19,168.32	19,168.32	0.00	-276.32	101
10-5100-0675 HRA HEALTH REIMB ACCT	25,500.00	25,250.00	25,250.00	0.00	250.00	99
10-5100-0700 LGERS RETIREMENT	168,681.00	158,452.33	158,452.33	0.00	10,228.67	94
10-5100-0800 401K SUPP RETIREMENT	50,474.00	48,001.60	48,001.60	0.00	2,472.40	95
10-5100-1500 MAINT/REPAIR - BLDG/GROUNDS	11,000.00	5,010.26	9,795.37	4,785.11	1,204.63	89
10-5100-1600 MAINT/REPAIR - EQUIPMENT	2,000.00	793.24	1,790.24	997.00	209.76	90
10-5100-1700 MAINT/REPAIR - VEHICLES	12,000.00	7,420.88	10,132.05	2,711.17	1,867.95	84
10-5100-3100 MOTOR FUELS	22,000.00	21,596.41	21,596.41	0.00	403.59	98
10-5100-3300 SUPPLIES	6,620.00	4,426.32	4,426.32	0.00	2,193.68	67
10-5100-3600 UNIFORMS	7,500.00	5,749.71	7,572.06	1,822.35	-72.06	101
10-5100-3700 SOFTWARE	65,000.00	62,056.90	64,987.45	2,930.55	12.55	100
10-5100-3800 TECHNOLOGY	60,000.00	51,503.51	54,459.43	2,955.92	5,540.57	91
10-5100-5700 MISCELLANEOUS	8,500.00	7,758.41	8,174.11	415.70	325.89	96
10-5100-5800 PHYSICAL EXAMS	760.00	950.52	950.52	0.00	-190.52	125
10-5100-6500 STAFF DEVELOPMENT	14,705.00	13,143.73	14,700.73	1,557.00	4.27	100
10-5100-7400 CAPITAL EQUIPMENT PURCHASES	121,500.00	108,731.71	121,254.92	12,523.21	245.08	100
5100 Police Department Subtotal	\$1,828,677.00	\$1,766,159.69	\$1,796,857.70	\$30,698.01	\$31,819.30	98
Expenditure Subtotal	\$1,828,677.00	\$1,766,159.69	\$1,796,857.70	\$30,698.01	\$31,819.30	98
Before Transfers	Deficiency Of Revenue Subtotal	-\$1,828,677.00	-\$1,766,159.69	-\$1,766,159.69	-\$30,698.01	97
After Transfers	Deficiency Of Revenue Subtotal	-\$1,828,677.00	-\$1,766,159.69	-\$1,766,159.69	-\$30,698.01	97
5200 Fire Services						
Expenditure						
5200 Fire Services						
10-5200-0000 FIRE CONTRACT	425,000.00	425,000.00	425,000.00	0.00	0.00	100
5200 Fire Services Subtotal	\$425,000.00	\$425,000.00	\$425,000.00	\$0.00	\$0.00	100
Expenditure Subtotal	\$425,000.00	\$425,000.00	\$425,000.00	\$0.00	\$0.00	100
Before Transfers	Deficiency Of Revenue Subtotal	-\$425,000.00	-\$425,000.00	-\$425,000.00	\$0.00	100
After Transfers	Deficiency Of Revenue Subtotal	-\$425,000.00	-\$425,000.00	-\$425,000.00	\$0.00	100
5600 Public Works						
Expenditure						
5600 Public Works						
10-5600-0200 SALARIES	239,707.00	238,121.49	238,121.49	0.00	1,585.51	99
10-5600-0300 OVERTIME	15,000.00	0.00	0.00	0.00	15,000.00	0
10-5600-0500 FICA	19,485.00	15,795.99	15,795.99	0.00	3,689.01	81
10-5600-0550 UNEMPLOYMENT INSURANCE	500.00	0.00	0.00	0.00	500.00	0
10-5600-0600 HOSPITAL INSURANCE (MEDICAL)	46,872.00	34,259.93	34,259.93	0.00	12,612.07	73
10-5600-0650 DENTAL, VISION, LIFE INSURANCE	6,739.00	3,936.72	3,936.72	0.00	2,802.28	58
10-5600-0675 HRA HEALTH REIMB ACCT	9,000.00	6,312.50	6,312.50	0.00	2,687.50	70
10-5600-0700 LGERS RETIREMENT	45,924.00	37,623.53	37,623.53	0.00	8,300.47	82
10-5600-0800 401K SUPP RETIREMENT	12,735.00	11,097.20	11,097.20	0.00	1,637.80	87
10-5600-1000 OUTSIDE SERVICES	10,000.00	1,109.40	1,109.40	0.00	8,890.60	11
10-5600-1300 STREETLIGHTS ELECTRIC	7,000.00	1,772.54	1,772.54	0.00	5,227.46	25
10-5600-1500 MAINT/REPAIR - BLDG/GROUNDS	10,000.00	3,464.45	3,464.45	0.00	6,535.55	35

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10-5600-1600 MAINT/REPAIR- STREETLIGHTS	25,000.00	24,695.64	24,912.64	217.00	87.36	100
10-5600-1700 MAINT/REPAIR - VEHICLES	10,000.00	5,748.01	5,933.97	185.96	4,066.03	59
10-5600-3100 MOTOR FUELS	19,000.00	17,351.46	17,351.46	0.00	1,648.54	91
10-5600-3300 SUPPLIES	10,000.00	5,608.93	5,685.10	76.17	4,314.90	57
10-5600-3400 STREET SIGNS & NUMBERS	1,000.00	285.23	285.23	0.00	714.77	29
10-5600-3600 UNIFORMS	8,000.00	3,373.97	4,799.27	1,425.30	3,200.73	60
10-5600-3800 TECHNOLOGY	10,000.00	7,114.50	7,114.50	0.00	2,885.50	71
10-5600-5200 PARKS	42,000.00	24,328.31	24,531.61	203.30	17,468.39	58
10-5600-5202 GREENWOOD PARK STREAM RESTORA	300,000.00	27,971.60	27,971.60	0.00	272,028.40	9
10-5600-5800 PHYSICAL EXAMS	500.00	0.00	0.00	0.00	500.00	0
10-5600-5900 MISCELLANEOUS	2,000.00	773.23	1,174.48	401.25	825.52	59
10-5600-6500 STAFF DEVELOPMENT	2,000.00	1,385.51	1,385.51	0.00	614.49	69
40-5600-7401 ARP CAPITAL PROJECTS	451,275.58	0.00	0.00	0.00	451,275.58	0
5600 Public Works Subtotal	\$1,303,737.58	\$472,130.14	\$474,639.12	\$2,508.98	\$829,098.46	36
Expenditure Subtotal	\$1,303,737.58	\$472,130.14	\$474,639.12	\$2,508.98	\$829,098.46	36
Before Transfers	Deficiency Of Revenue Subtotal	-\$1,303,737.58	-\$472,130.14	-\$472,130.14	-\$2,508.98	36
After Transfers	Deficiency Of Revenue Subtotal	-\$1,303,737.58	-\$472,130.14	-\$472,130.14	-\$2,508.98	36
5700 Streets & Transportation						
Expenditure						
5700 Streets & Transportation						
10-5700-1700 VEHICLE REPAIRS - STREET DEPT.	10,000.00	5,125.09	5,125.09	0.00	4,874.91	51
10-5700-2200 CONTRACTS- PAVING & STRIPING	227,907.00	735.20	735.20	0.00	227,171.80	0
10-5700-2300 SUPPLIES	12,500.00	9,747.56	12,341.35	2,593.79	158.65	99
10-5700-2400 TRAFFIC SIGNS	1,000.00	560.22	560.22	0.00	439.78	56
10-5700-2500 STORM WATER DRAINAGE	140,000.00	133,044.07	133,044.07	0.00	6,955.93	95
10-5700-3800 TECHNOLOGY	5,000.00	2,283.89	2,283.89	0.00	2,716.11	46
10-5700-6500 STAFF DEVELOPMENT	1,000.00	286.58	286.58	0.00	713.42	29
10-5700-7400 CAPITAL EQUIPMENT PURCHASES	5,000.00	199.95	199.95	0.00	4,800.05	4
10-5700-7500 ENGINEERING	120,000.00	105,964.36	105,964.36	0.00	14,035.64	88
5700 Streets & Transportation Subtotal	\$522,407.00	\$257,946.92	\$260,540.71	\$2,593.79	\$261,866.29	50
Expenditure Subtotal	\$522,407.00	\$257,946.92	\$260,540.71	\$2,593.79	\$261,866.29	50
Before Transfers	Deficiency Of Revenue Subtotal	-\$522,407.00	-\$257,946.92	-\$257,946.92	-\$2,593.79	49
After Transfers	Deficiency Of Revenue Subtotal	-\$522,407.00	-\$257,946.92	-\$257,946.92	-\$2,593.79	49
5800 Sanitation & Recycling						
Expenditure						
5800 Sanitation & Recycling						
10-5800-0200 SALARIES	124,142.00	123,570.58	123,570.58	0.00	571.42	100
10-5800-0300 OVERTIME	2,500.00	286.10	286.10	0.00	2,213.90	11
10-5800-0500 FICA	10,071.00	8,474.24	8,474.24	0.00	1,596.76	84
10-5800-0600 HEALTH INSURANCE (MEDICAL)	34,400.00	20,590.56	20,590.56	0.00	13,809.44	60
10-5800-0650 DENTAL,VISION, LIFE INSURANCE	4,170.00	1,968.00	1,968.00	0.00	2,202.00	47
10-5800-0675 HRA HEALTH REIMB ACCT	4,500.00	4,500.00	4,500.00	0.00	0.00	100
10-5800-0700 LGERS RETIREMENT	23,735.00	20,004.94	20,004.94	0.00	3,730.06	84

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10-5800-0800 401K SUPP RETIREMENT	6,582.00	6,235.96	6,235.96	0.00	346.04	95
10-5800-1700 MAINT/REPAIRS - VEHICLES	33,000.00	24,647.45	24,647.45	0.00	8,352.55	75
10-5800-3100 MOTOR FUELS	24,500.00	23,394.13	23,394.13	0.00	1,105.87	95
10-5800-3300 SUPPLIES	0.00	241.39	241.39	0.00	-241.39	0
10-5800-3600 UNIFORMS	1,500.00	1,022.45	1,022.45	0.00	477.55	68
10-5800-3800 TECHNOLOGY	1,000.00	552.98	552.98	0.00	447.02	55
10-5800-5800 PHYSICAL EXAMS	500.00	0.00	0.00	0.00	500.00	0
10-5800-5900 MISCELLANEOUS	1,000.00	531.64	531.64	0.00	468.36	53
10-5800-6000 CAPITAL OUTLAY	55,000.00	0.00	49,900.00	49,900.00	5,100.00	91
10-5800-8000 TIPPING FEES & BRUSH REMOVAL	60,000.00	57,766.88	57,766.88	0.00	2,233.12	96
10-5800-8100 RECYCLING	12,000.00	0.00	0.00	0.00	12,000.00	0
5800 Sanitation & Recycling Subtotal	\$398,600.00	\$293,787.30	\$343,687.30	\$49,900.00	\$54,912.70	86
Expenditure Subtotal	\$398,600.00	\$293,787.30	\$343,687.30	\$49,900.00	\$54,912.70	86
Before Transfers	Deficiency Of Revenue Subtotal	-\$398,600.00	-\$293,787.30	-\$293,787.30	-\$49,900.00	74
After Transfers	Deficiency Of Revenue Subtotal	-\$398,600.00	-\$293,787.30	-\$293,787.30	-\$49,900.00	74
6600 General Government						
Expenditure						
6600 General Government						
10-6600-0401 LEGAL SERVICES	35,000.00	27,277.90	27,277.90	0.00	7,722.10	78
10-6600-1100 TECHNOLOGY	100,000.00	93,433.76	93,433.76	0.00	6,566.24	93
10-6600-1300 MUNICIPAL UTILITIES	40,000.00	37,079.16	37,079.16	0.00	2,920.84	93
10-6600-1500 GE. REPS. AND MAINT.	45,000.00	39,149.88	39,149.88	0.00	5,850.12	87
10-6600-5400 INSURANCE	90,000.00	82,911.43	82,911.43	0.00	7,088.57	92
10-6600-6000 CONTINGENCY	115,925.00	0.00	0.00	0.00	115,925.00	0
10-6600-6100 MISCELLANEOUS	13,000.00	10,908.80	10,908.80	0.00	2,091.20	84
10-6600-6201 COVID EXPENDITURES	2,000.00	899.97	899.97	0.00	1,100.03	45
10-6600-6301 4TH OF JULY	10,000.00	6,343.21	8,488.22	2,145.01	1,511.78	85
10-6600-6302 NATIONAL NIGHT OUT	7,000.00	3,840.88	5,329.57	1,488.69	1,670.43	76
10-6600-6303 HOLIDAY LIGHTING	21,500.00	10,842.70	20,892.70	10,050.00	607.30	97
10-6600-6304 ARBOR DAY EVENT	2,000.00	204.79	1,540.31	1,335.52	459.69	77
10-6600-6400 WILDLIFE MANAGEMENT	1,500.00	976.92	1,469.12	492.20	30.88	98
10-6600-6500 FOREST MANAGEMENT	37,500.00	32,131.00	32,485.50	354.50	5,014.50	87
10-6600-7600 FIRE PROTECTION	0.00	106,250.00	106,250.00	0.00	-106,250.00	0
6600 General Government Subtotal	\$520,425.00	\$452,250.40	\$468,116.32	\$15,865.92	\$52,308.68	90
Expenditure Subtotal	\$520,425.00	\$452,250.40	\$468,116.32	\$15,865.92	\$52,308.68	90
Before Transfers	Deficiency Of Revenue Subtotal	-\$520,425.00	-\$452,250.40	-\$452,250.40	-\$15,865.92	87
After Transfers	Deficiency Of Revenue Subtotal	-\$520,425.00	-\$452,250.40	-\$452,250.40	-\$15,865.92	87
6700 Debt Service						
Expenditure						
6700 Debt Service						
10-6700-0100 Police Dept Renovations-Principal	23,334.00	23,333.32	23,333.32	0.00	0.68	100
10-6700-0200 Street Improvements-Principal	6,667.00	6,666.68	6,666.68	0.00	0.32	100
10-6700-0500 Public Works Building-Principal	84,211.00	84,564.05	84,564.05	0.00	-353.05	100

REVENUE & EXPENDITURE STATEMENT

Town of Biltmore Forest

07/01/2021 To 06/30/2022

FY 2021-2022

Account	Budget (\$)	Current Period (\$)	YTD With Encumbrance (\$)	Encumbrance (\$)	Remaining Balance (\$)	% Used
10-6700-0600 2020 POLICE CARS-PRINCIPAL	28,327.00	28,327.00	28,327.00	0.00	0.00	100
10-6700-1100 Police Dept Renovations-Interest	2,334.00	2,333.63	2,333.63	0.00	0.37	100
10-6700-1200 Street Improvements-Interest	667.00	666.74	666.74	0.00	0.26	100
10-6700-1500 Public Works Building-Interest	20,514.00	20,160.15	20,160.15	0.00	353.85	98
10-6700-1600 2020 POLICE CARS-INTEREST	1,580.00	1,578.76	1,578.76	0.00	1.24	100
6700 Debt Service Subtotal	\$167,634.00	\$167,630.33	\$167,630.33	\$0.00	\$3.67	100
Expenditure Subtotal	\$167,634.00	\$167,630.33	\$167,630.33	\$0.00	\$3.67	100
Before Transfers	Deficiency Of Revenue Subtotal	-\$167,634.00	-\$167,630.33	-\$167,630.33	\$0.00	100
After Transfers	Deficiency Of Revenue Subtotal	-\$167,634.00	-\$167,630.33	-\$167,630.33	\$0.00	100
8100 Water Dept.						
Expenditure						
8100 Water Dept.						
30-8100-0200 SALARIES	112,619.00	108,209.88	108,209.88	0.00	4,409.12	96
30-8100-0400 PROFESSIONAL SERVICES	5,000.00	4,844.58	4,852.06	7.48	147.94	97
30-8100-0500 FICA	8,182.00	7,612.59	7,612.59	0.00	569.41	93
30-8100-0600 HEALTH INSURANCE (MEDICAL)	18,351.00	16,527.31	16,527.31	0.00	1,823.69	90
30-8100-0650 DENTAL, VISION, LIFE INSURANCE	2,718.00	2,532.92	2,532.92	0.00	185.08	93
30-8100-0675 HRA HEALTH REIMBURSEMENT ACCT	3,250.00	2,937.50	2,937.50	0.00	312.50	90
30-8100-0700 LGERS RETIREMENT	19,285.00	18,409.09	18,409.09	0.00	875.91	95
30-8100-0800 401K SUPP RETIREMENT	5,348.00	6,272.92	6,272.92	0.00	-924.92	117
30-8100-1200 POSTAGE, PRINTING, & STATIONARY	5,000.00	4,340.38	4,340.38	0.00	659.62	87
30-8100-1500 GENERAL REPAIRS	10,000.00	0.00	0.00	0.00	10,000.00	0
30-8100-3300 SUPPLIES & EQUIPMENT	15,000.00	16,592.29	18,680.75	2,088.46	-3,680.75	125
30-8100-3800 TECHNOLOGY	5,000.00	2,283.89	2,283.89	0.00	2,716.11	46
30-8100-4800 WATER PURCHASES	196,066.00	186,126.82	186,126.82	0.00	9,939.18	95
30-8100-4900 SEWER PURCHASES	350,595.00	346,006.96	346,006.96	0.00	4,588.04	99
30-8100-5000 AMI TRANSMITTER FEES	7,700.00	8,129.26	8,129.26	0.00	-429.26	106
30-8100-5700 MISCELLANEOUS	4,284.00	0.00	0.00	0.00	4,284.00	0
30-8100-6500 STAFF DEVELOPMENT	5,000.00	4,943.43	4,943.43	0.00	56.57	99
30-8100-7400 CAPITAL IMPROVEMENT	29,939.00	18,243.51	18,243.51	0.00	11,695.49	61
8100 Water Dept. Subtotal	\$803,337.00	\$754,013.33	\$756,109.27	\$2,095.94	\$47,227.73	94
Expenditure Subtotal	\$803,337.00	\$754,013.33	\$756,109.27	\$2,095.94	\$47,227.73	94
Before Transfers	Deficiency Of Revenue Subtotal	-\$803,337.00	-\$754,013.33	-\$754,013.33	-\$2,095.94	94
After Transfers	Deficiency Of Revenue Subtotal	-\$803,337.00	-\$754,013.33	-\$754,013.33	-\$2,095.94	94

**BOARD OF COMMISSIONERS MEETING
STAFF MEMORANDUM**

July 12, 2022



Agenda Item E-1

Fire Insurance Rating Improvement

Chief Trevor Lance, Skyland Fire Department

Background

The Town and Skyland Fire Department recently assisted the North Carolina Office of the State Fire Marshal's Office during an insurance rating assessment. The result of this review was an improved fire insurance rating for the Town – moving from a Class 3 rating to a Class 2 rating. This improvement is terrific news for the Town's citizens from both a protection standpoint and insurance classification standpoint. The Town is appreciative of Skyland Fire Department's hard work and excellent service that led to this improvement. The Town's Public Works Department should also be commended for superb maintenance and operation for the Town's water system.

Additional Information

Attached to this memorandum are several pieces of correspondence from the NC Department of Insurance and Office of the State Fire Marshal. In addition to the announcements and letters, the most informative attachment is the Public Protection Classification Report. This report provides the basis for the upgraded rating from Class 3 to Class 2.

Chief Trevor Lance from Skyland Fire Department will be available at the Board's meeting Tuesday to provide more insight and information into this new classification.

Public Protection Classification Summary Report

Biltmore Forest

NORTH CAROLINA

Prepared by

**North Carolina Department of Insurance
Office of State Fire Marshal
1202 Mail Service Center
Raleigh, NC 27699-1202
(919) 647-0000**

June 27, 2022

Background Information

Introduction

Office of State Fire Marshal (**OSFM**) collects and evaluates information from communities in North Carolina on their structure fire suppression capabilities. The data is analyzed using our Fire Suppression Rating Schedule (**FSRS**) and then a Public Protection Classification (**PPC™**) grade is assigned to the community. The surveys are conducted whenever it appears that there is a possibility of a PPC change. As such, the PPC program provides important, up-to-date information about fire protection services throughout the country.

The FSRS recognizes fire protection features only as they relate to suppression of first alarm structure fires. In many communities, fire suppression may be only a small part of the fire department's overall responsibility. OSFM recognizes the dynamic and comprehensive duties of a community's fire service, and understands the complex decisions a community must make in planning and delivering emergency services. However, in developing a community's PPC grade, only features related to reducing property losses from structural fires are evaluated. Multiple alarms, simultaneous incidents and life safety are not considered in this evaluation. The PPC program evaluates the fire protection for small to average size buildings. Specific properties with a Needed Fire Flow more than 3,500 gpm are evaluated separately and assigned an individual PPC grade.

A community's investment in fire mitigation is a proven and reliable predictor of future fire losses. Statistical data on insurance losses bears out the relationship between excellent fire protection – as measured by the PPC program – and low fire losses. So, insurance companies use PPC information for marketing, underwriting, and to help establish fair premiums for homeowners and commercial fire insurance. In general, the price of fire insurance in a community with a good PPC grade is substantially lower than in a community with a poor PPC grade, assuming all other factors are equal.

OSFM's expert staff collects information about the fire suppression efforts in communities throughout North Carolina. In each of those communities, OSFM analyzes the relevant data and assigns a PPC grade – a number from 1 to 10. Class 1 represents an exemplary fire suppression program, and Class 10 indicates that the area's fire suppression program does not meet OSFM's minimum criteria.

OSFM's PPC program evaluates communities per a uniform set of criteria, incorporating nationally recognized standards developed by the National Fire Protection Association and the American Water Works Association. A community's PPC grade depends on:

- **Needed Fire Flows**, which are representative building locations used to determine the theoretical amount of water necessary for fire suppression purposes.
- **Emergency Communications**, including emergency reporting, Telecommunicators, and dispatching systems.
- **Fire Department**, including equipment, staffing, training, geographic distribution of fire companies, operational considerations, and community risk reduction.
- **Water Supply**, including inspection and flow testing of hydrants, alternative water supply operations, and a careful evaluation of the amount of available water compared with the amount needed to suppress fires up to 3,500 gpm.
- **Community Risk Reduction**, community efforts to reduce the risk of fire, including fire prevention codes and enforcement, public fire safety education, and fire investigation programs.

Data Collection and Analysis

OSFM has evaluated and classified over 1,200 fire district across North Carolina using the FSRS. A combination of meetings between trained OSFM field representatives and the dispatch center coordinator, community fire official, and water superintendent is used in conjunction with a comprehensive questionnaire to collect the data necessary to determine the PPC grade. For a community to obtain a grade better than a Class 9, three elements of fire suppression features are reviewed. These three elements are Emergency Communications, Fire Department, and Water Supply.

A review of the **Emergency Communications** accounts for 10% of the total classification. This section is weighted at **10 points**, as follows:

- Emergency Reporting 3 points
- Telecommunicators 4 points
- Dispatch Circuits 3 points

A review of the **Fire Department** accounts for 50% of the total classification. OSFM focuses on a fire department's first alarm response and initial attack to minimize potential loss. The fire department section is weighted at **50 points**, as follows:

- Engine Companies 6 points
- Reserve Pumpers 0.5 points
- Pump Capacity 3 points
- Ladder/Service Companies 4 points
- Reserve Ladder/Service Trucks 0.5 points
- Deployment Analysis 10 points
- Company Personnel 15 points
- Training 9 points
- Operational considerations 2 points
- Community Risk Reduction 5.5 points (in addition to the 50 points above)

A review of the **Water Supply** system accounts for 40% of the total classification. OSFM reviews the water supply a community uses to determine the adequacy for fire suppression purposes. The water supply system is weighted at **40 points**, as follows:

- Credit for Supply System 30 points
- Hydrant Size, Type & Installation 3 points
- Inspection & Flow Testing of Hydrants 7 points

There is one additional factor considered in calculating the final score – **Divergence**.

Even the best fire department will be less than fully effective if it has an inadequate water supply. Similarly, even a superior water supply will be less than fully effective if the fire department lacks the equipment or personnel to use the water. The FSRS score is subject to modification by a divergence factor, which recognizes disparity between the effectiveness of the fire department and the water supply. The Divergence factor mathematically reduces the score based upon the relative difference between the fire department and water supply scores. The factor is introduced in the final equation.

PPC Grade

The PPC grade assigned to the community will depend on the community's score on a 100-point scale:

PPC	Points
1	90.00 or more
2	80.00 to 89.99
3	70.00 to 79.99
4	60.00 to 69.99
5	50.00 to 59.99
6	40.00 to 49.99
7	30.00 to 39.99
8	20.00 to 29.99
9	10.00 to 19.99
10	0.00 to 9.99

The classification numbers are interpreted as follows:

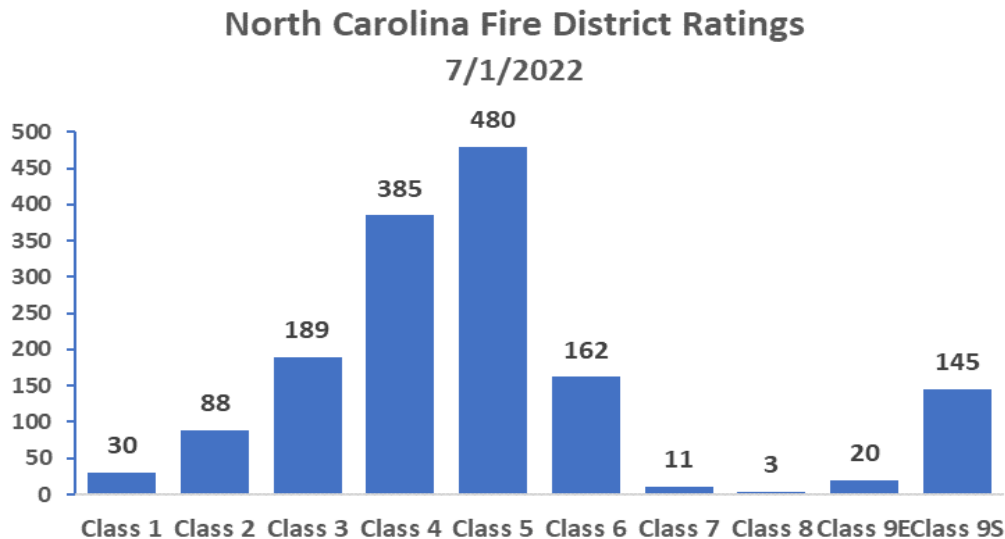
- Class 1 through (and including) Class 8 represents a fire suppression system that includes an FSRs creditable dispatch center, fire department, and water supply.
- Class 8B is a special classification that recognizes a superior level of fire protection in otherwise Class 9 areas. It is designed to represent a fire protection delivery system that is superior except for a lack of a water supply system capable of the minimum FSRs fire flow criteria of 250 gpm for 2 hours.
- Class 9 is a fire suppression system that includes a creditable dispatch center, fire department but no FSRs creditable water supply.
- Class 10 does not meet minimum OSFM criteria for recognition, including areas that are beyond five road miles of a recognized fire station.

Distribution of PPC Grades

The 2018 published countrywide distribution of communities by the PPC grade is as follows:



The rating of the 1513 Fire Districts in North Carolina is as follow:



Assistance

OSFM offers help to communities, fire departments, and other public officials as they plan for, budget, and justify improvements. OSFM is also available to assist in the understanding of the details of this evaluation.

PPC Review

OSFM concluded its review of the fire suppression features being provided for Biltmore Forest. The resulting community classification is **Class 02**.

If the classification is a single class, the classification applies to properties with a Needed Fire Flow of 3,500 gpm or less in the community. If the classification is a split class (e.g., 6/9S):

- The first class (e.g., “6” in a 6/9S) applies to properties within 5 road miles of a recognized fire station and within 1,000 feet of a fire hydrant or alternate water supply.
- The second class (9S) applies to properties beyond 1,000 feet of a fire hydrant but within 5 road miles of a recognized fire station.
- Alternative Water Supply: The first class (e.g., “6” in a 6/10) applies to properties within 5 road miles of a recognized fire station with no hydrant distance requirement. There is an exception if the district has a 6-mile district then the properties between 5 and 6 miles will receive the rating of 9E
- Class 10 applies to properties over 5 or 6 road miles of a recognized fire station depending on if the district has an approved 6-mile district.
- Specific properties with a Needed Fire Flow more than 3,500 gpm are evaluated separately and assigned an individual classification.

FSRS Feature	Earned Credit	Credit Available
Emergency Communications		
414. Credit for Emergency Reporting	3.00	3
422. Credit for Telecommunicators	4.00	4
432. Credit for Dispatch Circuits	1.35	3
440. Credit for Emergency Communications	8.35	10
Fire Department		
513. Credit for Engine Companies	3.00	6
523. Credit for Reserve Pumpers	0.50	0.50
532. Credit for Pump Capacity	3.00	3
549. Credit for Ladder Service	1.13	4
553. Credit for Reserve Ladder and Service Trucks	0.00	0.50
561. Credit for Deployment Analysis	1.58	10
571. Credit for Company Personnel	18.16	15
581. Credit for Training	8.76	9
730. Credit for Operational Considerations	2.00	2
590. Credit for Fire Department	38.13	50
Water Supply		
616. Credit for Supply System	23.61	30
621. Credit for Hydrants	2.25	3
631. Credit for Inspection and Flow Testing	7.00	7
640. Credit for Water Supply	32.86	40
Divergence	-1.18	--
1050. Community Risk Reduction	4.75	5.50
Total Credit	82.91	105.50

Emergency Communications

Ten percent of a community's overall score is based on how well the communications center receives and dispatches fire alarms. Our field representative evaluated:

- Communications facilities provided for the general public to report structure fires
- Enhanced 9-1-1 Telephone Service including wireless
- Computer-aided dispatch (CAD) facilities
- Alarm receipt and processing at the communication center
- Training and certification of Telecommunicators
- Facilities used to dispatch fire department companies to reported structure fires

	Earned Credit	Credit Available
414. Credit Emergency Reporting	3.00	3
422. Credit for Telecommunicators	4.00	4
432. Credit for Dispatch Circuits	1.35	3
Item 440. Credit for Emergency Communications:	8.35	10

Item 414 - Credit for Emergency Reporting (3 points)

The first item reviewed is Item 414 "Credit for Emergency Reporting (CER)". This item reviews the emergency communication center facilities provided for the public to report fires including 911 systems (Basic or Enhanced), Wireless Phase I and Phase II, Voice over Internet Protocol, Computer Aided Dispatch and Geographic Information Systems for automatic vehicle location. OSFM uses National Fire Protection Association (NFPA) 1221, *Standard for the Installation, Maintenance and Use of Emergency Services Communications Systems* as the reference for this section.

Item 410. Emergency Reporting (CER)	Earned Credit	Credit Available
<p>A./B. Basic 9-1-1, Enhanced 9-1-1 or No 9-1-1</p> <p>For maximum credit, there should be an Enhanced 9-1-1 system, Basic 9-1-1 and No 9-1-1 will receive partial credit.</p>	20.00	20
<p>1. E9-1-1 Wireless</p> <p>Wireless Phase I using Static ALI (automatic location identification) Functionality (10 points); Wireless Phase II using Dynamic ALI Functionality (15 points); Both available will be 25 points</p>	25.00	25
<p>2. E9-1-1 Voice over Internet Protocol (VoIP)</p> <p>Static VoIP using Static ALI Functionality (10 points); Nomadic VoIP using Dynamic ALI Functionality (15 points); Both available will be 25 points</p>	25.00	25
<p>3. Computer Aided Dispatch</p> <p>Basic CAD (5 points); CAD with Management Information System (5 points); CAD with Interoperability (5 points)</p>	15.00	15
<p>4. Geographic Information System (GIS/AVL)</p> <p><u>The PSAP uses</u> a fully integrated CAD/GIS management system with automatic vehicle location (AVL) integrated with a CAD system providing dispatch assignments.</p> <p>The individual fire departments being dispatched <u>do not</u> need GIS/AVL capability to obtain this credit.</p>	15.00	15
<p>Review of Emergency Reporting total:</p>	100.00	100

Item 422- Credit for Telecommunicators (4 points)

The second item reviewed is Item 422 “Credit for Telecommunicators (TC)”. This item reviews the number of Telecommunicators on duty at the center to handle fire calls and other emergencies. All emergency calls including those calls that do not require fire department action are reviewed to determine the proper staffing to answer emergency calls and dispatch the appropriate emergency response. NFPA 1221, *Standard for the Installation, Maintenance and Use of Emergency Services Communications Systems*, recommends that ninety-five percent of emergency calls shall be answered within 15 seconds and ninety-nine percent of emergency calls shall be answered within 40 seconds. In addition, NFPA recommends that ninety percent of emergency alarm processing shall be completed within 60 seconds and ninety-nine percent of alarm processing shall be completed within 90 seconds of answering the call.

To receive full credit for operators on duty, OSFM must review documentation to show that the communication center meets NFPA 1221 call answering and dispatch time performance measurement standards. This documentation may be in the form of performance statistics or other performance measurements compiled by the 9-1-1 software or other software programs that are currently in use such as Computer Aided Dispatch (CAD) or Management Information System (MIS).

Item 420. Telecommunicators (CTC)	Earned Credit	Credit Available
<p>A1. Alarm Receipt (AR)</p> <p>Receipt of alarms shall meet the requirements in accordance with the criteria of NFPA 1221</p>	20.00	20
<p>A2. Alarm Processing (AP)</p> <p>Processing of alarms shall meet the requirements in accordance with the criteria of NFPA 1221</p>	20.00	20
<p>B. Emergency Dispatch Protocols (EDP)</p> <p>Telecommunicators have emergency dispatch protocols (EDP) containing questions and a decision-support process to facilitate correct call categorization and prioritization.</p>	20.00	20
<p>C. Telecommunicator Training and Certification (TTC)</p> <p>Telecommunicators meet the qualification requirements referenced in NFPA 1061, <i>Standard for Professional Qualifications for Public Safety Telecommunicator</i>, and/or the Association of Public-Safety Communications Officials - International (APCO) <i>Project 33</i>. Telecommunicators are certified in the knowledge, skills, and abilities corresponding to their job functions.</p>	20.00	20
<p>D. Telecommunicator Continuing Education and Quality Assurance (TQA)</p> <p>Telecommunicators participate in continuing education and/or in-service training and quality-assurance programs as appropriate for their positions</p>	20.00	20
<p>Review of Telecommunicators total:</p>	100.00	100

Item 432 - Credit for Dispatch Circuits (3 points)

The third item reviewed is Item 432 “Credit for Dispatch Circuits (CDC)”. This item reviews the dispatch circuit facilities used to transmit alarms to fire department members. A “Dispatch Circuit” is defined in NFPA 1221 as “A circuit over which an alarm is transmitted from the communications center to an emergency response facility (ERF) or emergency response units (ERUs) to notify ERUs to respond to an emergency”. All fire departments (except single fire station departments with full-time firefighter personnel receiving alarms directly at the fire station) need adequate means of notifying all firefighter personnel of the location of reported structure fires. The dispatch circuit facilities should be in accordance with the general criteria of NFPA 1221. “Alarms” are defined in this Standard as “A signal or message from a person or device indicating the existence of an emergency or other situation that requires action by an emergency response agency”.

There are two different levels of dispatch circuit facilities provided for in the Standard – a primary dispatch circuit and a secondary dispatch circuit. In jurisdictions that receive 730 alarms or more per year (average of two alarms per 24-hour period), two separate and dedicated dispatch circuits, a primary and a secondary, are needed. In jurisdictions receiving fewer than 730 alarms per year, a second dedicated dispatch circuit is not needed. Dispatch circuit facilities installed but not used or tested (in accordance with the NFPA Standard) receive no credit.

The score for Credit for Dispatch Circuits (CDC) is influenced by monitoring for integrity of the primary dispatch circuit. There are up to 0.90 points available for this Item. Monitoring for integrity involves installing automatic systems that will detect faults and failures and send visual and audible indications to appropriate communications center (or dispatch center) personnel. OSFM uses NFPA 1221 to guide the evaluation of this item. OSFM's evaluation also includes a review of the communication system's emergency power supplies.

Item 432 “Credit for Dispatch Circuits (CDC)” = 1.35 points

Fire Department

Fifty percent of a community's overall score is based upon the fire department's structure fire suppression system. OSFM's field representative evaluated:

- Engine and ladder/service vehicles including reserve apparatus
- Equipment carried
- Response to reported structure fires
- Deployment analysis of companies
- Available and/or responding firefighters
- Training

	Earned Credit	Credit Available
513. Credit for Engine Companies	3.00	6
523. Credit for Reserve Pumpers	0.50	0.5
532. Credit for Pumper Capacity	3.00	3
549. Credit for Ladder Service	1.13	4
553. Credit for Reserve Ladder and Service Trucks	0.00	0.5
561. Credit for Deployment Analysis	1.58	10
571. Credit for Company Personnel	18.16	15
581. Credit for Training	8.76	9
730. Credit for Operational Considerations	2.00	2
Item 590. Credit for Fire Department:	38.13	50

Basic Fire Flow

The Basic Fire Flow for the community is determined by the review of the Needed Fire Flows for selected buildings in the community. The fifth largest Needed Fire Flow is determined to be the Basic Fire Flow. The Basic Fire Flow has been determined to be 1750 gpm.

Item 513 - Credit for Engine Companies (6 points)

The first item reviewed is Item 513 "Credit for Engine Companies (CEC)". This item reviews the number of engine companies, their pump capacity, hose testing, pump testing and the equipment carried on the in-service pumpers. To be recognized, pumper apparatus must meet the general criteria of NFPA 1901, *Standard for Automotive Fire Apparatus* which include a minimum 250 gpm pump, an emergency warning system, a 300-gallon water tank, and hose. At least 1 apparatus must have a permanently mounted pump rated at 750 gpm or more at 150 psi.

The review of the number of needed pumpers considers the response distance to built-upon areas; the Basic Fire Flow; and the method of operation. Multiple alarms, simultaneous incidents, and life safety are not considered.

The greatest value of A, B, or C below is needed in the fire district to suppress fires in structures with a Needed Fire Flow of 3,500 gpm or less: **4 engine companies**

- a) **4 engine companies** to provide fire suppression services to areas to meet NFPA 1710 criteria or within 1½ miles.
- b) **2 engine companies** to support a Basic Fire Flow of 1750 gpm.
- c) **4 engine companies** based upon the fire department's method of operation to provide a minimum two engine response to all first alarm structure fires.

The FSRS recognizes that there are **2 engine companies** in service.

The FSRS also reviews Automatic Aid. Automatic Aid is considered in the review as assistance dispatched automatically by contractual agreement between two communities or fire districts. That differs from mutual aid or assistance arranged case by case. OSFM will recognize an Automatic Aid plan under the following conditions:

- It must be prearranged for first alarm response according to a definite plan. It is preferable to have a written agreement, but OSFM may recognize demonstrated performance.
- The aid must be dispatched to all reported structure fires on the initial alarm.
- The aid must be provided 24 hours a day, 365 days a year.

FSRS Item 512.D "Automatic Aid Engine Companies" responding on first alarm and meeting the needs of the city for basic fire flow and/or distribution of companies are factored based upon the value of the Automatic Aid plan (up to 1.00 can be used as the factor). The Automatic Aid factor is determined by a review of the Automatic Aid provider's communication facilities, how they receive alarms from the graded area, inter-department training between fire departments, and the fire ground communications capability between departments.

For each engine company, the credited Pump Capacity (PC), the Hose Carried (HC), the Equipment Carried (EC) all contribute to the calculation for the percent of credit the FSRS provides to that engine company.

Item 513 "Credit for Engine Companies (CEC)" = 3.00 points

Item 523 - Credit for Reserve Pumpers (0.50 points)

The item is Item 523 “Credit for Reserve Pumpers (CRP)”. This item reviews the number and adequacy of the pumpers and their equipment. The number of needed reserve pumpers is 1 for each 8 needed engine companies determined in Item 513, or any fraction thereof.

Item 523 “Credit for Reserve Pumpers (CRP)” = 0.50 points

Item 532 – Credit for Pumper Capacity (3 points)

The next item reviewed is Item 532 “Credit for Pumper Capacity (CPC)”. The total pump capacity available should be sufficient for the Basic Fire Flow of 1750 gpm. The maximum needed pump capacity credited is the Basic Fire Flow of the community.

Item 532 “Credit for Pumper Capacity (CPC)” = 3.00 points

Item 549 – Credit for Ladder Service (4 points)

The next item reviewed is Item 549 “Credit for Ladder Service (CLS)”. This item reviews the number of response areas within the city with 5 buildings that are 3 or more stories or 35 feet or more in height, or with 5 buildings that have a Needed Fire Flow greater than 3,500 gpm, or any combination of these criteria. The height of all buildings in the city, including those protected by automatic sprinklers, is considered when determining the number of needed ladder companies. Response areas not needing a ladder company should have a service company. Ladders, tools and equipment normally carried on ladder trucks are needed not only for ladder operations but also for forcible entry, ventilation, salvage, overhaul, lighting and utility control.

The number of ladder or service companies, the height of the aerial ladder, aerial ladder testing and the equipment carried on the in-service ladder trucks and service trucks is compared with the number of needed ladder trucks and service trucks and an FSRS equipment list. Ladder trucks must meet the general criteria of NFPA 1901, *Standard for Automotive Fire Apparatus* to be recognized.

The number of needed ladder-service trucks is dependent upon the number of buildings 3 stories or 35 feet or more in height, buildings with a Needed Fire Flow greater than 3,500 gpm, and the method of operation.

The FSRS recognizes that there are **0 ladder companies** in service. These companies are needed to provide fire suppression services to areas to meet NFPA 1710 criteria or within 2½ miles and the number of buildings with a Needed Fire Flow over 3,500 gpm or 3 stories or more in height, or the method of operation.

The FSRS recognizes that there are **1 service companies** in service.

Item 549 “Credit for Ladder Service (CLS)” = 1.13 points

Item 553 – Credit for Reserve Ladder and Service Trucks (0.50 points)

The next item reviewed is Item 553 “Credit for Reserve Ladder and Service Trucks (CRLS)”. This item considers the adequacy of ladder and service apparatus when one (or more in larger communities) of these apparatus are out of service. The number of needed reserve ladder and service trucks is 1 for each 8 needed ladder and service companies that were determined to be needed in Item 540, or any fraction thereof.

Item 553 “Credit for Reserve Ladder and Service Trucks (CRLS)” = 0.00 points

Item 561 – Deployment Analysis (10 points)

Next, Item 561 “Deployment Analysis (DA)” is reviewed. This Item examines the number and adequacy of existing engine and ladder-service companies to cover built-upon areas of the city.

To determine the Credit for Distribution, first the Existing Engine Company (EC) points and the Existing Engine Companies (EE) determined in Item 513 are considered along with Ladder Company Equipment (LCE) points, Service Company Equipment (SCE) points, Engine-Ladder Company Equipment (ELCE) points, and Engine-Service Company Equipment (ESCE) points determined in Item 549.

Secondly, as an alternative to determining the number of needed engine and ladder/service companies through the road-mile analysis, a fire protection area may use the results of a systematic performance evaluation. This type of evaluation analyzes computer-aided dispatch (CAD) history to demonstrate that, with its current deployment of companies, the fire department meets the time constraints for initial arriving engine and initial full alarm assignment in accordance with the general criteria of in NFPA 1710, *Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments*.

A determination is made of the percentage of built upon area within 1½ miles of a first-due engine company and within 2½ miles of a first-due ladder-service company.

Item 561 “Credit Deployment Analysis (DA)” = 1.58 points

Item 571 – Credit for Company Personnel (15 points)

Item 571 “Credit for Company Personnel (CCP)” reviews the average number of existing firefighters and company officers available to respond to reported first alarm structure fires in the city.

The on-duty strength is determined by the yearly average of total firefighters and company officers on-duty considering vacations, sick leave, holidays, “Kelley” days and other absences. When a fire department operates under a minimum staffing policy, this may be used in lieu of determining the yearly average of on-duty company personnel.

Firefighters on apparatus not credited under Items 513 and 549 that regularly respond to reported first alarms to aid engine, ladder, and service companies are included in this item as increasing the total company strength.

Firefighters staffing ambulances or other units serving the general public are credited if they participate in fire-fighting operations, the number depending upon the extent to which they are available and are used for response to first alarms of fire.

On-Call members are credited based on the average number staffing apparatus on first alarms. Off-shift career firefighters and company officers responding on first alarms are considered on the same basis as on-call personnel. For personnel, not normally at the fire station, the number of responding firefighters and company officers is divided by 3 to reflect the time needed to assemble at the fire scene and the reduced ability to act as a team due to the various arrival times at the fire location when compared to the personnel on-duty at the fire station during the receipt of an alarm.

The number of Public Safety Officers who are positioned in emergency vehicles within the jurisdiction boundaries may be credited based on availability to respond to first alarm structure fires. In recognition of this increased response capability the number of responding Public Safety Officers is divided by 2.

The average number of firefighters and company officers responding with those companies credited as Automatic Aid under Items 513 and 549 are considered for either on-duty or on-call company personnel as is appropriate. The actual number is calculated as the average number of company personnel responding multiplied by the value of AA Plan determined in Item 512.D.

The maximum creditable response of on-duty and on-call firefighters is 12, including company officers, for each existing engine and ladder company and 6 for each existing service company.

Chief Officers are not creditable except when more than one chief officer responds to alarms; then extra chief officers may be credited as firefighters if they perform company duties.

The FSRS recognizes **9.62 on-duty personnel** and an average of **1.63 on-call personnel** responding on first alarm structure fires.

Item 571 “Credit for Company Personnel (CCP)” = 18.16 points

Item 581 – Credit for Training (9 points)

Training	Earned Credit	Credit Available
<p>A. Facilities, and Use For maximum credit, each firefighter should receive 18 hours per year in structure fire related subjects as outlined in NFPA 1001.</p>	34.30	35
<p>B. Company Training For maximum credit, each firefighter should receive 16 hours per month in structure fire related subjects as outlined in NFPA 1001.</p>	23.09	25
<p>C. Classes for Officers For maximum credit, each officer should be certified in accordance with the general criteria of NFPA 1021. Additionally, each officer should receive 12 hours of continuing education on or off site.</p>	12.00	12
<p>D. New Driver and Operator Training For maximum credit, each new driver and operator should receive 60 hours of driver/operator training per year in accordance with NFPA 1002 and NFPA 1451.</p>	5.00	5
<p>E. Existing Driver and Operator Training For maximum credit, each existing driver and operator should receive 12 hours of driver/operator training per year in accordance with NFPA 1002 and NFPA 1451.</p>	4.94	5
<p>F. Training on Hazardous Materials For maximum credit, each firefighter should receive 6 hours of training for incidents involving hazardous materials in accordance with NFPA 472.</p>	0.98	1
<p>G. Recruit Training For maximum credit, each firefighter should receive 240 hours of structure fire related training in accordance with NFPA 1001 within the first year of employment or tenure.</p>	5.00	5
<p>H. Pre-Fire Planning Inspections For maximum credit, pre-fire planning inspections of each commercial, industrial, institutional, and other similar type building (all buildings except 1-4 family dwellings) should be made annually by company members. Records of inspections should include up-to date notes and sketches.</p>	12.00	12

Item 580 “Credit for Training (CT)” = 8.76 points

Item 730 – Operational Considerations (2 points)

Item 730 “Credit for Operational Considerations (COC)” evaluates fire department standard operating procedures and incident management systems for emergency operations involving structure fires.

Operational Considerations	Earned Credit	Credit Available
Standard Operating Procedures The department should have established SOPs for fire department general emergency operations	50	50
Incident Management Systems The department should use an established incident management system (IMS)	50	50
Operational Considerations total:	100	100

Item 730 “Credit for Operational Considerations (COC)” = 2.00 points

Water Supply

Forty percent of a community's overall score is based on the adequacy of the water supply system. The OSFM field representative evaluated:

- the capability of the water distribution system to meet the Needed Fire Flows at selected locations up to 3,500 gpm.
- size, type and installation of fire hydrants.
- inspection and flow testing of fire hydrants.

	Earned Credit	Credit Available
616. Credit for Supply System	23.61	30
621. Credit for Hydrants	2.25	3
631. Credit for Inspection and Flow Testing	7.00	7
Item 640. Credit for Water Supply:	32.86	40

Item 616 – Credit for Supply System (30 points)

The first item reviewed is Item 616 “Credit for Supply System (CSS)”. This item reviews the rate of flow that can be credited at each of the Needed Fire Flow test locations considering the supply works capacity, the main capacity and the hydrant distribution. The lowest flow rate of these items is credited for each representative location. A water system capable of delivering 250 gpm or more for a period of two hours plus consumption at the maximum daily rate at the fire location is considered minimum in the OSFM review.

Where there are 2 or more systems or services distributing water at the same location, credit is given based on the joint protection provided by all systems and services available.

The supply works capacity is calculated for each representative Needed Fire Flow test location, considering a variety of water supply sources. These include public water supplies, emergency supplies (usually accessed from neighboring water systems), suction supplies (usually evidenced by dry hydrant installations near a river, lake or other body of water), and supplies developed by a fire department using large diameter hose or vehicles to shuttle water from a source of supply to a fire site. The result is expressed in gallons per minute (gpm).

The normal ability of the distribution system to deliver Needed Fire Flows at the selected building locations is reviewed. The results of a flow test at a representative test location will indicate the ability of the water mains (or fire department in the case of fire department supplies) to carry water to that location.

The hydrant distribution is reviewed within 1,000 feet of representative test locations measured as hose can be laid by apparatus.

For maximum credit, the Needed Fire Flows should be available at each location in the district. Needed Fire Flows of 2,500 gpm or less should be available for 2 hours; and Needed Fire Flows of 3,000 and 3,500 gpm should be obtainable for 3 hours.

Item 616 “Credit for Supply System (CSS)” = 23.61 points

Item 621 – Credit for Hydrants (3 points)

The second item reviewed is Item 621 “Credit for Hydrants (CH)”. This item reviews the number of fire hydrants of each type compared with the total number of hydrants.

There are a total of 230 hydrants in the graded area.

620. Hydrants, - Size, Type and Installation	Number of Hydrants
A. With a 6 -inch or larger branch and a pumper outlet with or without 2½ - inch outlets	0
B. With a 6 -inch or larger branch and no pumper outlet but two or more 2½ -inch outlets, or with a small foot valve, or with a small barrel	230
C/D. With only a 2½ -inch outlet or with less than a 6 -inch branch	0
E/F. Flush Type, Cistern, or Suction Point	0

Item 621 “Credit for Hydrants (CH)” = 2.25 points

Item 630 – Credit for Inspection and Flow Testing (7 points)

The third item reviewed is Item 630 “Credit for Inspection and Flow Testing (CIT)”. This item reviews the fire hydrant inspection frequency, and the completeness of the inspections. Inspection of hydrants should be in accordance with AWWA M-17, *Installation, Field Testing and Maintenance of Fire Hydrants*.

Frequency of Inspection (FI): Average interval between the 3 most recent inspections.

Frequency	Points
1 year	30
2 years	20
3 years	10
4 years	5
5 years or more	No Credit

Note: The points for inspection frequency are reduced by 10 points if the inspections are incomplete or do not include a flushing program. An additional reduction of 10 points are made if hydrants are not subjected to full system pressure during inspections. If the inspection of cisterns or suction points does not include actual drafting with a pumper, or back-flushing for dry hydrants, 20 points are deducted.

Total points for Inspections = 4.00 points

Frequency of Fire Flow Testing (FF): Average interval between the 3 most recent inspections.

Frequency	Points
5 years	40
6 years	30
7 years	20
8 years	10
9 years	5
10 years or more	No Credit

Total points for Fire Flow Testing = 3.00 points

Item 631 “Credit for Inspection and Fire Flow Testing (CIT)” = 7.00 points

Divergence = -1.18

The Divergence factor mathematically reduces the score based upon the relative difference between the fire department and water supply scores. The factor is introduced in the final equation.

Community Risk Reduction

	Earned Credit	Credit Available
1025. Credit for Fire Prevention and Code Enforcement (CPCE)	1.78	2.2
1033. Credit for Public Fire Safety Education (CFSE)	1.87	2.2
1044. Credit for Fire Investigation Programs (CIP)	1.10	1.1
Item 1050. Credit for Community Risk Reduction	4.75	5.50

Item 1025 – Credit for Fire Prevention Code Adoption and Enforcement (2.2 points)	Earned Credit	Credit Available
Fire Prevention Code Regulations (PCR) Evaluation of fire prevention code regulations in effect.	10.00	10
Fire Prevention Staffing (PS) Evaluation of staffing for fire prevention activities.	4.00	8
Fire Prevention Certification and Training (PCT) Evaluation of the certification and training of fire prevention code enforcement personnel.	3.90	6
Fire Prevention Programs (PCP) Evaluation of fire prevention programs.	14.50	16
Review of Fire Prevention Code and Enforcement (CPCE) subtotal:	32.40	40

Item 1033 – Credit for Public Fire Safety Education (2.2 points)	Earned Credit	Credit Available
Public Fire Safety Educators Qualifications and Training (FSQT) Evaluation of public fire safety education personnel training and qualification as specified by the authority having jurisdiction.	10.00	10
Public Fire Safety Education Programs (FSP) Evaluation of programs for public fire safety education.	24.00	30
Review of Public Safety Education Programs (CFSE) subtotal:	34.00	40

Item 1044 – Credit for Fire Investigation Programs (1.1 points)	Earned Credit	Credit Available
Fire Investigation Organization and Staffing (IOS) Evaluation of organization and staffing for fire investigations.	8.00	8
Fire Investigator Certification and Training (IQT) Evaluation of fire investigator certification and training.	6.00	6
Use of National Fire Incident Reporting System (IRS) Evaluation of the use of the National Fire Incident Reporting System (NFIRS) for the 3 years before the evaluation.	6.00	6
Review of Fire Investigation Programs (CIP) subtotal:	20.00	20

Summary of PPC Review
for
Biltmore Forest

FSRS Item	Earned Credit	Credit Available
Emergency Communications		
414. Credit for Emergency Reporting	3.00	3
422. Credit for Telecommunicators	4.00	4
432. Credit for Dispatch Circuits	1.35	3
440. Credit for Emergency Communications	8.35	10
Fire Department		
513. Credit for Engine Companies	3.00	6
523. Credit for Reserve Pumpers	0.50	0.5
532. Credit for Pumper Capacity	3.00	3
549. Credit for Ladder Service	1.13	4
553. Credit for Reserve Ladder and Service Trucks	0.00	0.5
561. Credit for Deployment Analysis	1.58	10
571. Credit for Company Personnel	18.16	15
581. Credit for Training	8.76	9
730. Credit for Operational Considerations	2.00	2
590. Credit for Fire Department	38.13	50
Water Supply		
616. Credit for Supply System	23.61	30
621. Credit for Hydrants	2.25	3
631. Credit for Inspection and Flow Testing	7.00	7
640. Credit for Water Supply	32.86	40
Divergence	-1.18	--
1050. Community Risk Reduction	4.75	5.50
Total Credit	82.91	105.5

Final Community Classification = 02



RATINGS AND INSPECTIONS

Tel 919.647.0000 Fax 919.715.0063

MIKE CAUSEY, INSURANCE COMMISSIONER & STATE FIRE MARSHAL
BRIAN TAYLOR, CHIEF STATE FIRE MARSHAL

June 27, 2022

Trevor Lance
Fire Chief
P.O. Box 640
Skyland, NC 28776

Re: Skyland Fire and Rescue Corporation

Dear Chief Lance:

Congratulations on your recent improvement to your fire suppression rating!

I commend you and your department for your dedication and commitment to making your community a safer place to live.

I know you are proud of your department's achievement and would like to share this news with the members of your community. I also know that the majority of citizens may not be aware that the rating of their responding fire department directly impacts their property insurance calculations. So I'd like to provide you the enclosed news release to offer to your local media. Feel free to add to it or use it as an example in creating your own. You deserve to brag a little about the expertise of your personnel, which saves homeowners money and, most importantly, makes their lives safer.

It was the pleasure of my staff to work with you and members of your staff during the recent survey of your department. Chief Lance, I hope that you will take a few minutes to review our rating process and offer any suggestions that you feel may help us to improve our inspections program. Working together, we can continue to make North Carolina a safer place to live and work.

With warmest personal regard, I remain,

Very truly yours,

A handwritten signature in black ink that reads "Mike Causey". The signature is written in a cursive, flowing style.

Mike Causey
Insurance Commissioner, State Fire Marshal

MC/hr



RATINGS AND INSPECTIONS

Tel 919.647.0000 Fax 919.715.0063

MIKE CAUSEY, INSURANCE COMMISSIONER & STATE FIRE MARSHAL
BRIAN TAYLOR, CHIEF STATE FIRE MARSHAL

For Immediate Release

Contact: Marla Sink
(919) 807-6017

June 27, 2022

Fire District Receives New Rating After Inspection

State Officials Award New District Rating

RALEIGH - North Carolina Insurance Commissioner and State Fire Marshal Mike Causey announced today that the following Fire Districts completed their routine inspection and received the listed rating, on listed effective dates. The inspection, conducted by officials with the Department of Insurance Office of State Fire Marshal (OSFM), is required on a regular basis as part of the North Carolina Response Rating System (NCRRS). Among other things, the routine inspections look for proper staffing levels, sufficient equipment, proper maintenance of equipment, communications capabilities and availability of a water source.

District	Type	Rating	Effective
=====	=====	=====	=====
Biltmore Forest	Municipal	2	10/01/2022
Skyland	Rural	2/9E	10/01/2022

The NCRRS rating system ranges from one (highest) to 10 (not recognized as a certified fire department by the state), with most rural departments falling into the 9S category. While lower ratings do not necessarily indicate poor service, a higher rating does suggest that a department is overall better equipped to respond to fires in its district. Higher ratings can also significantly lower homeowners insurance rates in that fire district.

"I'd like to congratulate Chief Lance for the department's performance and for the hard work of all the department members," said Commissioner Causey. "The citizens in the Town of these districts should rest easy knowing they have a fine group of firefighters protecting them and their property in case of an emergency."

State law requires OSFM officials to inspect departments serving districts of 100,000 people or less, which makes up all but twelve of the state's fire districts.

-NCDOI-



RATINGS AND INSPECTIONS

Tel 919.647.0000 Fax 919.715.0063

MIKE CAUSEY, INSURANCE COMMISSIONER & STATE FIRE MARSHAL
BRIAN TAYLOR, CHIEF STATE FIRE MARSHAL

June 27, 2022

Jonathan Kanipe
Town Manager
355 Vanderbilt Road
Asheville, NC 28803

Re: Biltmore Forest Fire District

Dear Jonathan Kanipe:

We wish to thank you, Chief Lance, and others for the cooperation given to our representative during our recent survey. We have completed our evaluation of the fire insurance classification for Biltmore Forest Fire District and advise that the protection class is a 2.

Formerly class 3 applied. Rates on dwellings (including those insured under Homeowners Policies) are established by the North Carolina Rate Bureau. We are advising them of the change. The rate change will be effective on Saturday, October 1, 2022.

The purpose of our visit was to gather information needed to determine a fire insurance classification, which may be used in the calculations of property insurance premiums. This survey was not conducted for property loss prevention or life safety purposes, and no life safety or property loss prevention recommendations will be made.

Class 2 applies to properties with a fire flow of 3500 gpm or less. The private and public protection at properties with larger needed fire flows are individually evaluated, and may vary from the 2 Classification.

We are attaching a copy of our Grading Sheet and the results of the hydrant flow tests witnessed during our survey.

If you have any questions concerning the new classification, or the resulting change in fire insurance rates, please let us know.

Sincerely yours,

A handwritten signature in black ink that reads "Davie W. Summey".

Davie Summey
Supervisor of Inspections

DS/hr

Enclosure

Cc: Trevor Lance, Fire Chief

North Carolina Office of State Fire Marshal
HYDRANT FLOW DATA SUMMARY

Community Biltmore Forest

County North Carolina(Buncombe), State NORTH CAROLINA (32)

Witnessed by: North Carolina Office of State Fire Marshal

Survey Date: March 21, 2022

TEST NO.	TYPE DIST.*	TEST LOCATION	SERVICE	FLOW - GPM $Q=(29.83(C(d^2)p^{0.5}))$			PRESSURE PSI		FLOW -AT 20 PSI		REMARKS***	MODEL TYPE	FLOW TEST DATE	
				INDIVIDUAL HYDRANTS	TOTAL	STATIC	RESID.	NEEDED **	AVAIL.					
1		351 Vanderbilt Rd Hyd.# 434-15	Biltmore Forest Water System, Main Service Level	0	0	0	850	75	10	2000	800		CNMP	03/21/2022
2		18 Cedar Hill Dr	Biltmore Forest Water System, Main Service Level	0	0	0	1150	90	80	2250	3300		CNMP	03/21/2022
3		305 Vanderbilt Rd. Hyd.# 434-6	Biltmore Forest Water System, Main Service Level	0	0	0	1000	105	75	500	1800		CNMP	03/21/2022
4		430 Vanderbilt Rd Hyd.# 434-28	Biltmore Forest Water System, Main Service Level	0	0	0	1450	145	120	1750	3500		CNMP	03/21/2022
5		9 Cedar Chine Dr. Hyd.# 412-1	Biltmore Forest Water System, Main Service Level	0	0	0	1000	105	60	2500	1400		CNMP	03/21/2022
6		28 Eastwood Dr. Hyd. # 417-6	Biltmore Forest Water System, Main Service Level	0	0	0	1150	90	70	1750	2300		CNMP	03/21/2022
7		59 Stuyvesant Rd. Hyd.# 433-8	Biltmore Forest Water System, Main Service Level	0	0	0	1300	110	95	1750	3400		CNMP	03/21/2022
8		21 Browntown Rd. Hyd.# 408-3	Biltmore Forest Water System, Main Service Level	0	0	0	1150	75	55	3000	2000		CNMP	03/21/2022

THE ABOVE LISTED NEEDED FIRE FLOWS ARE FOR PROPERTY INSURANCE PREMIUM CALCULATIONS ONLY AND ARE NOT INTENDED TO PREDICT THE MAXIMUM AMOUNT OF WATER REQUIRED FOR A LARGE SCALE FIRE CONDITION.

THE AVAILABLE FLOWS ONLY INDICATE THE CONDITIONS THAT EXISTED AT THE TIME AND AT THE LOCATION WHERE TESTS WERE WITNESSED.

*Comm = Commercial; Res = Residential.

**Needed is the rate of flow for a specific duration for a full credit condition. Needed Fire Flows greater than 3,500 gpm are not considered in determining the classification of the city when using the Fire Suppression Rating Schedule.

*** (A)-Limited by available hydrants to gpm shown. Available facilities limit flow to gpm shown plus consumption for the needed duration of (B)-2 hours, (C)-3 hours or (D)-4 hours.

BOARD OF COMMISSIONERS MEETING STAFF MEMORANDUM

July 12, 2022



Agenda Item E-2

Traffic Improvements Study – Review

Intersection of Vanderbilt & Busbee Roads

Intersection of Vanderbilt, Lone Pine, & Stuyvesant Roads

Background

The Board of Commissioners requested staff to investigate the feasibility of traffic circles at the above referenced intersections during the April 2022 meeting. The central focus for this review was to investigate whether private property would need to be obtained to create a traffic circle at either, or both, locations. This request followed the Town's completion of a Transportation Study wherein traffic circles at various locations throughout the Town were offered as a possible solution for traffic calming.

Findings

Staff asked consultants from McGill to perform this high-level review focusing on traffic circle feasibility at these locations and any potential impact to private property owners. An initial review in early June 2022 showed an ability to “tighten” the traffic circles and reduce impacts to private property owners. The consultants completed this work and provided the attached layouts to the Town on July 7th.

The attached layouts show there is an ability to create the traffic circles at both locations, but in both intersections the Town would need to acquire private property to construct the circles. The amount necessary from each property owners varies and is shown specifically on the layouts. Both traffic circles are the same dimensions: 40' landscaping island; 12' mountable concrete curbs; 18' travel lanes; and an overall diameter of 100'. If the Board desires to move forward, discussions with each property owner would need to occur prior to any final design work commencing. If you would like additional information regarding the layouts, process, or anything else, please do not hesitate to let me know.

LEGEND:

- PERMANENT R/W ACQUISITION
- TEMPORARY CONSTRUCTION EASEMENT
- PROPOSED ASPHALT
- PROPOSED CONCRETE

ROUNDBABOUT INFORMATION:
 OVERALL DIAMETER – 100'
 TRAVEL LANE – 18' WIDE
 CONCRETE/PAVER APRON – 12' WIDE
 LANDSCAPE ISLAND – 40' DIAMETER

PERMANENT RIGHT OF WAY ACQUISITION – 863 SF (0.02 AC)
 TEMPORARY CONSTRUCTION EASEMENT – 6,115 SF (0.14 AC)

PERMANENT RIGHT OF WAY ACQUISITION – 150 SF (0.003 AC)
 TEMPORARY CONSTRUCTION EASEMENT – 1,675 SF (0.04 AC)

PERMANENT RIGHT OF WAY ACQUISITION – 337 SF (0.01 AC)
 TEMPORARY CONSTRUCTION EASEMENT – 2,971 SF (0.07 AC)

PERMANENT RIGHT OF WAY ACQUISITION – 153 SF (0.004 AC)
 TEMPORARY CONSTRUCTION EASEMENT – 1,015 SF (0.02 AC)

PLAN

VANDERBILT ROAD

BUSBEE ROAD

BUSBEE ROAD

BUENA VISTA ROAD

VANDERBILT ROAD

P:\2019\10\01\19-BILTMOREFORCON-CALL MUNICIPAL STORMWATER\DRAWINGS\CIVIL\19.00165- BILTMORE FOREST - ROUNDBABOUT DESIGN.DWG PLOT DATE: 7/6/2022 8:42 AM NATHAN SAWYER

CITY OF WASHINGTON 24x36



55 Broad Street
 Asheville, NC 28801
 828.252.0575
 NC Firm License # C-0459
 mcgillassociates.com

PRELIMINARY



NO.	DATE	BY	DESCRIPTION

TRAFFIC CIRCLE CONCEPT

TOWN OF BILTMORE FOREST
 BUNCOMBE COUNTY, NORTH CAROLINA

NOT TO SCALE

OFFICE MANAGER	DESIGNER
M. CATHEY	A. SUMMERS
PROJECT MANAGER	REVIEWER
S. BURWELL	N. SAWYER

CONCEPTUAL SITE PLAN -
 BUSBEE ROAD ROUNDBABOUT

DATE	PROJECT #	FUNDING #
JULY 2022	19.00155	N/A

SHEET
2

LEGEND:

- PERMANENT R/W ACQUISITION
- TEMPORARY CONSTRUCTION EASEMENT
- PROPOSED ASPHALT
- PROPOSED CONCRETE

ROUNDBOUT INFORMATION:
 OVERALL DIAMETER – 100'
 TRAVEL LANE – 18' WIDE
 CONCRETE/PAVER APRON – 12' WIDE
 LANDSCAPE ISLAND – 40' DIAMETER

PERMANENT RIGHT OF WAY ACQUISITION – 397 SF (0.01 AC)
 TEMPORARY CONSTRUCTION EASEMENT – 2,181 SF (0.05 AC)

PERMANENT RIGHT OF WAY ACQUISITION – 827 SF (0.02 AC)
 TEMPORARY CONSTRUCTION EASEMENT – 3,285 SF (0.08 AC)

PERMANENT RIGHT OF WAY ACQUISITION – 200 SF (0.01 AC)
 TEMPORARY CONSTRUCTION EASEMENT – 2,841 SF (0.07 AC)

PERMANENT RIGHT OF WAY ACQUISITION – 673 SF (0.02 AC)
 TEMPORARY CONSTRUCTION EASEMENT – 935 SF (0.02 AC)

PLAN

P:\2019\10\01\19-BILTMOREFORCON-CALL MUNICIPAL STORMWATERDRAWINGS\DWG\19.001155 - BILTMORE FOREST - ROUNDABOUT DESIGN.DWG PLOT DATE: 7/6/2022 8:47 AM NATHAN SAWYER

CITY OF WASHINGTON 24X36

55 Broad Street
 Asheville, NC 28801
 828.252.0575
 NC Firm License # C-0459
 mcgillassociates.com

PRELIMINARY



NO.	DATE	BY	DESCRIPTION

TRAFFIC CIRCLE CONCEPT

TOWN OF BILTMORE FOREST
 BUNCOMBE COUNTY, NORTH CAROLINA

NOT TO SCALE

OFFICE MANAGER	DESIGNER
M. CATHEY	A. SUMMERS
PROJECT MANAGER	REVIEWER
S. BURWELL	N. SAWYER

CONCEPTUAL SITE PLAN -
 LONE PINE ROAD ROUNDABOUT

DATE	PROJECT #	FUNDING #
JULY 2022	19.00155	N/A

SHEET
 1

BOARD OF COMMISSIONERS MEETING STAFF MEMORANDUM

July 12, 2022



Agenda Item E-3

Town Code Criminal Enforcement Ordinance Review

Background

Staff has reviewed the Town's existing ordinances for criminal penalty provisions. As discussed previously, recent changes to North Carolina state law changed how municipal ordinances are enforced. Prior to this change, ordinances were presumed to be enforced criminally unless otherwise stated. SB300 changed this presumption and requires now that ordinances **must** stipulate criminal penalty provisions if they are to be enforced criminally. In each instance, the criminal penalty must be noted within the specific ordinance, not as a catch-all at the end of a chapter or section.

Staff Review

Town staff previously sent a list of criminally enforced ordinances to the General Assembly as part of their study commission on this topic. Upon more recent review, we have also included infractions (typically state enforced infractions) for traffic violations and other street related issues. The attached sheet shows the Town's ordinances (including Zoning) that require attention. The items highlighted in yellow were preliminarily identified by staff as ordinances that should have criminal penalties. The Board may have differing ideas for these ordinances or wish to include ordinances not highlighted in yellow. Please note: these ordinances listed are descriptions and not verbatim ordinances in most cases.

This preliminary review is to provide a basis for moving this forward and ensuring the Town's ordinances comply with the new state law. Upon final decision by the Board, staff will begin preparing amendments to the Town Code and Zoning Ordinance that reflect these decisions. Please let us know how you would like to move forward.

Ordinance Provisions Resulting in Criminal Penalties
pursuant to GS 14.4 (a)

Title III. Administration

Chapter 34.06 – Civil Emergencies. Establishes curfew during State of Emergency. Also allows prohibition of possession of explosives, firearms, ammunition or dangerous weapons; buying or selling of beer and wine; demonstrations such as parades, marches, or vigils; the sale of gasoline, kerosene or other explosive fluids; travel upon any public street or alley or carrying on of any business activity during a State of Emergency.

Title V. Public Works

Chapter 50.01 – Tampering with City Property – Unlawful for any person unauthorized by the Town to tamper with alter or injure any valve on street mains or curb cocks, or fixtures used in connection with the waterworks system of the Town.

Chapter 50.02 – Contamination of Water Supply – Makes unlawful contamination or pollution of water supply of the Town, or throwing dirt or debris into any reservoir containing water supply for the Town.

Chapter 50.10 – Metering Tampering and/or Unauthorized Taps – Prohibits any unauthorized person to alter, tamper with, or bypass a meter for the purpose of measuring water or knowingly use water bypassing a meter provided by the water supplier.

Chapter 50.33 – Regulations – Water service connections must be protected from contamination and pollution; Installations of reduced pressure principle backflow must be installed adjacent to property line; cross-connections must meet testing requirements of the Foundation for Cross-Connection Control and Hydraulic Research, the American Water Works Association, and the State Building Code; all cross-connections must be maintained in a safe condition and in good working order; RPZ devices must be inspected annually and remain free of obstructions; fire protection water lines must have an RPZ device; commercial buildings with a boiler system must have an RPZ device; no irrigation lines in Town right of way.

Chapter 51.02 – Littering – Provides that it shall be unlawful to throw or deposit upon any street, street right-of-way, or private property any trash or debris that may be unsightly, offensive, or dangerous to traffic.

Chapter 51.04 – Materials Resulting from Clearing Land – Requires trees, shrubbery, or underbrush from land clearing by disposed of by contractor or builder.

Chapter 51.05 – Garbage Collection – Prohibits placement of solid waste from outside corporate limits for collection by the Town.

Chapter 51.06 – Garbage Receptacles – Garbage cans shall not be located behind closed fences, inside closed buildings, or any other inaccessible place. No garbage from dumpsters collected by Town.

Chapter 51.12 – Accumulation of Garbage, Refuse, Rubbish, and Waste Prohibited – Prohibits collection of garbage, refuse, or waste that becomes dangerous or prejudicial to public health.

Chapter 51.13 – Recycling and Recyclable Material – Requires all recyclable materials fit entirely in appropriate container, prohibits placement of recycling materials from outside corporate limits for Town collection, and prohibits removal of recycling materials from containers by unauthorized persons.

Title IX: General Regulations

Chapter 90.01 – Cruelty to Animals – No person shall cruelly treat any animal in any way; no person shall inhumanely beat, underfeed, overload, abandon, or mistreat any animal in any way.

Chapter 90.02 – Animals at Large – Prohibits any person from allowing farm animals from running at large.

Chapter 90.04 – Pens and Enclosures – Any pens used for household pets must not create a health hazard or a nuisance from offensive odors.

Chapter 90.05 – Limitation on Household Pets – Prohibits any resident from owning more than six household pets. Prohibits condition or behavior of household pet from interfering with other residents' enjoyment.

Chapter 90.06 Certain Animals Expressly Prohibited – Unlawful to keep any hog, pig, horse, pony, cattle, goat, sheep, chicken, duck, turkey, goose, swan or other farm animals in corporate limits.

Chapter 90.21 Trapping, Hunting, or Shooting Wild Birds Prohibited – It shall be unlawful to trap, hunt, shoot, or otherwise kill any native wild bird.

Chapter 90.36 Restraint of Dogs – All dogs must remain confined to premises unless under physical control of a competent person or be under sufficient control so as not to disturb neighbors.

Chapter 90.39 Control of Dangerous Dogs – No person shall own control or keep a dangerous unruly dog in Town unless confined to an enclosed area with a warning sign.

Chapter 91.01 Destruction of Street Signs – Prohibits injury or removal of street signs located in Town.

Chapter 91.02 Construction of Private Drives, Permit – Requires a permit for construction of private driveways. Also mandates driveways to be constructed in a manner that does not impede drainage of surface water, and driveways within the right of way be constructed of stone base or asphalt.

Chapter 91.03 Hauling Building Materials and Construction Debris – Makes property owner responsible for removal of construction debris and building materials.

Chapter 91.04 Permit Required for Cutting, Excavating Under, or Boring within Roadways of the Town – Prohibits cutting, excavating under or any other damage to Town maintained streets without written permission.

Chapter 92.01 Abatement of Nuisances – Unlawful to fail to start abatement of nuisance within 24 hours of receiving notice.

Chapter 92.02 Stagnant Water – Prohibits allowance of stagnant water to stand in ponds, holes or otherwise so as to be detrimental to health.

Chapter 92.03 Obstruction of Natural Drainage – No person shall erect any dam or obstruction which shall prevent the natural flow of water.

Chapter 92.04 Cleanliness of Premises – Requires property owners keep premises free from noxious weeds and trash with may be dangerous to public health, maintain grass and weeds, and keep outdoor areas maintained in an orderly, uncluttered manner.

Chapter 92.20 Burning Trash Within The Town Prohibited – Prohibits burning of trash, paper, leaves or other material anywhere outside in the corporate limits.

Chapter 92.21 Lots To Be Kept Free From Fire Hazards – It shall be unlawful to accumulate articles of combustible or inflammable nature.

Chapter 92.22 False Fire Alarms – It shall be unlawful for any person to give any false alarm of fire.

Chapter 93.01 Protection of Parkways – It is unlawful for any person or pet to injure, carry away, break, or in any other manner deface trees, shrubs, plants or other property on roads, streets, or parkways of the town.

Chapter 93.15 Destruction, Injury to Park Property – It shall be unlawful for any person to cut, break, injure, or take any plants, flowers, or vegetation from any municipal park or playground, or to remove or injure playground equipment or other appurtenances.

Chapter 93.30 – 93.41 Tree Protection - Prohibits unauthorized removal or cutting of trees and requires replacement of protected trees

Title XIII: General Offenses

Chapter 130.01 Firearms and Other Weapons – No person shall shoot, discharge, or release firearms, spring-propelled devices, or guns within the corporate limits.

Chapter 130.02 Sounds Impacting Residential Life – All construction activities must take place Monday through Saturday between 7:30 am and 6:00 pm. Sound from radio or other noises that disrupts quiet enjoyment of property is prohibited.

Chapter 130.03 Offenses Against the Public Peace – The following acts are prohibited: Disturbing the peace, Resisting arrest, Impersonating any officer of the town, Assembling for purposes of gambling, Committing a breach of the peace, Appearing intoxicated outside of home, Making unusual or unnecessary noises to disturb the peace, Violent or boisterous conduct, Using

profane language towards others, Committing riotous acts, Maliciously interfering with pedestrians or traffic, or Indecent acts in the presence of others.

Chapter 130.04 Regulating Solicitors, Peddlers, Hawkers, Itinerant Merchants, or Transient Vendors – Prohibits uninvited door to door solicitations

Chapter 130.05 No Human Burials Permitted – With no existing cemeteries, no human body shall be buried inside the corporate limits

Chapter 130.06 Removal of Fallen Tree Limbs – Property owners are responsible for disposing of portions of fallen tree or limbs not on town property.

Title XV: Land Usage

Chapter 151 – Flood Damage Prevention Ordinance – Violations or failure to comply with provisions constitutes a Class I misdemeanor

Chapter 153 – Zoning Ordinance – Violations of provisions of this chapter results in a misdemeanor and a fine of \$50 and/or imprisonment not to exceed 30 days. (*Note – ordinance violation provisions for Zoning and/or Land Use Ordinances will need to be amended to reflect changes from SB300*)

Penalties for Above Ordinance Violations

(Note: These sections will need to be amended to reflect NCGS changes from SB300)

§ 10.99 GENERAL PENALTY.

Any person, firm, or corporation violating any of the provisions of any section or division of this code of ordinances for which no other penalty is provided, or failing or neglecting or refusing to comply with same, shall, upon conviction, be guilty of a Class 3 misdemeanor and subject to a fine not to exceed \$50 or imprisonment not to exceed 30 days, and each day that any of the provisions of this code of ordinances are violated shall constitute a separate offense.

(G.S. § 14-4(a))

§ 34.99 PENALTY.

The violation of any provision of this chapter, or any provision of any restriction imposed by any proclamation authorized by this chapter, shall constitute a misdemeanor, punishable as provided by § 10.99.

§ 50.99 PENALTY.

(A) Any person violating any provision of this chapter, for which no other penalty is provided, shall be subject to the penalty provisions of § 10.99.

(B) (1) Any person violating any of the provisions of § 50.10, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than \$500 or imprisoned not longer than two years or both fined and imprisoned in the discretion of the court.

(2) Whoever is found in a civil action to have violated any provision hereof shall be liable to the water supplier in the triple amount of losses and damages sustained or \$500 whichever is greater.

§ 51.99 PENALTY.

(A) Any willful and knowing refusal to pay fees assessed in this chapter shall subject the offender to a civil penalty in the amount of \$50 payable to the town as law provided.

(B) Violation of this chapter shall constitute a misdemeanor for each day such violation occurs and subject the violator of this chapter to a fine of \$50 or 30 days imprisonment or both for each violation of this chapter.

§ 90.99 PENALTY.

(A) Any person violating any provision of this chapter, for which no other penalty is provided, shall be subject to the penalty provisions of § 10.99.

(B) Any person violating the provisions of § 90.02 shall be subject to a penalty as provided in § 10.99.

(2013 Code, § 4-2)

(C) The violation of any portion of §§ 90.35, 90.36, or 90.39 by any of those persons described in said sections shall constitute a misdemeanor and the violator shall be punished accordingly.

§ 91.99 PENALTY.

(A) Any person violating any provision of this chapter, for which no other penalty is provided, shall be subject to the penalty provisions of § 10.99.

(B) Violation of § 91.02 shall constitute a misdemeanor, for each day such violation occurs and subject the violator of § 91.02 to a fine of \$50 or 30 days imprisonment or both for each violation of § 91.02.

§ 93.99 PENALTY.

(A) Any person violating any provision of this chapter, for which no other penalty is provided, shall be subject to the penalty provisions of § 10.99.

(B) (1) A violation of §§ 93.30 through 93.41 is a Class 3 misdemeanor under North Carolina law. The penalty for violating §§ 93.30 through 93.41 shall be \$250 per day. Each day of continued violation shall be a separate offense. The town shall also have the right to pursue civil remedies for a violation of the subchapter including injunctive relief, and a civil penalty of \$250 for each day's violation of the subchapter pursuant to G.S. § 160A-175.

(2) Upon determining that a violation has occurred, the Town Manager shall record the nature of the violation, and send a notice of violation to the responsible person or entity by regular and certified mail. The responsible person or entity shall have 30 days from the date of the letter to correct the violation. If the violation is not corrected within 30 days, the Town Manager may proceed with criminal charges pursuant to G.S. § 14-4, or may take such other enforcement action as may be necessary to carry out the purposes of §§ 93.30 through 93.41.

§ 130.99 PENALTY.

Any person violating the provisions of this chapter shall be guilty of misdemeanor subject to a fine not to exceed \$50 or imprisonment not to exceed 30 days as provided by G.S. § 14-4.

§ 151.99 PENALTY.

(A) Violations of the provisions of this chapter or failure to comply with an of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a Class 1 misdemeanor. Any person who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$25,000 or imprisoned for not more than 120 days, or both. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the town from taking such other lawful action as is necessary to prevent or remedy any violation.

§ 153.999 PENALTY.

(A) Any person, firm, or corporation who violates the provisions of this chapter shall, upon conviction, be guilty of a misdemeanor and shall be fined not exceeding \$50 and/or imprisoned for a period of time not exceeding 30 days. Each day of violation shall be considered a separate offense.

Town Ordinances with Criminal Infractions as Penalty

Title VII – Traffic Code

§ 70.01 LEAVING IGNITION KEYS IN UNATTENDED VEHICLES.

No person driving or in charge of a motor vehicle shall permit it to stand unattended in any public place or parking lot without first stopping the engine, locking the ignition, removing the ignition key from the vehicle, effectively setting the brakes and, when standing on any grade, turning the front wheels to the curb or side of the highway.

(2013 Code § 11-1) Penalty, see § 70.99

§ 70.02 DRIVING UNSAFE VEHICLES.

It shall be unlawful for any person to drive on the streets of the town any vehicle or combination of vehicles which is in such unsafe condition as to endanger any person or property.

(2013 Code § 11-2) Penalty, see § 70.99

§ 70.03 IMPROPERLY EQUIPPED VEHICLES.

No automobile or motor vehicle shall be operated on the streets of the town, unless the same shall be equipped with all necessary equipment to make the vehicle safe. This shall include an adequate muffler, properly installed to prevent unnecessary noise.

(2013 Code § 11-3) Penalty, see § 70.99

§ 70.04 WEIGHT LIMITATION PERMIT REQUIRED.

No person shall operate a motor vehicle upon the streets of the town when the gross weight of such vehicle exceeds 40,000 pounds, or which is of the tractor-trailer type, unless a permit is issued. If it is necessary for such a vehicle to enter the town for the purpose of loading or unloading, then the operator of such vehicle shall apply to the Chief of Police or other designated officer who, upon showing the necessity of such entry, shall issue a permit therefor.

(2013 Code § 11-4) Penalty, see § 70.99

TRAFFIC-CONTROL DEVICES

§ 70.15 OBEDIENCE TO OFFICIAL TRAFFIC-CONTROL DEVICES.

(A) The driver of every motor vehicle, and any other vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the traffic regulations in this traffic code, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this chapter.

(B) No provision of this traffic code for which signs are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such section shall be effective without signs being placed to give notice thereof.

(2013 Code, § 17-62) Penalty, see § 70.99

§ 70.16 OBEDIENCE TO NO-TURN SIGNS AND TURNING MARKERS.

Whenever authorized signs are placed, erected, or installed indicating that no right or left or U-turn is permitted, it shall be unlawful for the driver of a vehicle to disobey the directions of any such sign, and when authorized markers, buttons, or other indications are placed within an intersection indicating the course to be traveled by vehicles traversing or turning thereat, it shall be unlawful for any driver of a vehicle to disobey the directions of such indications.

(2013 Code, § 17-63) Penalty, see § 70.99

§ 70.17 OBEDIENCE TO NO-PARKING ZONE AND SAFETY MARKERS.

Whenever authorized signs or markings are placed, erected, or installed indicating no parking zones or safety zones, it shall be unlawful for the driver of any vehicle to disobey the regulations in connection therewith.

(2013 Code, § 17-64) Penalty, see § 70.99

§ 70.18 TRAFFIC-CONTROL SIGNAL LEGEND.

Whenever traffic is controlled by traffic-control signals exhibiting the words “Go”, “Caution”, or “Stop”, or exhibiting different colored lights successively one at a time, the following colors only shall be used, and said terms and lights shall indicate as follows.

(A) Green alone or “Go”.

(1) Vehicular traffic facing the signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection at the time such signal is exhibited.

(2) Pedestrians facing the signal may proceed across the roadway within any marked or unmarked crosswalk.

(B) Yellow alone or “Caution” when shown following the green or “Go” signal.

(1) Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at the intersection, but if such stop cannot be made in safety, a vehicle may be driven cautiously through the intersection.

(2) Pedestrians facing such signal are thereby advised that there is insufficient time to cross a roadway and any pedestrian then starting to cross shall yield the right-of-way to all vehicles.

(C) Red alone or “Stop”.

(1) Vehicular traffic facing the signal shall stop before entering the nearest crosswalk at an intersection or at such other point as may be indicated by a clearly visible line, and shall remain standing until green or “Go” is shown alone.

(2) No pedestrian facing such signal shall enter the roadway unless he or she can do so safely and without interfering with any vehicular traffic.

(D) Red with green arrow.

(1) Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow, but shall not interfere with other traffic.

(2) No pedestrian facing such signal shall enter the roadway unless he or she can do so safely and without interfering with any vehicular traffic.

(2013 Code, § 17-65) Penalty, see § 70.99

§ 70.19 FLASHING SIGNALS.

Whenever flashing red or yellow signals are used they shall require obedience by vehicular traffic as follows.

(A) Flashing red (stop signal). When a red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest crosswalk at an intersection or at a limit line when marked, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.

(B) Flashing yellow (caution signal). When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

(2013 Code, § 17-67) Penalty, see § 70.99

§ 70.99 PENALTY.

If any person shall violate an ordinance regulating the operation or parking of vehicles, he or she shall be responsible for an infraction and shall be required to pay a penalty of not more than \$50.

(G.S. § 14-4(b))