

## PROPOSED AGENDA

### Meeting of the Town of Biltmore Forest Board of Commissioners

To be held Tuesday, May 21, 2024 at 4:30 p.m.

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. Consent Agenda

1. Approval of Agenda
2. Approval of April 9, 2024 Regular Meeting Minutes
3. Proclamation – National Police Appreciation Week – May 11-May 17, 2024
4. Proclamation – National Public Works Appreciation Week – May 19-May 25, 2024

D. Public Comment

E. Departmental Reports

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

F. New Business

1. Consideration of Resolution 2024-04 – A Resolution Adopting the Town of Biltmore Forest Local Water Supply Plan (LWSP)  
*Harry Buckner, Public Works Director*
2. Presentation – Recommended Personnel Policy Amendments  
*Jonathan Kanipe, Town Manager*
3. Presentation – Biltmore Forest Water Rate Study  
*Megan Powell, WithersRavenel*
4. Presentation - Proposed Fiscal Year 2024-2025 Annual Budget  
*Jonathan Kanipe, Town Manager*

G. Adjourn

For those interested in viewing the Board meeting remotely, please utilize the following information:  
<https://us02web.zoom.us/j/82228455470?pwd=SG9WU0FwUjFSdGZveS95b3pLTUIHdz09>

Meeting ID: 822 2845 5470

Passcode: 966757

MINUTES OF THE MEETING OF THE MAYOR AND THE TOWN COMMISSIONERS OF  
BILTMORE FOREST HELD APRIL 9, 2024

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 Fran Cogburn, present  
Commissioner Glenn Kelly, present

Mr. Jonathan Kanipe, the Town Manager, was present. The Town Attorney, Billy Clarke, was also present.

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

The Pledge of Allegiance was conducted.

Consent Agenda

Commissioner Cogburn made a motion to approve the minutes from March 12, 2024. Commissioner Loomis seconded the motion. The Regular Meeting Minutes and Special Call Meeting Minutes were unanimously approved.

Public Comment

Mr. Charles Snider at 17 Brookside Road said Mr. Buckner informed them of a sewer line leak across the street at the park on Brookside. He was surprised that he was responsible for the repair. Mr. Kanipe said the Town doesn't own any sewer lines in Town, the Metropolitan Sewer District owns them. Mr. Kanipe said the service line that runs from Mr. Snider's home to the main line is the responsibility of the homeowner.

Mr. Clarke said this is essentially correct. Mr. Clarke said in some cases, there is a clean out and to Mr. Clarke's understanding, the homeowner is responsible up to the clean out.

Mr. Buckner said the sewer main is up in the middle of the park closest to the creek. There is a clean out on the edge of Brookside Road. The Town doesn't own any sewer. Mr. Buckner reported the issue to MSD. MSD maintains about ten feet outside of the main. From that point to the home is the resident's responsibility. Mr. Clarke said he will try and find out more details and get back to Mr. Snider.

Chief Trevor Lance gave the report for the Skyland Fire Department. There were a total of 28 calls for the month. Chief Lance said to make sure to get your dryer vents cleaned out. He said this should be done every six months. Also, inspect gas grills such as grease build up and spider webs. Mayor Goosmann thanked Chief Lance for all their hard work.

Chief Chris Beddingfield gave the report for the Police Department. Chief Beddingfield said last month he attended North Carolina State University during last month's meeting for a leadership program.

There were approximately 700 calls for the month. The main complaint was speeding traffic. There were over 53 traffic violations issued.

The Flock camera system has been working and they are starting the installations of the cameras throughout Town.

There are a lot of issues at the Doubletree Hotel. They have been working with Asheville and Biltmore Farms by trying to decide if the Biltmore Forest Police Department should be the initial response. They have also added cameras in that parking lot.

There is a Regional Chief's meeting at the Doubletree next week and should be a good event.

Staff is still waiting to hear back from the State on the conditional offer to a potential employee. The State is looking at 90 days and we are hoping to make this an easier process.

Commissioner Kelly asked Chief Beddingfield if they decided what kind of police cars they are going buy. Chief Beddingfield said they will most likely wait until next budget year for buying new cars. There is still a long waiting list for vehicles.

Mr. Kanipe issued the Planning report for Tony Williams, Town Planner who was unable to attend. Mr. Kanipe said there were also two notices of violation issued yesterday.

Mr. Kanipe gave the report for the Town and the staff met with the architect and engineer last week to review comments from the Special Call meeting. The main focus for this discussion was reducing the scope of the Public Works facility and reviewing assumptions made during the initial review. The next step will be a more intensive review process with the Board that will occur next month.

Mr. Kanipe gave an update on the Greenwood Park update. The final tree removal occurred last week. These trees were removed because they were hazardous to the public gathering spaces in the park.

The Town also approved an agreement with Tennoca Construction Company to construct the bridge across the creek. This work will also occur over the next few weeks. The footings for the bridge are scheduled to begin next week, and the shop drawings for the steel are still in process. Also, the final paving of the walking path within the park will take place once the bridge construction is complete. There will also be heavy landscaping that will occur.

The trail project work has progressed and anticipate it to be finished by May 1<sup>st</sup>.

Each April, the Town is required to submit an annual report to the U.S. Department of Treasury regarding our utilization of the American Recovery Plan funds. The Town received an allocation of just over \$451,000. Funds were allocated toward the park improvements, which include Greenwood Park, the trail in Brooklawn Park, and upcoming playground improvements at Rosebank Park. In addition, the Town's audio-visual improvements last year were funded through this distribution. The Town's obligation for these funds must occur prior to December 31, 2024 and funds must be spent no later than the end of FY 25.

Mr. Kanipe said the Planning Commission met at the end of March and they would like to coordinate a joint meeting with the Board of Commissioners to receive feedback on their work plan and what specific issues the Board feels need to be addressed. The Town will coordinate this sometime within the next few months. There are several Planning Commission members who will also be attending a training at Biltmore Park on May 1<sup>st</sup> through the UNC School of Government.

Mr. Kanipe said he anticipates having a draft of the revised personnel policy for the Board's review at the Board meeting in May. Our second all-staff meeting is on Thursday, April 18<sup>th</sup> to present the potential changes and then finalize.

Mr. Harry Buckner gave the report for the Public Works Department. Staff completed CPR training and Mr. Buckner thanked Chief Beddingfield for coordinating this.

Mr. Buckner said staff has been mowing a great deal this year and they have been busy. There is an area that has a failing storm drain under Forest Road. Mr. Buckner said it doesn't pose an immediate or urgent matter but it is a substantial project. It is a cross pipe under the road. Mr. Buckner has met with a contractor and they are waiting for pricing and feedback.

Mr. Buckner completed the Consumer Confidence Report and it will be mailed out within the next few weeks. All of the tests passed.

Mr. Buckner said bi-monthly water billing will occur this month. Mr. Buckner said they are attempting various landscaping projects this month also.

Commissioner Kelly asked Mr. Buckner about the striping in front of the Country Club from the east side to the west side is disintegrating. Mr. Buckner said he would look into this.

Commissioner Kelly asked about the paving on Stuyvesant since he received a complaint. Mr. Buckner said it would be about October when the stormwater project will be worked on.

Mr. Buckner discussed the local water supply plan. This is a summary of our water system and our water usage as an entity and what planning we have in place with our supply. We purchase 100% of our water from the City of Asheville. Mr. Buckner said we currently have 813 water meters which is approximately 650 customers. We operate about 20 miles of water pipes. The vast majority of the water system was replaced in 2004. We use about 163,000 gallons of water per day throughout Town. There is a lot of variation between summer and winter. The average water usage is 87 gallons per person per day. This is within industry standards. We are in really good shape.

Stuyvesant/Lone Pine/Vanderbilt Road Stormwater project was discussed by Mr. Kanipe. Last month, the Board awarded a construction contract to Hyatt Pipeline, LLC for this stormwater construction project. Staff will conduct a pre-construction meeting with the engineer and contractor prior to work commencing and review the Town's expectations and the project overall. Mr. Kanipe signed off on the erosion control permit for it today as well.

Mr. Kanipe discussed the FY 24 Budget Amendment. This shows a total increase of \$23,350 in the General Fund. The General Fund expenditures have been adjusted to reflect changes over the past year. Part of this increase is with the Flock security cameras the Board approved. The second portion of this are changes being made to the water fund. It shows a slight increase in the water taps the Town has already completed. There is also funding in there for the water rate study.

A motion was made by Commissioner Loomis to approved the FY 24 Budget Amendment, Commissioner Cogburn seconded the motion and was unanimously approved.

Mr. Kanipe discussed the Consideration of the Planning Commission appointing Mr. Lowell Pearlman. Commissioner Loomis made a motion. Commissioner Cogburn seconded the motion and was unanimously approved.

A motion was made by Loomis to go into Closed Session at 5:25, Commissioner Cogburn seconded the motion and was unanimously approved.

The meeting was adjourned at 5:41pm.

The next meeting is scheduled for Tuesday, May 21st at 4:30pm.

ATTEST:

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Laura Jacobs  
Town Clerk

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George F. Goosmann, III  
Mayor

# TOWN OF BILTMORE FOREST

## PROCLAMATION NATIONAL POLICE APPRECIATION WEEK May 11 – May 17, 2024

**WHEREAS**, in 1963 the Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week in which May 15th falls as National Police Week; and

**WHEREAS**, there are approximately 900,000 law enforcement officers serving across the United States, including the dedicated members of the Town of Biltmore Forest Police Department; and

**WHEREAS**, the members of the Biltmore Forest Police Department play an essential role in safeguarding the rights and freedoms of our community; and

**WHEREAS**, it is important that all citizens know and understand the duties, responsibilities, and sacrifices of their law enforcement agencies, and that officers of the Town of Biltmore Forest recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

**WHEREAS**, the men and women of law enforcement of the Town of Biltmore Forest provide a vital public service by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to this community and in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens;

**NOW, THEREFORE**, the Town of Biltmore Forest Board of Commissioners proclaims the week of May 11 – May 17, 2024 as Police Week and call upon all citizens of Biltmore Forest and upon all patriotic, civic, and educational organizations to observe May 15, 2024, as Peace Officers' Memorial Day in which people may join in commemorating law enforcement officers, past and present, who have made the ultimate sacrifice in service to their community or have become disabled in the performance of their duty.

ADOPTED this the 21st day of May 2024.

SEAL

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George F. Goosmann, III  
Mayor

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Laura Jacobs  
Town Clerk



# TOWN OF BILTMORE FOREST

## PROCLAMATION NATIONAL PUBLIC WORKS WEEK May 19 – May 25, 2024

**WHEREAS**, Public Works professionals focus on facilities and services that are of vital importance to sustainable and resilient communities and the public health, high quality of life, and well-being of the citizens of Biltmore Forest; and

**WHEREAS**, those facilities and services could not be provided without the dedicated efforts of Public Works Professionals; and

**WHEREAS**, those individuals who maintain, and administer the streets, solid waste and recycling collections, and other structures and facilities that are vital to the citizens of Biltmore Forest; and

**WHEREAS**, it is in the interest of the public for citizens, civic leaders and children to continue to gain information and to understand the role Public Works plays in the Town of Biltmore Forest; and

**WHEREAS**, 2024 marks the 64<sup>th</sup> annual National Public Works Week;

**NOW, THEREFORE**, the Board of Commissioners of the Town of Biltmore Forest joins the American Public Works Association in recognizing the contributions of Public Works professionals to the health, safety, and quality of life in Biltmore Forest. The Board of Commissioners also encourages all residents of Biltmore Forest to thank the Public Works Professionals for their continued dedication and hard work to the Town. We the Board of Commissioners of the Town of Biltmore Forest proclaims the week of May 19 through May 25, 2024 as “National Public Works Week.”

ADOPTED this the 21st day of May 2024.

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George F. Goosmann, III

Mayor

SEAL

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Laura Jacobs

Town Clerk

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 May 21st, 2024 Commission Report**

### **April 2024 Data**

#### **Total Calls For Service:**

784 (741 last month)

#### **Arrests:**

1-Felony Arrest-Possession of Cocaine From a Traffic Stop

4-Misdemeanor Arrests-2-Driving While Impaired Both From Traffic Stops. 2-Outstanding Warrants From Other Jurisdictions Both From Vehicle Stops.

#### **Citations:**

42-Citations for various traffic violations (53 last month)

#### **Time Consumption Summary:**

*Approximations:*

Business Checks- 4 hours

House Checks- 4 hours

Radar Operation- 4 hours

Vehicle Crash Investigation- 2 hours

#### **Notable Calls and Projects:**

Flock Camera Systems installation is continuing. We are very pleased with the operation and video quality so far.

We participated in a multi-agency traffic enforcement operation with Fletcher PD.

Chief Beddingfield attended Chiefs Legislative Day at the General Assembly in Raleigh. Met with numerous elected officials and had one on one meetings with Buncombe County Representatives at the state level.

We have had multiple instances where Hendersonville Rd is closed and large amounts of traffic filter through Biltmore Forest. We have conducted very proactive traffic enforcement operations when this happens. This is in direct response to numerous complaints from residents.

**Biltmore Forest Police Department**  
**355 Vanderbilt Rd**  
**Biltmore Forest , NC 28803**

Calls for Service

04/01/2024 - 04/30/2024

BILTMORE FOREST POLICE DEPARTMENT	Count	Percent
ALARM	31	3.95%
ANIMAL CONTROL	11	1.40%
ASSIST MOTORIST	12	1.53%
ASSIST NON-RESIDENT	1	0.13%
ASSIST OTHER AGENCY	8	1.02%
ASSIST RESIDENT	6	0.77%
B&E	1	0.13%
BUSINESS CHECK	346	44.13%
CRIME PREVENTION	3	0.38%
DEBRIS IN ROADWAY	2	0.26%
DRILL	1	0.13%
FOLLOW-UP INVESTIGATION	2	0.26%
FRAUD	1	0.13%
GAS LEAK	1	0.13%
HIT AND RUN	1	0.13%
HOUSE CHECK	179	22.83%
IMPAIRED DRIVER	1	0.13%
IMPROPER PARKING	3	0.38%
INCOMPLETE 911	1	0.13%
LARCENY	1	0.13%
MEDICAL EMERGENCY	4	0.51%
NOISE COMPLAINT	1	0.13%
ORDINACE VIOLATION	1	0.13%
RADAR OPERATION	20	2.55%
SPECIAL ASSIGNMENT	4	0.51%
SPECIAL CHECK	2	0.26%
STOLEN VEHICLE	1	0.13%
SUSPICIOUS ACTIVITY	2	0.26%
SUSPICIOUS PERSON	10	1.28%
SUSPICIOUS VEHICLE	13	1.66%
TALK WITH OFFICER	9	1.15%
TOWN HALL BUSINESS	3	0.38%
TRAFFIC CONTROL	6	0.77%
TRAFFIC STOP	78	9.95%
TREE DOWN	8	1.02%
TRESPASSING	1	0.13%
VEHICLE ACCIDENT	4	0.51%
WELFARE CHECK	5	0.64%
<b>Total Records For BILTMORE FOREST POLICE DEPARTMENT</b>	<b>784</b>	<b>Dept Calls/Total Calls 100.00%</b>
<b>Total Records</b>	<b>784</b>	

# BOARD OF COMMISSIONERS MEETING STAFF MEMORANDUM

May 10, 2024



## Agenda Item D-3

### Public Works Director Monthly Report

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#### Recurring Activities:

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

- Collected 39.29 tons of garbage.
- Diverted 14.45 tons of recycled goods from garbage.
- Picked up 20 loads of brush (approximately 600 cubic yards) over 9 days.
- Responded to 54 total utility locate requests, comprised of 32 new requests and 22 updates.
- Visited 16 residences for Tree Assessments, approving the removal of 57 trees, and requiring the installation of 16 replacement trees.
- Completed daily chlorine residual tests across town and the required two (2) bacteriological tests. All tests were passed.
- Used the Beacon/Badger Meter automated meter reading system to monitor water leaks daily and attempted to contact residents of suspected leaks.
- We continue to perform litter pick-ups as needed, focusing on the entrances.
- Brush collection on the North Route began on April 15<sup>th</sup> and the South Route began on April 30<sup>th</sup>.

#### Miscellaneous Activities in April

- We continue our weekly routine maintenance of all public spaces including general clean-up and servicing of twelve (12) dog waste stations.
- Staff assisted Ms. Jacobs with the April water billing cycle.
- We continue to use the tractor and blower to keep the roads cleared of leaf and other debris.
- The broken sewer service in Brooklawn Park was repaired by the adjacent homeowner. This private sewer service line crosses the Town property through an easement across the park.
- I completed an online ethics webinar as required by the North Carolina Board of Engineers and Land Surveyors for my continuing education licensure requirements.
- We disposed of multiple loads of scrap metal accumulated during the past year from the Town Hall site.
- Staff cleaned out the paved ditch on the shoulder of the Parkway access road.

- The April French Broad River Metropolitan Planning Organization (MPO) Technical Coordinating Committee (TCC) monthly meeting was cancelled.
- We continue to work with Enterprise Fleet Services on obtaining a new garbage truck. They are compiling multiple proposals for the Town, and we anticipate receiving them for consideration any time now.
- The state required Local Water Supply Plan was accepted by the state Public Water Supply Section (PWSS) in Raleigh. There is a draft resolution for formal approval of this document by the Board as a separate agenda item.
- The state required Consumer Confidence Report about our water system was mailed out this month to all residents.
- Staff replaced the roof on the bus stop at the intersection of Stuyvesant Road and Hilltop Road. We are assessing the roofs on other structures in town and anticipate additional replacements over the summer.

### Larger/Capital Projects Updates

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

- We held the preconstruction conference with our Consultant, McGill Associates and the Contractor, Hyatt Pipeline, on April 30, 2024.
- Contracts were fully executed at the meeting, and all parties signed the Notice to Proceed with a contract start date of May 20, 2024. The construction contract time is 180 calendar days (November 16, 2024) to substantial completion and 210 calendar days (December 16, 2024) to final completion.

#### Streetlight LED Conversions and Service Upgrades

- MB Haynes repaired the streetlight at the intersection of Vanderbilt and Cedarcliff Roads, and all streetlights are currently functioning. There are a total of 64 total streetlights in the Town.
- The first Flock camera unit has been installed at the intersection of Busbee and Vanderbilt Roads. MB Haynes Electric energized the unit and will return as additional cameras are installed.

#### Greenwood Park Improvements

- The steel for the pedestrian bridge is at the local steel shop being fabricated. We anticipate this work to be completed by the end of May, and the bridge erection to occur in June. This is, of course, depending on weather conditions or other unforeseen delays.
- Supervisor Dale is completing a more detailed planting plan for additional beautification efforts in the park.
- Staff installed the trash and recycling cans, the dog waste station, and park bench.
- The final paving of the walking trail is currently scheduled for early July but will occur as soon as practical after the installation of the bridge.

- Once paving is completed, additional topsoil will be imported to fine grade the site, correct any drainage issues, and provide suitable soil for additional plant material and grass.

#### Brooklawn Park Clean-up and Trail Construction

- Construction on the trail began on January 22, 2024, by our contractor, Long Cane Trails, and was completed on April 30, 2024. Manager Kanipe, Supervisor Dale, and I completed a walk-through of the finished trail on May 8, and I met with the Contractor and walked the site on May 10<sup>th</sup>. The contractor will be returning to the site on May 15 (weather allowing) to make some minor grade adjustments and dress up a few spots that need to be seeded and strawed.
- We installed two (2) dog waste stations at trail heads in the park.
- Supervisor Dale and I will be ordering new signage for the parks and plan to install it this month or in early June.
- Staff will be working on the mulch bed at the pond to refresh it and install some flowering plant material.
- Supervisor Dale is meeting with our tree service to make the final determinations of any unsafe or damaged and diseased trees to be removed in Brooklawn Park.

#### Upcoming in May

- Staff will complete the required daily chlorine and monthly bacteriological testing.
- Normal brush collection will continue with the North Route on May 15<sup>th</sup>, 2024, and the South Route on May 30<sup>th</sup>, 2024.
- Mowing will continue under its routine weekly schedule until further notice.
- We are performing significant right-of-way clearing along Southwood Road from Brookside Road to the east, across from the golf course pond.
- Supervisor Dale is meeting with our tree service to make the final determinations of any unsafe or damaged and diseased trees to be removed in Brooklawn Park. These removals are scheduled for the end of the month.
- I am attending the American Public Works Association (APWA) North Carolina Leadership and Management Division Conference in Asheville on May 16<sup>th</sup>.
- We will be replacing multiple water meters in our system this month.
- Staff will install a new water service for the new home construction at 332 Vanderbilt Road.
- Staff will be working on the mulch bed at the Brooklawn Park pond to refresh it and install some flowering plant material.
- We are installing mulch on the road shoulder along Westwood Road.
- We are servicing and tuning up our small engine equipment (blowers and weed eaters).
- We will be celebrating National Public Works Week as a department from May 19-May 24.

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



## MEMORANDUM

**To:** Jonathan Kanipe, Town Manager  
Mayor and Board of Commissioners

**From:** Tony Williams, Town Planner

**Re:** April Monthly Report

**Date:** May 14, 2024

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### Recurring

- Check PD reports daily for code violations, make contact as needed to homeowners and contractors.
- Field inspections are conducted multiple times a week.
- Review plans for the Board of Adjustment for meeting packets.
- Conducted site visits with the Board of Adjustment Members for all projects to be heard.
- Attended Board of Adjustment meeting.
- Attended Planning Board meeting.
- Communicate weekly with all who submit plans for approval.
- Weekly advising homeowners and contractors of the ordinances.
- Addressing violations as needed.
- Issuing permits as needed.

### Monthly Breakdown

- Review of potential subdivisions: 0
- Land use conferences virtual/on site: 98
- Notice of violations verbal/written: 2
- Resolved violations/complaints: 6
- Complaints: 7
- Plans reviewed: 17
- Plans reviewed for BOA: 3
- Plans reviewed for Design Review Board: 5
- Permits issued: 6



# Monthly Financial Report

## March 2024

### CASH ACCOUNTS

First Citizens Money Market Checking	1,485,519.40
NCCMT General Fund Government	4,944,576.65
NCCMT Water Fund Government	105,417.42
<b>TOTAL</b>	<b>6,535,513.47</b>

### NORTH CAROLINA CASH MANAGEMENT TRUST

#### GENERAL FUND Government

Beginning Balance	4,720,676.13
Local Gov't Distribution (NCDOR)	202,408.80
Transfer to First Citizens Checking	-
Interest Earned	21,491.72
<b>Ending Balance</b>	<b>4,944,576.65</b>

#### WATER FUND Government

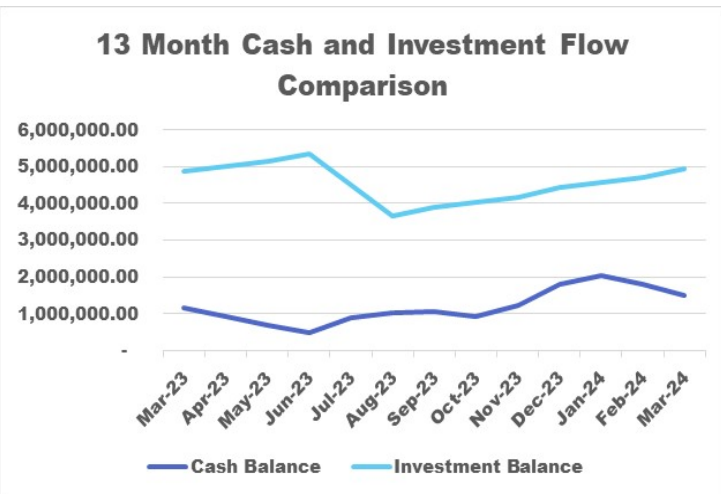
Beginning Balance	104,950.59
Interest Earned	466.83
<b>Ending Balance</b>	<b>105,417.42</b>

### FIRST CITIZENS CHECKING (Monthly Transaction Report)

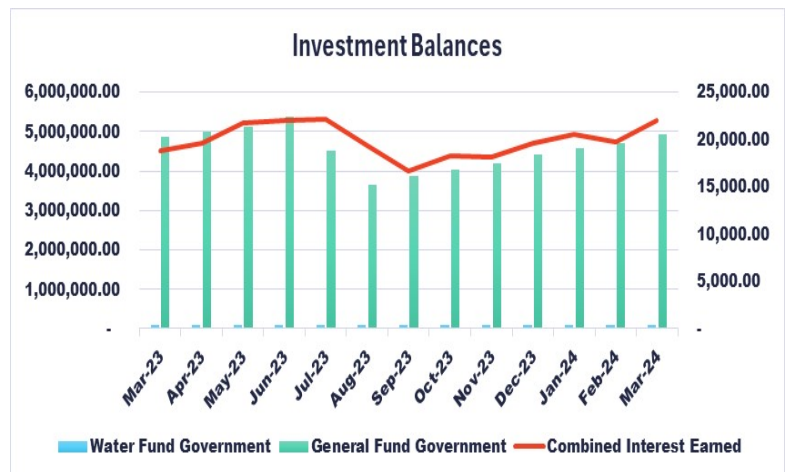
<b>Beginning Balance</b>	<b>1,784,319.25</b>
Cleared Checks	(80,877.77)
Cleared Deposits	136,636.69
Cleared Credits	12,836.96
Cleared Debits	(130,894.50)
Cleared E-payments	(236,501.23)
<b>Change in Account Balance</b>	<b>(298,799.85)</b>
<b>Prelim balance</b>	<b>1,485,519.40</b>
<b>Outstanding Items</b>	<b>-</b>
<b>Ending Balance (F/L Balance)</b>	<b>1,485,519.40</b>

### 2023 PROPERTY TAXES

Real Property	859,013,590.00
Personal Property (Including BUS & IND)	7,120,468.00
Personal Property (Public Service Companies)	5,393,345.00
Total Assessed	871,527,403.00
<b>Total Levy</b>	<b>3,006,757.20</b>
Budgeted Levy	2,980,215.00



Tax Collection	Budgeted Levy	Total Levy	Amount Collected
<b>Ad Valorem (2023)</b>	2,980,215.00	3,006,813.43	<b>2,985,924.87</b>
Unpaid per Levy Type	(5,709.87)	20,888.56	
Percent Collected	100.19%	99.31%	
<b>DMV Ad Valorem</b>	122,399.00		92,007.83
Difference	30,391.17		
Percent Collected	75.17%		

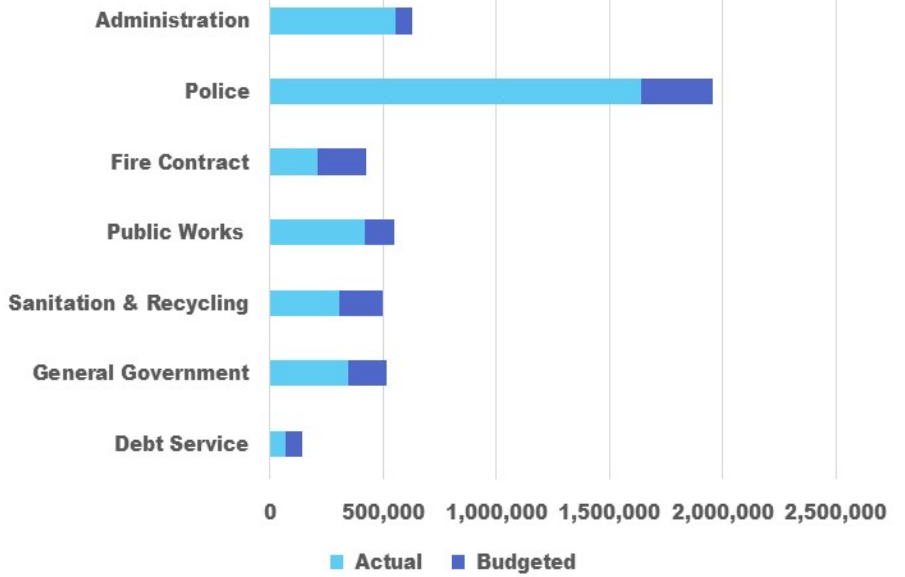




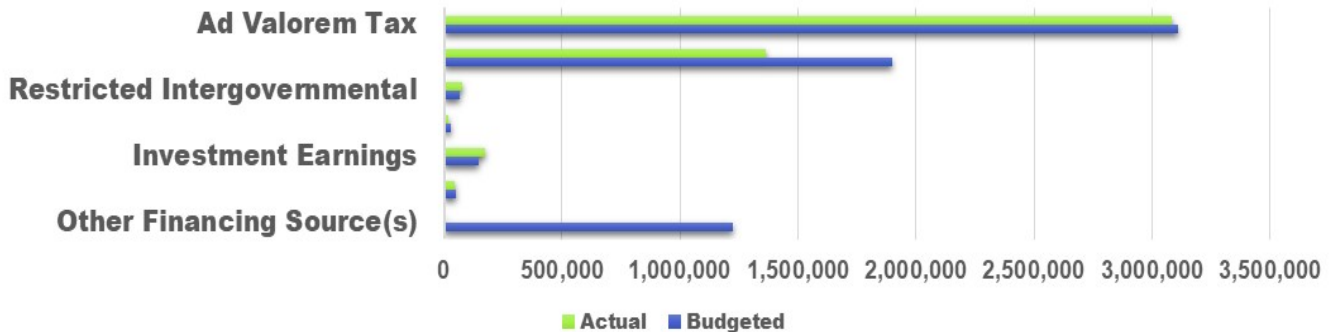
### Budget to Actual Revenues vs Expenditures FY 2023-2024



### Budget to Actual Expenditures FY 2023-2024



### Budget to Actual Revenues FY 2023-2024





**REVENUE & EXPENDITURE STATEMENT**

07/01/2023 To 05/01/2024

Town of Biltmore Forest

FY 2023-2024

\*100 in the % Used column indicates that no budget exists

Account	Budget (\$)	Current Period (\$)	YTD With Encumbrance (\$)	Encumbrance (\$)	Remaining Balance (\$)	% Used
<b>3010 Ad Valorem Tax</b>						
<b>Revenue</b>						
<b>3010 Ad Valorem Tax</b>						
10-3010-0000 AD VALOREM TAXES (PROPERTY)	2,980,215.00	3,006,757.20	3,006,757.20	0.00	-26,542.20	101
10-3010-0100 AD VALOREM TAXES (DMV)	122,399.00	92,007.83	92,007.83	0.00	30,391.17	75
10-3010-0200 TAX INTEREST & PENALTIES	5,000.00	5,235.47	5,235.47	0.00	-235.47	105
<b>3010 Ad Valorem Tax Subtotal</b>	<b>\$3,107,614.00</b>	<b>\$3,104,000.50</b>	<b>\$3,104,000.50</b>	<b>\$0.00</b>	<b>\$3,613.50</b>	<b>100</b>
<b>Revenue Subtotal</b>	<b>\$3,107,614.00</b>	<b>\$3,104,000.50</b>	<b>\$3,104,000.50</b>	<b>\$0.00</b>	<b>\$3,613.50</b>	<b>100</b>
After Transfers	<b>Excess Of Revenue Subtotal</b>	<b>\$3,107,614.00</b>	<b>\$3,104,000.50</b>	<b>\$3,104,000.50</b>	<b>\$0.00</b>	<b>100</b>
<b>3020 Unrestricted Intergovernm</b>						
<b>Revenue</b>						
<b>3020 Unrestricted Intergovernm</b>						
10-3020-0000 FRANCHISE & UTILITIES TAX DIST.	235,200.00	173,152.04	173,152.04	0.00	62,047.96	74
10-3020-0100 ALCOHOL BEVERAGE TAX	6,500.00	0.00	0.00	0.00	6,500.00	0
10-3020-0200 BUNCOMBE COUNTY 1% TAX	835,550.00	590,995.15	590,995.15	0.00	244,554.85	71
10-3020-0300 1/2 CENT SALES TAX A.40	358,260.00	255,174.95	255,174.95	0.00	103,085.05	71
10-3020-0400 1/2 CENT SALES TAX A.42	443,961.00	313,695.22	313,695.22	0.00	130,265.78	71
10-3020-0600 SALES TAX REFUND	31,548.00	31,548.47	31,548.47	0.00	-0.47	100
10-3020-0700 GASOLINE TAX REFUND	5,000.00	0.00	0.00	0.00	5,000.00	0
<b>3020 Unrestricted Intergovernm Subtotal</b>	<b>\$1,916,019.00</b>	<b>\$1,364,565.83</b>	<b>\$1,364,565.83</b>	<b>\$0.00</b>	<b>\$551,453.17</b>	<b>71</b>
<b>Revenue Subtotal</b>	<b>\$1,916,019.00</b>	<b>\$1,364,565.83</b>	<b>\$1,364,565.83</b>	<b>\$0.00</b>	<b>\$551,453.17</b>	<b>71</b>
After Transfers	<b>Excess Of Revenue Subtotal</b>	<b>\$1,916,019.00</b>	<b>\$1,364,565.83</b>	<b>\$1,364,565.83</b>	<b>\$0.00</b>	<b>71</b>
<b>3030 Restricted Intergovernmen</b>						
<b>Revenue</b>						
<b>3030 Restricted Intergovernmen</b>						
10-3030-0000 SOLID WASTE DISPOSAL TAX	1,133.00	852.29	852.29	0.00	280.71	75
10-3030-0100 POWELL BILL	74,012.00	74,012.36	74,012.36	0.00	-0.36	100
10-3030-0200 ILLICIT SUBSTANCE TAX	18.00	-4.00	-4.00	0.00	22.00	-22
<b>3030 Restricted Intergovernmen Subtotal</b>	<b>\$75,163.00</b>	<b>\$74,860.65</b>	<b>\$74,860.65</b>	<b>\$0.00</b>	<b>\$302.35</b>	<b>100</b>
<b>Revenue Subtotal</b>	<b>\$75,163.00</b>	<b>\$74,860.65</b>	<b>\$74,860.65</b>	<b>\$0.00</b>	<b>\$302.35</b>	<b>100</b>
After Transfers	<b>Excess Of Revenue Subtotal</b>	<b>\$75,163.00</b>	<b>\$74,860.65</b>	<b>\$74,860.65</b>	<b>\$0.00</b>	<b>100</b>
<b>3040 Permits &amp; Fees</b>						
<b>Revenue</b>						
<b>3040 Permits &amp; Fees</b>						
10-3040-0000 ZONING PERMITS	30,000.00	32,175.00	32,175.00	0.00	-2,175.00	107
10-3040-0100 DOG LICENSE FEE	1,300.00	1,289.60	1,289.60	0.00	10.40	99
<b>3040 Permits &amp; Fees Subtotal</b>	<b>\$31,300.00</b>	<b>\$33,464.60</b>	<b>\$33,464.60</b>	<b>\$0.00</b>	<b>-\$2,164.60</b>	<b>107</b>
<b>Revenue Subtotal</b>	<b>\$31,300.00</b>	<b>\$33,464.60</b>	<b>\$33,464.60</b>	<b>\$0.00</b>	<b>-\$2,164.60</b>	<b>107</b>

**REVENUE & EXPENDITURE STATEMENT**

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Account	Budget (\$)	Current Period (\$)	YTD With Encumbrance (\$)	Encumbrance (\$)	Remaining Balance (\$)	% Used
After Transfers	<b>Excess Of Revenue Subtotal</b>	<b>\$31,300.00</b>	<b>\$33,464.60</b>	<b>\$33,464.60</b>	<b>\$0.00</b>	<b>107</b>
<b>3050 Investment Earnings</b>						
<b>Revenue</b>						
<b>3050 Investment Earnings</b>						
10-3050-0000 INTEREST EARNED	148,800.00	173,333.28	173,333.28	0.00	-24,533.28	116
	<b>3050 Investment Earnings Subtotal</b>	<b>\$148,800.00</b>	<b>\$173,333.28</b>	<b>\$173,333.28</b>	<b>\$0.00</b>	<b>-24,533.28</b>
	<b>Revenue Subtotal</b>	<b>\$148,800.00</b>	<b>\$173,333.28</b>	<b>\$173,333.28</b>	<b>\$0.00</b>	<b>-24,533.28</b>
After Transfers	<b>Excess Of Revenue Subtotal</b>	<b>\$148,800.00</b>	<b>\$173,333.28</b>	<b>\$173,333.28</b>	<b>\$0.00</b>	<b>116</b>
<b>3060 Miscellaneous</b>						
<b>Revenue</b>						
<b>3060 Miscellaneous</b>						
10-3060-0100 AMERICAN TOWER AGREEMENT	46,365.00	32,818.58	32,818.58	0.00	13,546.42	71
10-3060-0200 MISCELLANEOUS	50,000.00	51,182.35	51,182.35	0.00	-1,182.35	102
	<b>3060 Miscellaneous Subtotal</b>	<b>\$96,365.00</b>	<b>\$84,000.93</b>	<b>\$84,000.93</b>	<b>\$0.00</b>	<b>\$12,364.07</b>
	<b>Revenue Subtotal</b>	<b>\$96,365.00</b>	<b>\$84,000.93</b>	<b>\$84,000.93</b>	<b>\$0.00</b>	<b>\$12,364.07</b>
After Transfers	<b>Excess Of Revenue Subtotal</b>	<b>\$96,365.00</b>	<b>\$84,000.93</b>	<b>\$84,000.93</b>	<b>\$0.00</b>	<b>87</b>
<b>3290</b>						
<b>Revenue</b>						
<b>3290</b>						
30-3290-0000 INTEREST EARNED	4,000.00	4,060.12	4,060.12	0.00	-60.12	102
	<b>3290 Subtotal</b>	<b>\$4,000.00</b>	<b>\$4,060.12</b>	<b>\$4,060.12</b>	<b>\$0.00</b>	<b>-\$60.12</b>
	<b>Revenue Subtotal</b>	<b>\$4,000.00</b>	<b>\$4,060.12</b>	<b>\$4,060.12</b>	<b>\$0.00</b>	<b>-\$60.12</b>
After Transfers	<b>Excess Of Revenue Subtotal</b>	<b>\$4,000.00</b>	<b>\$4,060.12</b>	<b>\$4,060.12</b>	<b>\$0.00</b>	<b>102</b>
<b>3350 Commissions, Sw Chg Coll</b>						
<b>Revenue</b>						
<b>3350 Commissions, Sw Chg Coll</b>						
30-3350-0000 COMMISSIONS, SEWER CHARGE COLL	8,000.00	5,653.87	5,653.87	0.00	2,346.13	71
	<b>3350 Commissions, Sw Chg Coll Subtotal</b>	<b>\$8,000.00</b>	<b>\$5,653.87</b>	<b>\$5,653.87</b>	<b>\$0.00</b>	<b>\$2,346.13</b>
	<b>Revenue Subtotal</b>	<b>\$8,000.00</b>	<b>\$5,653.87</b>	<b>\$5,653.87</b>	<b>\$0.00</b>	<b>\$2,346.13</b>
After Transfers	<b>Excess Of Revenue Subtotal</b>	<b>\$8,000.00</b>	<b>\$5,653.87</b>	<b>\$5,653.87</b>	<b>\$0.00</b>	<b>71</b>
<b>3500 Other Financing</b>						
<b>Other Financing Source</b>						
<b>3500 Other Financing</b>						
10-3500-0000 SALE OF PERSONAL PROPERTY	10,000.00	0.00	0.00	0.00	10,000.00	0
10-3500-0300 TRANSFER FROM FUND BALANCE	1,213,866.00	0.00	0.00	0.00	1,213,866.00	0
	<b>3500 Other Financing Subtotal</b>	<b>\$1,223,866.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1,223,866.00</b>
	<b>Other Financing Source Subtotal</b>	<b>\$1,223,866.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1,223,866.00</b>
After Transfers	<b>Deficiency Of Revenue Subtotal</b>	<b>\$1,223,866.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>0</b>

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Town of Biltmore Forest

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Account	Budget (\$)	Current Period (\$)	YTD With Encumbrance (\$)	Encumbrance (\$)	Remaining Balance (\$)	% Used
<b>3710 Water Sales</b>						
<b>Revenue</b>						
<b>3710 Water Sales</b>						
30-3710-0000 WATER CHARGES	572,382.00	344,908.37	344,908.37	0.00	227,473.63	60
30-3710-0100 MSD CHARGES	493,425.00	279,940.96	279,940.96	0.00	213,484.04	57
30-3710-0200 AMI TRANSMITTER CHARGES	7,700.00	5,448.58	5,448.58	0.00	2,251.42	71
<b>3710 Water Sales Subtotal</b>	<b>\$1,073,507.00</b>	<b>\$630,297.91</b>	<b>\$630,297.91</b>	<b>\$0.00</b>	<b>\$443,209.09</b>	<b>59</b>
<b>Revenue Subtotal</b>	<b>\$1,073,507.00</b>	<b>\$630,297.91</b>	<b>\$630,297.91</b>	<b>\$0.00</b>	<b>\$443,209.09</b>	<b>59</b>
After Transfers	<b>Excess Of Revenue Subtotal</b>	<b>\$1,073,507.00</b>	<b>\$630,297.91</b>	<b>\$630,297.91</b>	<b>\$0.00</b>	<b>59</b>
<b>3730 Water Tap &amp; Connect Fees</b>						
<b>Revenue</b>						
<b>3730 Water Tap &amp; Connect Fees</b>						
30-3730-0000 WATER TAP AND CONNECTION FEES	9,980.00	13,070.00	13,070.00	0.00	-3,090.00	131
<b>3730 Water Tap &amp; Connect Fees Subtotal</b>	<b>\$9,980.00</b>	<b>\$13,070.00</b>	<b>\$13,070.00</b>	<b>\$0.00</b>	<b>-\$3,090.00</b>	<b>131</b>
<b>Revenue Subtotal</b>	<b>\$9,980.00</b>	<b>\$13,070.00</b>	<b>\$13,070.00</b>	<b>\$0.00</b>	<b>-\$3,090.00</b>	<b>131</b>
After Transfers	<b>Excess Of Revenue Subtotal</b>	<b>\$9,980.00</b>	<b>\$13,070.00</b>	<b>\$13,070.00</b>	<b>\$0.00</b>	<b>131</b>
<b>4000</b>						
<b>Revenue</b>						
<b>4000</b>						
40-4000-1100 ARP DISTRIBUTION	451,275.58	0.00	0.00	0.00	451,275.58	0
<b>4000 Subtotal</b>	<b>\$451,275.58</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$451,275.58</b>	<b>0</b>
<b>Revenue Subtotal</b>	<b>\$451,275.58</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$451,275.58</b>	<b>0</b>
After Transfers	<b>Deficiency Of Revenue Subtotal</b>	<b>\$451,275.58</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>0</b>
<b>4200 Administration</b>						
<b>Expenditure</b>						
<b>4200 Administration</b>						
10-4200-0200 SALARIES	321,633.00	311,546.62	311,546.62	0.00	10,086.38	97
10-4200-0300 OVERTIME	3,000.00	0.00	0.00	0.00	3,000.00	0
10-4200-0500 FICA	24,605.00	23,168.92	23,168.92	0.00	1,436.08	94
10-4200-0600 HEALTH INSURANCE (MEDICAL)	42,598.00	31,150.51	31,150.51	0.00	11,447.49	73
10-4200-0650 DENTAL, VISION, LIFE INSURANCE	10,500.00	7,040.28	7,040.28	0.00	3,459.72	67
10-4200-0675 HEALTH REIMBURSEMENT ACC	7,500.00	5,000.00	5,000.00	0.00	2,500.00	67
10-4200-0700 LGERS RETIREMENT	62,815.00	61,195.30	61,195.30	0.00	1,619.70	97
10-4200-0800 401K SUPP RETIREMENT	16,232.00	14,984.10	14,984.10	0.00	1,247.90	92
10-4200-1000 ACCOUNTING & TAXES	52,689.00	52,688.06	52,688.06	0.00	0.94	100
10-4200-1200 POSTAGE, PRINTING, STATIONARY	10,140.00	9,446.45	10,784.59	1,338.14	-644.59	106
10-4200-1400 MILEAGE & BOARD SALARY	21,600.00	18,000.00	18,000.00	0.00	3,600.00	83
10-4200-1500 BLDG & GRNDS MAINTENANCE	35,000.00	34,531.57	34,531.57	0.00	468.43	99
10-4200-3300 SUPPLIES AND EQUIPMENT	10,000.00	9,299.16	9,299.16	0.00	700.84	93

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10-4200-5300 DUES & FEES	10,070.00	10,109.52	10,109.52	0.00	-39.52	100
10-4200-5700 MISCELLANEOUS	1,000.00	1,679.12	2,080.37	401.25	-1,080.37	208
10-4200-6500 STAFF DEVELOPMENT	21,395.00	12,117.12	12,771.54	654.42	8,623.46	60
<b>4200 Administration Subtotal</b>	<b>\$650,777.00</b>	<b>\$601,956.73</b>	<b>\$604,350.54</b>	<b>\$2,393.81</b>	<b>\$46,426.46</b>	<b>93</b>
<b>Expenditure Subtotal</b>	<b>\$650,777.00</b>	<b>\$601,956.73</b>	<b>\$604,350.54</b>	<b>\$2,393.81</b>	<b>\$46,426.46</b>	<b>93</b>
Before Transfers	<b>Deficiency Of Revenue Subtotal</b>	<b>-\$650,777.00</b>	<b>-\$601,956.73</b>	<b>-\$601,956.73</b>	<b>-\$2,393.81</b>	<b>92</b>
After Transfers	<b>Deficiency Of Revenue Subtotal</b>	<b>-\$650,777.00</b>	<b>-\$601,956.73</b>	<b>-\$601,956.73</b>	<b>-\$2,393.81</b>	<b>92</b>
<b>5100 Police Department</b>						
<b>Expenditure</b>						
<b>5100 Police Department</b>						
10-5100-0200 SALARIES	1,013,718.00	954,796.45	954,796.45	0.00	58,921.55	94
10-5100-0300 OVERTIME	30,412.00	692.28	692.28	0.00	29,719.72	2
10-5100-0400 SEPARATION ALLOWANCE	16,445.00	13,915.22	13,915.22	0.00	2,529.78	85
10-5100-0500 FICA	77,549.00	72,662.55	72,662.55	0.00	4,886.45	94
10-5100-0600 HEALTH INSURANCE (MEDICAL)	144,832.00	119,989.12	119,989.12	0.00	24,842.88	83
10-5100-0650 DENTAL, VISION, LIFE INSURANCE	35,700.00	18,609.44	18,609.44	0.00	17,090.56	52
10-5100-0675 HRA HEALTH REIMB ACCT	25,500.00	19,625.00	19,625.00	0.00	5,875.00	77
10-5100-0700 LGERS RETIREMENT	210,651.00	188,175.86	188,175.86	0.00	22,475.14	89
10-5100-0800 401K SUPP RETIREMENT	50,686.00	45,775.50	45,775.50	0.00	4,910.50	90
10-5100-1500 MAINT/REPAIR - BLDG/GROUNDS	20,000.00	15,236.89	16,760.39	1,523.50	3,239.61	84
10-5100-1600 MAINT/REPAIR - EQUIPMENT	5,500.00	1,259.94	4,389.69	3,129.75	1,110.31	80
10-5100-1700 MAINT/REPAIR - VEHICLES	22,000.00	20,680.79	20,733.48	52.69	1,266.52	94
10-5100-3100 MOTOR FUELS	24,600.00	15,218.33	15,218.33	0.00	9,381.67	62
10-5100-3300 SUPPLIES	10,080.00	8,623.57	8,623.57	0.00	1,456.43	86
10-5100-3600 UNIFORMS	15,000.00	8,392.17	8,392.17	0.00	6,607.83	56
10-5100-3700 SOFTWARE	18,725.00	15,480.00	15,480.00	0.00	3,245.00	83
10-5100-3800 TECHNOLOGY	58,740.00	45,071.56	45,071.56	0.00	13,668.44	77
10-5100-4000 RENTALS	505.00	501.09	501.09	0.00	3.91	99
10-5100-5700 MISCELLANEOUS	10,765.00	8,130.54	10,000.54	1,870.00	764.46	93
10-5100-5800 PHYSICAL EXAMS	2,000.00	1,846.52	1,846.52	0.00	153.48	92
10-5100-6500 STAFF DEVELOPMENT	15,000.00	9,695.91	11,025.18	1,329.27	3,974.82	74
10-5100-7400 CAPITAL EQUIPMENT PURCHASES	224,000.00	200,082.43	219,529.21	19,446.78	4,470.79	98
<b>5100 Police Department Subtotal</b>	<b>\$2,032,408.00</b>	<b>\$1,784,461.16</b>	<b>\$1,811,813.15</b>	<b>\$27,351.99</b>	<b>\$220,594.85</b>	<b>89</b>
<b>Expenditure Subtotal</b>	<b>\$2,032,408.00</b>	<b>\$1,784,461.16</b>	<b>\$1,811,813.15</b>	<b>\$27,351.99</b>	<b>\$220,594.85</b>	<b>89</b>
Before Transfers	<b>Deficiency Of Revenue Subtotal</b>	<b>-\$2,032,408.00</b>	<b>-\$1,784,461.16</b>	<b>-\$1,784,461.16</b>	<b>-\$27,351.99</b>	<b>88</b>
After Transfers	<b>Deficiency Of Revenue Subtotal</b>	<b>-\$2,032,408.00</b>	<b>-\$1,784,461.16</b>	<b>-\$1,784,461.16</b>	<b>-\$27,351.99</b>	<b>88</b>
<b>5200 Fire Services</b>						
<b>Expenditure</b>						
<b>5200 Fire Services</b>						

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10-5200-0000 FIRE CONTRACT	425,000.00	425,000.00	425,000.00	0.00	0.00	100
<b>5200 Fire Services Subtotal</b>	<b>\$425,000.00</b>	<b>\$425,000.00</b>	<b>\$425,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>100</b>
<b>Expenditure Subtotal</b>	<b>\$425,000.00</b>	<b>\$425,000.00</b>	<b>\$425,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>100</b>
Before Transfers	<b>Deficiency Of Revenue Subtotal</b>	<b>-\$425,000.00</b>	<b>-\$425,000.00</b>	<b>-\$425,000.00</b>	<b>\$0.00</b>	<b>100</b>
After Transfers	<b>Deficiency Of Revenue Subtotal</b>	<b>-\$425,000.00</b>	<b>-\$425,000.00</b>	<b>-\$425,000.00</b>	<b>\$0.00</b>	<b>100</b>
<b>5600 Public Works</b>						
<b>Expenditure</b>						
<b>5600 Public Works</b>						
10-5600-0200 SALARIES	211,888.00	204,130.23	204,130.23	0.00	7,757.77	96
10-5600-0300 OVERTIME	5,000.00	0.00	0.00	0.00	5,000.00	0
10-5600-0500 FICA	16,209.00	14,629.27	14,629.27	0.00	1,579.73	90
10-5600-0600 HOSPITAL INSURANCE (MEDICAL)	68,156.00	26,971.42	26,971.42	0.00	41,184.58	40
10-5600-0650 DENTAL, VISION, LIFE INSURANCE	10,500.00	5,411.40	5,411.40	0.00	5,088.60	52
10-5600-0675 HRA HEALTH REIMB ACCT	7,500.00	4,375.00	4,375.00	0.00	3,125.00	58
10-5600-0700 LGERS RETIREMENT	41,382.00	39,115.98	39,115.98	0.00	2,266.02	95
10-5600-0800 401K SUPP RETIREMENT	10,594.00	9,118.90	9,118.90	0.00	1,475.10	86
10-5600-1300 STREETLIGHTS ELECTRIC	17,000.00	13,986.41	13,986.41	0.00	3,013.59	82
10-5600-1500 MAINT/REPAIR - BLDG/GROUNDS	9,600.00	7,856.25	7,874.63	18.38	1,725.37	82
10-5600-1600 MAINT/REPAIR- STREETLIGHTS	35,000.00	13,195.55	13,195.55	0.00	21,804.45	38
10-5600-1700 MAINT/REPAIR - VEHICLES	15,000.00	13,680.36	13,680.36	0.00	1,319.64	91
10-5600-3100 MOTOR FUELS	20,000.00	12,220.93	12,220.93	0.00	7,779.07	61
10-5600-3300 SUPPLIES	10,000.00	7,571.18	7,860.74	289.56	2,139.26	79
10-5600-3400 STREET SIGNS & NUMBERS	1,000.00	812.25	812.25	0.00	187.75	81
10-5600-3600 UNIFORMS	8,650.00	5,067.24	6,506.60	1,439.36	2,143.40	75
10-5600-3800 TECHNOLOGY	9,500.00	1,307.31	1,307.31	0.00	8,192.69	14
10-5600-5200 PARKS	60,000.00	74,833.37	76,740.74	1,907.37	-16,740.74	128
10-5600-5800 PHYSICAL EXAMS	500.00	0.00	0.00	0.00	500.00	0
10-5600-5900 MISCELLANEOUS	2,000.00	1,092.13	1,595.03	502.90	404.97	80
10-5600-6000 CAPITAL OUTLAY	18,000.00	19,504.90	19,504.90	0.00	-1,504.90	108
10-5600-6500 STAFF DEVELOPMENT	2,500.00	2,297.44	2,297.44	0.00	202.56	92
40-5600-7401 ARP CAPITAL PROJECTS	451,275.58	117,369.41	117,369.41	0.00	333,906.17	26
<b>5600 Public Works Subtotal</b>	<b>\$1,031,254.58</b>	<b>\$594,546.93</b>	<b>\$598,704.50</b>	<b>\$4,157.57</b>	<b>\$432,550.08</b>	<b>58</b>
<b>Expenditure Subtotal</b>	<b>\$1,031,254.58</b>	<b>\$594,546.93</b>	<b>\$598,704.50</b>	<b>\$4,157.57</b>	<b>\$432,550.08</b>	<b>58</b>
Before Transfers	<b>Deficiency Of Revenue Subtotal</b>	<b>-\$1,031,254.58</b>	<b>-\$594,546.93</b>	<b>-\$594,546.93</b>	<b>-\$4,157.57</b>	<b>58</b>
After Transfers	<b>Deficiency Of Revenue Subtotal</b>	<b>-\$1,031,254.58</b>	<b>-\$594,546.93</b>	<b>-\$594,546.93</b>	<b>-\$4,157.57</b>	<b>58</b>
<b>5700 Streets &amp; Transportation</b>						
<b>Expenditure</b>						
<b>5700 Streets &amp; Transportation</b>						
10-5700-1700 VEHICLE REPAIRS - STREET DEPT.	5,000.00	202.93	202.93	0.00	4,797.07	4

**REVENUE & EXPENDITURE STATEMENT**  
07/01/2023 To 05/01/2024

Town of Biltmore Forest  
FY 2023-2024

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10-5700-2200 CONTRACTS- PAVING & STRIPING	255,000.00	58,622.95	58,622.95	0.00	196,377.05	23
10-5700-2300 SUPPLIES	10,000.00	5,316.04	6,123.67	807.63	3,876.33	61
10-5700-2400 TRAFFIC SIGNS	500.00	0.00	0.00	0.00	500.00	0
10-5700-2500 STORM WATER DRAINAGE	1,273,881.00	29,459.02	29,459.02	0.00	1,244,421.98	2
10-5700-3800 TECHNOLOGY	5,000.00	0.00	0.00	0.00	5,000.00	0
10-5700-6500 STAFF DEVELOPMENT	2,000.00	1,126.15	1,401.15	275.00	598.85	70
10-5700-7400 CAPITAL EQUIPMENT PURCHASES	19,200.00	10,129.71	10,129.71	0.00	9,070.29	53
10-5700-7500 ENGINEERING	50,000.00	57,836.95	57,836.95	0.00	-7,836.95	116
<b>5700 Streets &amp; Transportation Subtotal</b>	<b>\$1,620,581.00</b>	<b>\$162,693.75</b>	<b>\$163,776.38</b>	<b>\$1,082.63</b>	<b>\$1,456,804.62</b>	<b>10</b>
<b>Expenditure Subtotal</b>	<b>\$1,620,581.00</b>	<b>\$162,693.75</b>	<b>\$163,776.38</b>	<b>\$1,082.63</b>	<b>\$1,456,804.62</b>	<b>10</b>
Before Transfers	<b>Deficiency Of Revenue Subtotal</b>	<b>-\$1,620,581.00</b>	<b>-\$162,693.75</b>	<b>-\$162,693.75</b>	<b>-\$1,082.63</b>	<b>10</b>
After Transfers	<b>Deficiency Of Revenue Subtotal</b>	<b>-\$1,620,581.00</b>	<b>-\$162,693.75</b>	<b>-\$162,693.75</b>	<b>-\$1,082.63</b>	<b>10</b>
<b>5800 Sanitation &amp; Recycling</b>						
<b>Expenditure</b>						
<b>5800 Sanitation &amp; Recycling</b>						
10-5800-0200 SALARIES	141,376.00	134,177.21	134,177.21	0.00	7,198.79	95
10-5800-0300 OVERTIME	5,000.00	0.00	0.00	0.00	5,000.00	0
10-5800-0500 FICA	11,198.00	10,166.24	10,166.24	0.00	1,031.76	91
10-5800-0600 HEALTH INSURANCE (MEDICAL)	68,156.00	20,917.07	20,917.07	0.00	47,238.93	31
10-5800-0650 DENTAL, VISION, LIFE INSURANCE	6,300.00	3,349.20	3,349.20	0.00	2,950.80	53
10-5800-0675 HRA HEALTH REIMB ACCT	4,500.00	3,750.00	3,750.00	0.00	750.00	83
10-5800-0700 LGERS RETIREMENT	27,611.00	25,015.63	25,015.63	0.00	2,595.37	91
10-5800-0800 401K SUPP RETIREMENT	7,069.00	6,347.45	6,347.45	0.00	721.55	90
10-5800-1500 GENERAL REPAIRS & MAINTENANCE	100.00	87.30	87.30	0.00	12.70	87
10-5800-1700 MAINT/REPAIRS - VEHICLES	80,000.00	71,181.72	74,790.62	3,608.90	5,209.38	93
10-5800-3100 MOTOR FUELS	30,000.00	18,512.54	18,512.54	0.00	11,487.46	62
10-5800-3300 SUPPLIES	1,000.00	834.10	834.10	0.00	165.90	83
10-5800-3600 UNIFORMS	1,000.00	348.78	348.78	0.00	651.22	35
10-5800-3800 TECHNOLOGY	3,000.00	318.89	531.82	212.93	2,468.18	18
10-5800-5800 PHYSICAL EXAMS	500.00	0.00	0.00	0.00	500.00	0
10-5800-5900 MISCELLANEOUS	1,000.00	1,000.00	1,000.00	0.00	0.00	100
10-5800-6000 CAPITAL OUTLAY	80,000.00	0.00	0.00	0.00	80,000.00	0
10-5800-8000 TIPPING FEES & BRUSH REMOVAL	50,000.00	38,519.02	38,519.02	0.00	11,480.98	77
10-5800-8100 RECYCLING	20,000.00	4,973.65	4,973.65	0.00	15,026.35	25
10-5800-8200 BRUSH & LEAF DISPOSAL FEES	31,200.00	29,556.00	29,556.00	0.00	1,644.00	95
<b>5800 Sanitation &amp; Recycling Subtotal</b>	<b>\$569,010.00</b>	<b>\$369,054.80</b>	<b>\$372,876.63</b>	<b>\$3,821.83</b>	<b>\$196,133.37</b>	<b>66</b>
<b>Expenditure Subtotal</b>	<b>\$569,010.00</b>	<b>\$369,054.80</b>	<b>\$372,876.63</b>	<b>\$3,821.83</b>	<b>\$196,133.37</b>	<b>66</b>
Before Transfers	<b>Deficiency Of Revenue Subtotal</b>	<b>-\$569,010.00</b>	<b>-\$369,054.80</b>	<b>-\$369,054.80</b>	<b>-\$3,821.83</b>	<b>65</b>



**REVENUE & EXPENDITURE STATEMENT**

07/01/2023 To 05/01/2024

Town of Biltmore Forest

FY 2023-2024

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Account	Budget (\$)	Current Period (\$)	YTD With Encumbrance (\$)	Encumbrance (\$)	Remaining Balance (\$)	% Used
After Transfers	<b>Deficiency Of Revenue Subtotal</b>	<b>-\$569,010.00</b>	<b>-\$369,054.80</b>	<b>-\$369,054.80</b>	<b>-\$3,821.83</b>	<b>65</b>
<b>6600 General Government</b>						
<b>Expenditure</b>						
<b>6600 General Government</b>						
10-6600-0400	OUTSIDE PROFESSIONAL SERVICES	45,959.00	45,711.59	45,711.59	0.00	247.41 99
10-6600-0401	LEGAL SERVICES	35,000.00	17,975.14	17,975.14	0.00	17,024.86 51
10-6600-1100	TECHNOLOGY	105,937.00	98,067.85	98,067.85	0.00	7,869.15 93
10-6600-1300	MUNICIPAL UTILITIES	40,000.00	20,138.55	20,138.55	0.00	19,861.45 50
10-6600-1500	GE. REPS. AND MAINT.	40,000.00	35,402.61	35,402.61	0.00	4,597.39 89
10-6600-2800	ELECTIONS	6,000.00	157.95	157.95	0.00	5,842.05 3
10-6600-5400	INSURANCE	117,000.00	116,751.96	116,751.96	0.00	248.04 100
10-6600-6000	CONTINGENCY	25,000.00	0.00	0.00	0.00	25,000.00 0
10-6600-6100	MISCELLANEOUS	10,000.00	7,865.75	7,865.75	0.00	2,134.25 79
10-6600-6300	COMMUNITY EVENTS	55,000.00	19,274.03	21,425.48	2,151.45	33,574.52 39
10-6600-6400	WILDLIFE MANAGEMENT	5,000.00	2,240.00	2,240.00	0.00	2,760.00 45
10-6600-6500	FOREST MANAGEMENT	60,000.00	54,700.00	54,700.00	0.00	5,300.00 91
	<b>6600 General Government Subtotal</b>	<b>\$544,896.00</b>	<b>\$418,285.43</b>	<b>\$420,436.88</b>	<b>\$2,151.45</b>	<b>\$124,459.12 77</b>
	<b>Expenditure Subtotal</b>	<b>\$544,896.00</b>	<b>\$418,285.43</b>	<b>\$420,436.88</b>	<b>\$2,151.45</b>	<b>\$124,459.12 77</b>
Before Transfers	<b>Deficiency Of Revenue Subtotal</b>	<b>-\$544,896.00</b>	<b>-\$418,285.43</b>	<b>-\$418,285.43</b>	<b>-\$2,151.45</b>	<b>77</b>
After Transfers	<b>Deficiency Of Revenue Subtotal</b>	<b>-\$544,896.00</b>	<b>-\$418,285.43</b>	<b>-\$418,285.43</b>	<b>-\$2,151.45</b>	<b>77</b>
<b>6700 Debt Service</b>						
<b>Expenditure</b>						
<b>6700 Debt Service</b>						
10-6700-0100	Police Dept Renovations-Principal	23,334.00	23,333.52	23,333.52	0.00	0.48 100
10-6700-0200	Street Improvements-Principal	6,667.00	6,666.48	6,666.48	0.00	0.52 100
10-6700-0500	Public Works Building-Principal	84,211.00	84,210.52	84,210.52	0.00	0.48 100
10-6700-0600	NCDEQ LOAN STRM REST	14,600.00	0.00	0.00	0.00	14,600.00 0
10-6700-1100	Police Dept Renovations-Interest	556.00	555.55	555.55	0.00	0.45 100
10-6700-1200	Street Improvements-Interest	159.00	158.90	158.90	0.00	0.10 100
10-6700-1500	Public Works Building-Interest	14,855.00	14,854.73	14,854.73	0.00	0.27 100
	<b>6700 Debt Service Subtotal</b>	<b>\$144,382.00</b>	<b>\$129,779.70</b>	<b>\$129,779.70</b>	<b>\$0.00</b>	<b>\$14,602.30 90</b>
	<b>Expenditure Subtotal</b>	<b>\$144,382.00</b>	<b>\$129,779.70</b>	<b>\$129,779.70</b>	<b>\$0.00</b>	<b>\$14,602.30 90</b>
Before Transfers	<b>Deficiency Of Revenue Subtotal</b>	<b>-\$144,382.00</b>	<b>-\$129,779.70</b>	<b>-\$129,779.70</b>	<b>\$0.00</b>	<b>90</b>
After Transfers	<b>Deficiency Of Revenue Subtotal</b>	<b>-\$144,382.00</b>	<b>-\$129,779.70</b>	<b>-\$129,779.70</b>	<b>\$0.00</b>	<b>90</b>
<b>8100 Water Dept.</b>						
<b>Expenditure</b>						
<b>8100 Water Dept.</b>						
30-8100-0200	SALARIES	169,693.00	130,701.06	130,701.06	0.00	38,991.94 77
30-8100-0400	PROFESSIONAL SERVICES	53,980.00	15,355.86	16,065.87	710.01	37,914.13 30

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Town of Biltmore Forest  
FY 2023-2024

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30-8100-0500 FICA	12,981.00	9,848.40	9,848.40	0.00	3,132.60	76
30-8100-0600 HEALTH INSURANCE (MEDICAL)	0.00	18,484.82	18,484.82	0.00	-18,484.82	*100
30-8100-0650 DENTAL, VISION, LIFE INSURANCE	0.00	3,091.28	3,091.28	0.00	-3,091.28	*100
30-8100-0675 HRA HEALTH REIMBURSEMENT ACCT	0.00	3,125.00	3,125.00	0.00	-3,125.00	*100
30-8100-0700 LGERS RETIREMENT	27,611.00	25,778.80	25,778.80	0.00	1,832.20	93
30-8100-0800 401K SUPP RETIREMENT	8,485.00	7,833.69	7,833.69	0.00	651.31	92
30-8100-1200 POSTAGE, PRINTING, & STATIONARY	5,000.00	1,386.24	3,231.46	1,845.22	1,768.54	65
30-8100-1500 GENERAL REPAIRS	25,000.00	403.75	403.75	0.00	24,596.25	2
30-8100-3300 SUPPLIES & EQUIPMENT	20,000.00	17,182.51	17,182.51	0.00	2,817.49	86
30-8100-3800 TECHNOLOGY	5,000.00	0.00	0.00	0.00	5,000.00	0
30-8100-4800 WATER PURCHASES	204,750.00	136,407.36	136,407.36	0.00	68,342.64	67
30-8100-4900 SEWER PURCHASES	396,000.00	229,041.40	229,041.40	0.00	166,958.60	58
30-8100-5000 AMI TRANSMITTER FEES	7,700.00	6,362.69	6,362.69	0.00	1,337.31	83
30-8100-5700 MISCELLANEOUS	6,196.00	0.00	0.00	0.00	6,196.00	0
30-8100-6000 CAPITAL RESERVE	128,891.00	0.00	0.00	0.00	128,891.00	0
30-8100-6500 STAFF DEVELOPMENT	5,000.00	1,958.18	1,958.18	0.00	3,041.82	39
30-8100-7400 CAPITAL IMPROVEMENT	19,200.00	0.00	0.00	0.00	19,200.00	0
<b>8100 Water Dept. Subtotal</b>	<b>\$1,095,487.00</b>	<b>\$606,961.04</b>	<b>\$609,516.27</b>	<b>\$2,555.23</b>	<b>\$485,970.73</b>	<b>56</b>
<b>Expenditure Subtotal</b>	<b>\$1,095,487.00</b>	<b>\$606,961.04</b>	<b>\$609,516.27</b>	<b>\$2,555.23</b>	<b>\$485,970.73</b>	<b>56</b>
Before Transfers	<b>Deficiency Of Revenue Subtotal</b>	<b>-\$1,095,487.00</b>	<b>-\$606,961.04</b>	<b>-\$606,961.04</b>	<b>-\$2,555.23</b>	<b>55</b>
After Transfers	<b>Deficiency Of Revenue Subtotal</b>	<b>-\$1,095,487.00</b>	<b>-\$606,961.04</b>	<b>-\$606,961.04</b>	<b>-\$2,555.23</b>	<b>55</b>

# BOARD OF COMMISSIONERS MEETING STAFF MEMORANDUM

May 21, 2024



Agenda Item E-5

Town Manager's Monthly Report

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## **Stormwater Project**

The Town's large stormwater project is scheduled to begin within the next week. The Town and consultant held a pre-construction meeting with the contractor in late April to discuss all requirements of the project. The project will result in the closure of Rosebank Park during the initial stage, as the contractor will be working to install the largest diameter pipe throughout the park, as it outfalls at the far south end of the park. The project is being funded directly by the Town with proceeds for the remainder of the project being included in the proposed FY25 budget. The project will take an estimated 6-7 months.

## **Brooklawn Park Trail**

The trail in Brooklawn Park was completed the first week of May. Staff walked the trail to review any potential concerns and addressed these minor items with the contractor. The contractor was scheduled to correct these punch-list items the week of May 13-17. The trail has drawn rave reviews thus far and we are currently working to develop a "grand opening" event for the trail. The project cost just over \$160,000 and was funded through American Recovery Program funding.

## **Greenwood Park**

The park project is in its final stages. The delay is due to steel fabrication for the bridge. The steel fabricator had to receive components from Pennsylvania, that were then shipped to Birmingham, before being delivered to Asheville for final fabrication. Once the steel is delivered on site, the contractor is ready to move forward immediately to get the bridge completed. Once finished, the path paving will be completed, fine grading for the site, and additional landscaping installed. These funds are also being provided by American Recovery Program revenue sources.

## **Tick Reduction Committee**

The Town's ad-hoc tick reduction committee held its first meeting several weeks ago. The committee agreed that tick tubes and deer reduction are important aspects for reduction as the committee evaluates the spray options to minimize environmental impacts. The committee also reviewed a "Toolkit" concept to continue education of various options to enable homeowners to make choices. The next meeting will take place in mid-June.

**BOARD OF COMMISSIONERS MEETING  
STAFF MEMORANDUM**

May 21, 2024



**Agenda Item F-1**

**Consideration of Resolution 2024-04 – Approval of Local  
Water Supply Plan**

*Harry Buckner, Public Works Director*

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Background

The Board of Commissioners received a report from Harry Buckner, Public Works Director, during last month's meeting. Mr. Buckner reviewed the Town's Local Water Supply Plan (LWSP). This plan is required to be updated annually and reviewed at the State level.

The State has now signed off on the Town's LWSP and its components. The Board is now allowed to adopt the Plan as the formal water supply plan for the Town. The attached resolution would make this effective.

Action Requested

Staff recommends approval of the attached resolution.



# Biltmore Forest

2023 ▾

The Division of Water Resources (DWR) provides the data contained within this Local Water Supply Plan (LWSP) as a courtesy and service to our customers. DWR staff does not field verify data. Neither DWR, nor any other party involved in the preparation of this LWSP attests that the data is completely free of errors and omissions. Furthermore, data users are cautioned that LWSPs labeled **PROVISIONAL** have yet to be reviewed by DWR staff. Subsequent review may result in significant revision. Questions regarding the accuracy or limitations of usage of this data should be directed to the water system and/or DWR.

## 1. System Information

### Contact Information

Water System Name: Biltmore Forest PWSID: 01-11-030  
Mailing Address: P.O. Box 5352 Asheville, NC 28813 Ownership: Municipality  
Contact Person: Harry B. Buckner, PE Title: Director of Public Works  
Phone: 828-274-3919 Cell/Mobile: 828-774-8041

**Complete**

### Distribution System

Line Type	Size Range (Inches)	Estimated % of lines
Ductile Iron	2-6	82.00 %
Ductile Iron	6-8	18.00 %

What are the estimated total miles of distribution system lines? 20 Miles

How many feet of distribution lines were replaced during 2023? 0 Feet

How many feet of new water mains were added during 2023? 0 Feet

How many meters were replaced in 2023? 5

How old are the oldest meters in this system? 16 Year(s)

How many meters for outdoor water use, such as irrigation, are not billed for sewer services? 146

What is this system's finished water storage capacity? 0.0000 Million Gallons

Has water pressure been inadequate in any part of the system since last update? *Line breaks that were repaired quickly should not be included.* No

The Town of Biltmore Forest purchases its entire supply from the City of Asheville (01-11-010) through three metered connections. The City of Asheville provides all storage for the Town.

### Programs

Does this system have a program to work or flush hydrants? Yes, Annually

Does this system have a valve exercise program? Yes, Annually

Does this system have a cross-connection program? Yes

Does this system have a program to replace meters? Yes

Does this system have a plumbing retrofit program? No

Does this system have an active water conservation public education program? Yes

Does this system have a leak detection program? Yes

The Town of Biltmore Forest utilizes our cellular based AMR system to monitor the system for customer-side leaks, and visually inspects the Town-owned system daily.

### Water Conservation

What type of rate structure is used? **Decreasing Block**

How much reclaimed water does this system use? **0.0000 MGD** For how many connections? **0**

Does this system have an interconnection with another system capable of providing water in an emergency? **Yes**

The Town of Biltmore Forest purchases its entire supply from the City of Asheville (01-11-010) through three metered connections.

## 2. Water Use Information

### Service Area

Sub-Basin(s)	% of Service Population	County(s)	% of Service Population
French Broad River (05-2)	100 %	Buncombe	100 %

What was the year-round population served in 2023? **1,417**

Has this system acquired another system since last report? **No**

### Water Use by Type

Type of Use	Metered Connections	Metered Average Use (MGD)	Non-Metered Connections	Non-Metered Estimated Use (MGD)
Residential	795	0.1229	0	0.0000
Commercial	9	0.0164	0	0.0000
Industrial	0	0.0000	0	0.0000
Institutional	9	0.0047	1	0.0001

How much water was used for system processes (backwash, line cleaning, flushing, etc.)? **0.0002 MGD**

## 3. Water Supply Sources

### Monthly Withdrawals & Purchases

	Average Daily Use (MGD)	Max Day Use (MGD)		Average Daily Use (MGD)	Max Day Use (MGD)		Average Daily Use (MGD)	Max Day Use (MGD)
Jan	0.1326		May	0.1481		Sep	0.2052	
Feb	0.1127		Jun	0.2015		Oct	0.2318	
Mar	0.1054		Jul	0.2195		Nov	0.1707	
Apr	0.1149		Aug	0.1913		Dec	0.1207	

The Town of Biltmore Forest purchases all water from the City of Asheville through three (3) metered connections.



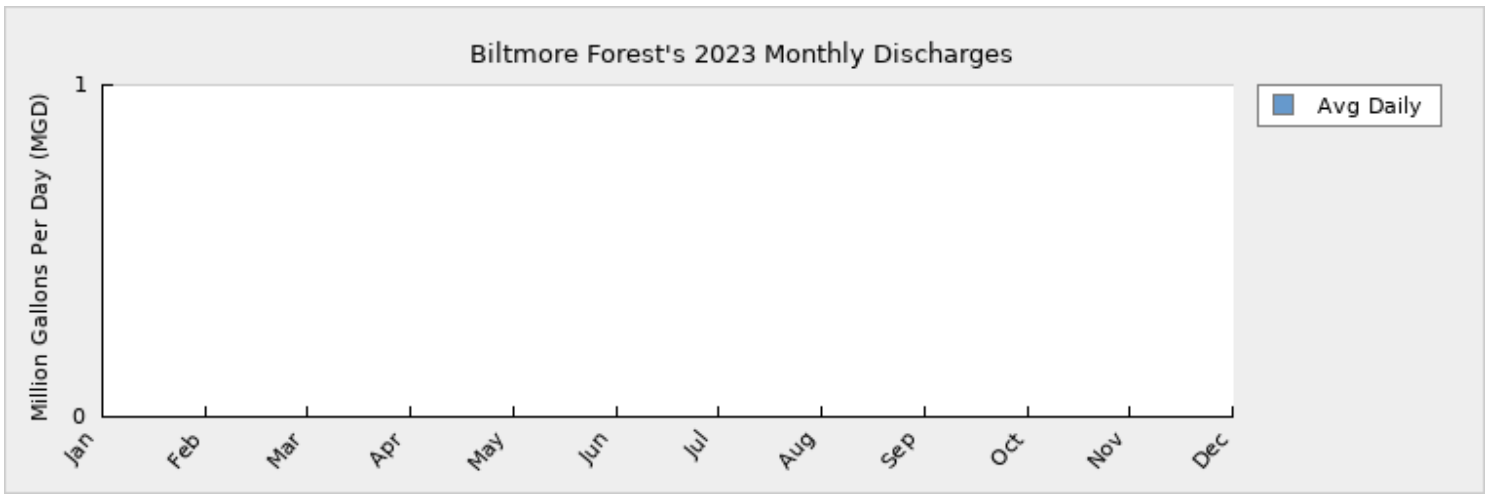
### Water Purchases From Other Systems

Seller	PWSID	Average Daily Purchased (MGD)	Days Used	MGD	Contract Expiration	Recurring	Required to comply with water use restrictions?	Pipe Size(s) (Inches)	Use Type
City of Asheville	01-11-010	0.1630	365	0.3500	2024	Yes	Yes	6,8	Regular

## 4. Wastewater Information

### Monthly Discharges

	Average Daily Discharge (MGD)		Average Daily Discharge (MGD)		Average Daily Discharge (MGD)
Jan	0.0000	May	0.0000	Sep	0.0000
Feb	0.0000	Jun	0.0000	Oct	0.0000
Mar	0.0000	Jul	0.0000	Nov	0.0000
Apr	0.0000	Aug	0.0000	Dec	0.0000



How many sewer connections does this system have? 651

How many water service connections with septic systems does this system have? 6

Are there plans to build or expand wastewater treatment facilities in the next 10 years? No

The Town of Biltmore Forest does not own or operate any sewage collection or treatment facilities. Sewage service is provided by the Metropolitan Sewerage District of Buncombe County.

## 5. Planning

### Projections

	2023	2030	2040	2050	2060	2070
Year-Round Population	1,417	1,448	1,477	1,506	1,537	1,568
Seasonal Population	0	0	0	0	0	0
Residential	0.1229	0.1256	0.1281	0.1306	0.1333	0.1360
Commercial	0.0164	0.0166	0.0168	0.0170	0.0172	0.0174
Industrial	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Institutional	0.0048	0.0049	0.0050	0.0051	0.0052	0.0053
System Process	0.0002	0.0002	0.0002	0.0002	0.0002	0.0002
Unaccounted-for	0.0187	0.0191	0.0195	0.0198	0.0202	0.0206

### Demand v/s Percent of Supply

	2023	2030	2040	2050	2060	2070
Surface Water Supply	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Ground Water Supply	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Purchases	0.3500	0.3500	0.3500	0.3500	0.3500	0.3500
Future Supplies		0.0000	0.0000	0.0000	0.0000	0.0000
Total Available Supply (MGD)	0.3500	0.3500	0.3500	0.3500	0.3500	0.3500
Service Area Demand	0.1630	0.1664	0.1696	0.1727	0.1761	0.1795
Sales	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Future Sales		0.0000	0.0000	0.0000	0.0000	0.0000
Total Demand (MGD)	0.1630	0.1664	0.1696	0.1727	0.1761	0.1795
Demand as Percent of Supply	47%	48%	48%	49%	50%	51%



The purpose of the above chart is to show a general indication of how the long-term per capita water demand changes over time. The per capita water demand may actually be different than indicated due to seasonal populations and the accuracy of data submitted. Water systems that have calculated long-term per capita water demand based on a methodology that produces different results may submit their information in the notes field.



Your long-term water demand is **87** gallons per capita per day. What demand management practices do you plan to implement to reduce the per capita water demand (i.e. conduct regular water audits, implement a plumbing retrofit program, employ practices such as rainwater harvesting or reclaimed water)? If these practices are covered elsewhere in your plan, indicate where the practices are discussed here. **No Changes.**

Are there other demand management practices you will implement to reduce your future supply needs? **No Changes.**

What supplies other than the ones listed in future supplies are being considered to meet your future supply needs? **None.**

How does the water system intend to implement the demand management and supply planning components above? **N/A**

#### **Additional Information**

Has this system participated in regional water supply or water use planning? **Yes, Yes, The Town of Biltmore Forest has and will continue to participate in planning discussions with the City of Asheville, since they are the sole provider capable of providing water to the Town of Biltmore Forest.**

What major water supply reports or studies were used for planning? **None.**

Please describe any other needs or issues regarding your water supply sources, any water system deficiencies or needed improvements (storage, treatment, etc.) or your ability to meet present and future water needs. Include both quantity and quality considerations, as well as financial, technical, managerial, permitting, and compliance issues: **None.**

The Division of Water Resources (DWR) provides the data contained within this Local Water Supply Plan (LWSP) as a courtesy and service to our customers. DWR staff does not field verify data. Neither DWR, nor any other party involved in the preparation of this LWSP attests that the data is completely free of errors and omissions. Furthermore, data users are cautioned that LWSPs labeled **PROVISIONAL** have yet to be reviewed by DWR staff. Subsequent review may result in significant revision. Questions regarding the accuracy or limitations of usage of this data should be directed to the water system and/or DWR.

# BOARD OF COMMISSIONERS MEETING STAFF MEMORANDUM

May 21, 2024



## Agenda Item F-2

### Presentation – Personnel Policy Recommended Amendments

*Jonathan Kanipe, Town Manager*

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#### Background

The Board received an implementation schedule and overview of needs regarding personnel policy amendments at the regular meeting in November 2023. The Town's existing personnel policy has been in place, with some minor amendments, for twenty-five years. Since November, staff has worked diligently to review other local government policies, consider budgetary implications for new benefits, review existing policies that may no longer be necessary or effective, and most importantly, speak with Town staff about their feelings and thoughts regarding the personnel policy.

These two all-staff meetings occurred in February and April. The first meeting was to gather feedback from the staff on things they liked or disliked about the existing policy, gather their feelings and sentiment regarding working conditions in the Town, and to determine what their priorities were for a new policy. The second meeting was held after the draft policy was completed, with the purpose to review what was recommended for amendment and once again gather their feedback.

#### Staff Priorities

Staff evaluated the Town's existing conditions as well as future benefit considerations as part of the first meeting. The ranked order for existing conditions is as follows:

1. Salary
2. Insurance and benefits
3. Work conditions/environment
4. Flexible work hours
5. Pension and 401(k)
6. Co-workers

The focus for primary future benefits and/or changes is as follows:

1. Changes in vacation accrual
2. Town offered personal days
3. Fitness plan and/or facility offering
4. Employee recognition Program
5. Increased employee events

Items 4 and 5 of those considered changes are able to be addressed outside of the Personnel Policy, and this is currently being developed. Items 1-3, above, however, are directly addressed within the proposed revisions.

### Proposed Changes to Policy

The attached document has most changes highlighted in green. An existing copy of the personnel policy is also provided to you for your review. Track changes and showing the revisions in a comparison document are difficult for review because there are so many formatting and additional changes, but if you would like to see that version, I'm happy to provide that as well. The most significant differences are included below.

#### *Vacation Accrual*

- New schedule begins increased accruals after year 2, not year 5.
- Increased accrual amounts in line with other local government standards.
- Current maximum accrual = 15 days per year
- New policy has this accrual beginning at year 8.
- Example difference:  
At year 5, employee would get 13 days of vacation under new policy and currently has 10 days under existing policy.

#### *Longevity Pay*

- New policy created to reward retention and length of service with the Town.
- Paid on the anniversary date for each employee, annually.
- Not intended to replace holiday bonus, but to provide more incentive for employees to join Town employment and to stay.

#### *Creation of Comp Time Policy*

- Employees may carry up to 40 hours for use.
- Comp time **must** be used prior to June 30 each year or paid out as overtime pay, with the exception that employees may choose to carry 12 hours past June 30.
- Not allowable for exempt employees.

#### *Paid Family Leave Policy*

- Employees may utilize up to four (4) weeks of paid family leave for “the birth of and bonding with a newborn, bonding with a newly placed child for foster care or adoption and to care for a child, spouse, or parent with a serious health condition.”
- This leave **may** be used in conjunction with other types of leave (sick or vacation).

#### *Tuition Assistance Program*

- For courses taken on their own time, which will improve their skills for their current job or prepare them for promotional opportunities within the Town service.

- Tuition, registration, fees, laboratory fees, and student fees are eligible expenses. Employees may be reimbursed for 50% of eligible expenses up to a maximum of \$4,000.00 per fiscal year. Must be approved for reimbursement and qualifying education by the Department Head and Town Manager.

#### *Fitness Membership Subsidy*

- Partnership with YMCA-WNC for reduction in facility charges and no joining fees for employees. The most likely amount of subsidy is \$30.00/month per employee.

The changes shown above are significant additions to our employee benefit package. These changes bring the Town in line with other local governments, both regionally and statewide, and position us favorably as we recruit new employees and retain our existing employees. There are fiscal implications to these that are accounted for within the proposed FY25 budget, but these are worthwhile for the return on investment for our existing employees and recruiting new employees in the future.

#### Action Requested

Review over the next several weeks with consideration of approval at the June meeting. This would result in an effective date for the new policy of July 1, 2024.

# PERSONNEL POLICY

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## Article I. General Provisions

### Section 1. Purpose of the Policy

It is the purpose of this policy and the rules and regulations set forth to establish a fair and uniform system of personnel administration for all employees of the Town under the supervision of the Town Manager. This policy is established under authority of Chapter 160A, Article 7, of the General Statutes of North Carolina. Each employee of the Town serves an important function. Not only are they entrusted with the responsibility of performing a specific job to the best of their ability, but they also serve as a representative of the Town to the general public. Their speech and behavior can give the citizens and visitors a good or bad impression of Town government, and staff is therefore expected to conduct themselves in a manner that is above reproach at all times.

This personnel policy contains information about the responsibilities and benefits which apply to all full-time employees of the Town of Biltmore Forest. Part-time employees may have different benefits and conditions of employment and should refer any questions about their employment to their supervisors.

### Section 2. Employer/Employee Relationship

The employment relationship between the Town and employee is terminable at the will of either at any time and with or without cause and with or without notice. No employee, officer, agent or representative of the Town has any authority to enter into any agreement or representation, verbally or in writing, which alters, amends, or contradicts this provision or the provisions in this policy. Any exceptions to this policy of at will employment must be expressly authorized in writing, approved by the Board of Commissioners, and executed by the officers designated by the Board of Commissioners.

None of the benefits or policies set forth in this policy are intended because of their publication to confer any rights or privileges upon employees or to entitle them to be or remain employed by the Town. The contents of this document are presented as a matter of information only. Although the Town believes wholeheartedly in the plans, policies, and procedures described herein, they are not conditions of employment.

These personnel policies are not a binding contract, but merely a set of guidelines for the implementation of personnel policies. The Town explicitly reserves the right to modify any of the provisions of this policy at any time and without any notice to employees.

### Section 3. Merit Principle

The purpose of this policy and the rules and regulations set forth is to establish a fair and uniform system of modern personnel administration for all employees of the Town.

The Town shall embrace the following merit system principles in administering its personnel program:

- (a) Applicants and employees shall be assured of fair treatment in all aspects of personnel administration without regard for political affiliation, religious creed, sex, sexual orientation, national origin, color, race, or disabilities. Individuals shall likewise be treated with proper regard for their privacy and constitutional rights as citizens.
- (b) Employees shall be recruited, selected, trained, and advanced on the basis of their ability, knowledge, and skills, including open consideration of qualified applicants for initial appointment. Employees shall be trained as needed to assure high quality performance.
- (c) Employees shall be retained on the basis of the adequacy of their performance. They shall be guided in ways to correct inadequate performance and separated when inadequate performance cannot be corrected.
- (d) Employees shall be protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or a nomination for office.
- (e) Employees shall receive equitable and adequate pay and benefits and eligible employees shall receive merit pay increases based upon their performance subject to the availability of funds.

#### Section 4. Responsibility of Board of Commissioners

The Town Board of Commissioners shall establish personnel policies and rules, including the classification and pay plan, and make and confirm appointments when so specified by law.

The Board of Commissioners shall adopt or provide for rules and regulations, or resolutions concerning personnel policies and other measures that promote the hiring and retention of capable, diligent, and honest employees under the authority of Chapter 160A-164 of the North Carolina General Statutes, to be administered by the Board or its designee. The Board of Commissioners shall prescribe the office hours, workdays, and holidays to be observed by the various offices and departments.

#### Section 5. Responsibility of the Town Manager

The Town Manager is appointed by the Board of Commissioners and shall, among other things: be responsible to the Board of Commissioners for administration and technical direction of the personnel program; maintenance of the position classification plan and the pay plan; and perform such other duties in connection with a modern personnel program as is required by this policy. All matters dealing with personnel shall be routed through the Town Manager who shall maintain a complete system of personnel files and records.

The Town Manager shall:

- (a) See to the collection of municipal taxes and that the required records are maintained.

- (b) Serve as director of personnel for the Town.
- (c) Be responsible for the administration of all budgetary items related to personnel and the operation of the Town.
- (d) Make all employment appointments except the Town Attorney.
- (e) Recommend revisions of the personnel system to the Board of Commissioners for consideration;
- (f) Recommend revisions of the position classification plan to the Board of Commissioners.
- (g) Prepare and recommend revisions of the pay plan to the Board of Commissioners for approval.
- (h) Advise the Board of administrative, professional, and managerial positions to be excluded from overtime compensation as provided for in Article III, Section 10.
- (i) Establish and maintain a roster of all persons in municipal service, setting forth each officer and employee, class title of position, salary, any changes in class title and status, and such data as may be deemed desirable or useful.
- (j) Develop and administer such recruiting programs, as may be directed by the Board, to obtain an adequate supply of competent applicants to meet the needs of the Town.
- (k) Investigate periodically the operation and effect of the personnel provisions of this policy and at least annually report findings and recommendations to the Board of Commissioners.
- (l) Perform such other duties as may be assigned by the Board of Commissioners not inconsistent with this policy.

#### Section 6. Responsibility of Department Head

A department head shall meet his/her responsibility as directed by the Town Manager, being guided by the Charter, ordinances, and policies of the Town. The head of each Town department, shall recommend to the Town Manager, the appointment and removal of Town employees assigned to the department or prescribed in Chapter 160A-155 of the North Carolina General Statutes.

#### Section 7. Coverage

The provisions of this policy shall be applicable to all regular and probationary full and part-time employees except as provided below:

1. The Town Attorney and elected officials shall be exempted from the provisions of this policy.

2. Part-time officials appointed by the Board of Commissioners and employees of advisory or special boards and commissions who work an irregular schedule, shall be exempt from all provision of this policy except where specifically included.

## Section 8. Definitions

**Probationary Employee.** A person appointed to a budgeted position who has not satisfactorily completed the probationary period (See Article V, Section 11 of this policy).

**Regular Part-time Employee.** An employee, who is regularly scheduled 1000 hours or less per year.

**Temporary Part-time Employee.** A temporary part-time employee is one whose term of employment is usually intended to last more than 3 weeks, but ordinarily not more than 9 months, or who is engaged for a specific project involving a period of time of not more than 12 months.

**Full-time Employee.** An employee, either regular or temporary, who is regularly scheduled to work the number of hours per work week, designated by the Board of Commissioners as full-time.

**Regular Employee.** An employee who has successfully completed the prescribed probationary periods shall be considered regular. However, all Town positions are subject to budget review and approval each year by the Board of Commissioners, and all employees' work and conduct must meet standards of performance and behavior. Therefore, reference to regular employees or permanent positions should not be construed as a contract or right to perpetual funding or employment.

**Temporary Employee.** A person appointed to serve in a position for a defined time period, usually less than one year.

**Completed Month.** Any month in which an employee works at least half the workdays.

**Class of positions.** A position or group of positions which have the same generic title and class specification (e.g., police officer).

**Class specification.** A statement of general duties, responsibilities, distinguishing features, illustrative examples of work, required knowledge, skills and abilities and training for a class of positions.

**Grievance.** A claim or complaint based upon an event or condition which affects the circumstance under which an employee works, allegedly caused by misinterpretation, unfair application, or lack of established policy pertaining to employment conditions.

**Adverse Action.** A reprimand, demotion, dismissal, reduction in pay, layoff, suspension, or an undesirable transfer.

Standby Status. When a non-exempt employee is required to limit their normal off duty activities to be available for emergencies which may arise in his/her area of employment or to tend to the needs of the Town. Normally they will be required to be contacted and respond within a designated period of time.

Trainee. A Trainee is an employee that does not possess all of the qualifications that a position requires, but can be trained to meet these required qualifications. The salary paid a Trainee is below the entry level of the position that they are being trained for as stipulated in Article IV Section 6.

Immediate Family. Immediate Family is defined as spouse, child, parents of employee or spouse, grandparent, grandchild, brother or sister.

Position/Job Description. A detailed statement of job duties and activities pertaining to a specific position. It is differentiated from a class specification by being more detailed and covering only one position.

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## **Article II. The Position Classification Plan**

### Section 1. Adoption

The position classification plan, as set forth in this article, is hereby adopted as the position classification plan for the Town. The position classification plan provides a complete inventory of all authorized and allocated positions within the Town service, and an accurate description and specification for each class of employment. The plan standardizes job titles, each of which is indicative of a definite range of duties and responsibilities.

### Section 2. Administration of the Position Classification Plan

The Town Manager or his/her designee shall be responsible for the administration and maintenance of the position classification plan so that it will accurately reflect the duties performed by employees in the classes to which their positions are allocated. The Town Manager shall be responsible for bringing to the attention of the Board of Commissioners the need for new positions, and material changes in duties, responsibilities, working conditions or other factors which may affect the classification of any existing positions.

### Section 3. Authorization of New Positions and the Position Classification Plan

New positions shall be established upon recommendation of the Town Manager and approval of the Board of Commissioners. New positions shall be recommended to the Board of Commissioners with a recommended class title after which the Town Manager shall either allocate the new position into the appropriate existing class or revise the position classification plan to establish a new class to which the new position may be allocated. Copies of this position classification plan are available to all Town employees for review upon request.

## Article III. The Pay Plan

### Section 1. Adoption

The rules and regulations contained in this Article and other Articles of this policy are hereby adopted as the pay plan for the Town. The Pay Plan shall include all authorized classes of positions included in the Classification Plan.

### Section 2. Maintenance of the Pay Plan

The Town Manager shall be responsible for the administration and maintenance of the pay plan. The pay plan is intended to provide equitable compensation for all positions, reflecting differences in duties and responsibilities, the comparable rates of pay for positions in private and public employment in the area, changes in the cost of living, the financial conditions of the Town, and other factors. To this end, the Town Manager shall, each year prior to preparation of the annual budget solicit information affecting the levels of salary ranges, including internal relationships between classes to reduce or eliminate any inequities, and shall present to the Board of Commissioners such changes in salary ranges as appear to be warranted.

### Section 3. Transition to Pay Plan

No employee shall receive a salary reduction as a result of the transition to a new pay plan.

### Section 4. Use of Salary Ranges

Salary ranges are intended to furnish administrative flexibility in recognizing individual performance among employees holding positions in the same class by rewarding employees for extraordinary effort. The following general provisions will govern the granting of increases within the pay range:

- (a) The minimum rate established for the class is the normal hiring rate, except in those cases where unusual circumstances appear to warrant appointment at a higher rate. Appointments above the minimum rate may be made when deemed necessary and in the best interest of the Town. Above-the-minimum appointments will be based on such factors as the qualifications of the applicant being higher than the desirable education and experience for the class, a shortage of qualified applicants available at the minimum rate, the refusal of qualified applicants to accept employment at the minimum rate, or other similar factors.
- (b) Upon successful completion of the probationary period, or six months of satisfactory employment, an employee shall receive a five (5) percent increase in base salary.
- (c) Additional base salary increases are reserved to reward employees for extraordinary effort. The Town Manager, in coordination with respective department heads, shall consider all factors affecting employee performance and shall submit their reasons whether to advance or retain the employee at the same rate.

## Section 5. Payment at a Listed Rate

All employees covered by the salary plan shall be paid at a listed rate within the salary range established for their respective job classes except for employees in a “trainee status”, or employees whose present salaries are above the established maximum rate following transition to a new pay plan.

## Section 6. Salary of Trainee

An applicant hired or an employee promoted to a position in a higher class, who does not meet all the established requirements of the position, may be appointed at a rate in the pay plan below the minimum established for the position. In such cases, a plan for training, including a time schedule, will be prepared.

Trainee salaries may be no more than ten (10) percent below the minimum salary established for the position for which the person is being trained. An employee will remain at the trainee rate until the department head determines that the trainee is qualified to assume the full responsibilities of the position. The department head shall review the progress of each employee in a trainee status every three (3) months, or more frequently as necessary, to determine when the trainee is qualified to assume the full responsibilities of the position. Provided, however, that a trainee shall not be in such status for longer than one (1) year.

## Section 7. Pay Rates in Promotion, Demotions, Transfer, and Reclassification

When an employee is promoted, demoted, transferred, or reclassified, the rate of pay for the new position will be established in accordance with the following rules:

- a. Promotion: An employee who is promoted shall receive a five (5) percent pay increase in base salary or an increase to the minimum rate of the new pay range, whichever is higher.
- b. Demotion: An employee who is demoted may have the salary remain the same if the demotion is voluntary (deemed a reassignment), except that the salary cannot exceed the maximum for the class, or reduced to a rate in the lower range, if the demotion is for cause.
- c. Transfer: An employee transferring from a position in one class to position in another class assigned the same pay range shall continue to receive the same salary.

## Section 8. Pay Rates in Salary Range Revisions

When the Board of Commissioners approves a change in salary range for a class of positions, the salaries of employees whose positions are allocated to that class shall be affected as follows:

- a. When a class of positions is assigned to a higher pay range, employees in that class shall receive a five (5) percent pay increase or an increase to the minimum rate of the new range, whichever is higher.



- b. When a class of positions is assigned to a lower pay range, the salaries of employees in that class will remain unchanged. If this assignment to a lower pay range results in an employee being paid at a rate above the maximum established for the new class, the salary of the employee shall be maintained at that level until such time as the classification's pay range is increased above the employee's current salary or the employee is promoted into a classification with a pay range maximum above their salary rate.
- c. General salary range adjustments (market adjustments) to the salary schedule shall be affected by adjusting the Town's overall salary schedule up (or down) by the same percentage amount. Market adjustment shall normally be considered by the Town Board prior to adopting a new fiscal year budget. When a rate adjustment is made to a pay range, to reflect market changes, employees in classes within that pay range may or may not receive the rate adjustment, depending on the Town's financial condition. If financial conditions do not permit the Town to pass those rate changes to employees, it is better to raise the salary schedule rates and not pass the rate adjustment on to employees than to ignore market changes. Ignoring market changes will cause pay schedules to lose competitiveness and increase difficulty in recruitment and retention of good employees.

#### Section 9. Pay for Part-Time Work

The pay plan established by this policy is for full-time service. An employee appointed to a class of position for less than full-time service shall be paid a pro-rated amount determined by converting the established salary of that classification to an hourly rate.

Persons employed on a part-time basis to perform work that is not covered by the Town's Classification Plan.

#### Section 10. Overtime

Employees of the Town can be requested and may be required to work in excess of their regularly scheduled hours as necessitated by the needs of the Town and determined by the Department Head. Overtime work should normally be approved in advance by the Department Head, Town Manager, or other designated Town official.

To the extent that local government jurisdictions are so required, the Town will comply with the Fair Labor Standards Act (FLSA). The Town Manager shall determine which jobs are "non-exempt" and are therefore subject to the Act in areas such as hours of work and work periods, rates of overtime compensation, and other provisions.

Non-exempt employees will be paid at a straight time rate for hours up to the FLSA established limit for their position (usually 40 hours in a 7-day period; 171 hours for police and 212 hours for fire personnel in a 28-day cycle). Hours worked beyond the FLSA established limit will be compensated in either time or pay at the appropriate overtime rate. When time off within the "work period" cannot be granted, overtime worked will be paid at a time-and-one-half rate or taken as compensatory time at a time-and-one-half rate, in accordance with FLSA regulations. Salaried employees in positions with fluctuating work schedules whose salary covers straight time

pay for all hours scheduled or required to work, however many or few, may receive half-time pay for any overtime worked.

In determining eligibility for overtime in a work period, only hours actually worked shall be considered; in no event, will Compensatory Time, vacation leave, sick leave, or holidays be included in the computation of hours worked for FLSA purposes.

#### Section 11. Compensatory Time (Comp Time)

Compensatory leave balances may not exceed forty (40) hours except for public safety employees (sworn law enforcement officers) who may not accrue more than 48 hours. Any overtime worked after such maximum balances are accrued must be compensated in pay.

Employees are required to use or be paid for comp time before the start of each fiscal year, by June 30<sup>th</sup>. Employees may retain and carry over up to twelve (12) hours of comp time each fiscal year. All other comp time will be paid out, in accordance with FLSA standards, upon the last pay period of the fiscal year. Department heads may exercise discretion in the manner in which employees accrue comp time or are paid for overtime.

Whenever practicable, departments will schedule time off on an hour-for-hour basis within the applicable "work period" for non-exempt employees, instead of paying overtime.

Employees in positions determined to be "exempt" from FLSA (as Executive, Administrative, or Professional staff) will not receive pay for hours worked in excess of their normal work periods. These employees may be granted flexible time by their supervisor on an hour-for-hour basis where the convenience of the department allows. Such flexible time is not guaranteed to be taken and ends without compensation upon separation from the organization.

#### Section 12. Call-Back and Stand-by Pay

The Town provides a continuous twenty-four hour a day, seven day a week service to its customers. Therefore, it is necessary for certain employees to respond to any reasonable request for duty at any hour of the day or night. One of the conditions of employment with the Town is the acceptance of a share of the responsibility for continuous service, in accordance with the nature of each job position. If an employee fails to respond to reasonable calls for emergency service, either special or routine, the employee shall be subject to disciplinary action, up to and including, dismissal by the Town Manager.

Call-back. Non-exempt employees will be guaranteed a minimum payment of two hours of wages for being called back to work outside of normal working hours. "Call-back" provisions do not apply to previously scheduled overtime work (scheduled one or more days in advance).

Stand-by. Stand-by time is defined as that time when an employee must carry a communication device and must respond immediately to calls for service. Non-exempt employees required to be on "stand-by" duty will be paid for two hours of work for each day of stand-by time they serve. Hours actually worked while on stand-by are calculated beginning when the employee leaves for the work site and are added to the regular total of hours worked for the week.

Section 13. Payroll Deductions.

Only payroll deductions specifically mandated or authorized by federal, state, or Town act may be deducted at each period from each employee's pay. Additional deductions may be made upon the request of the employee on determination by the Town Manager as to capability of payroll equipment, associated increase in workload, and appropriateness of the deduction.

Section 14. Longevity Pay

Full-time and part-time employees of the Town are compensated for years of continuous service by payment of a longevity supplement based on the following table. Employees shall receive longevity pay in the payroll that contains their anniversary date. Longevity pay shall reflect their continuous years of service as of their anniversary date according to the schedule listed in this section.

Longevity pay may be approved each fiscal year depending upon the financial conditions of the Town, and would not be considered a part of the annual base pay. Appropriate federal, state, retirement, and any other deductions will be made.

Years of Service	Longevity Amount
2 to 4 Years	\$250.00
5 to 9 Years	\$500.00
10 to 14 Years	\$750.00
15 to 19 Years	\$1,000.00
20 or more years	\$1,250.00

Section 15. Work Week and Pay Period

The standard seven day work week for the Town of Biltmore Forest is 12:01 a.m. Thursday to 12:00 midnight on the following Wednesday. The Town's administrative office hours are Monday through Friday from 9:00 a.m. to 5:00 p.m. The Public Works Department hours of work are from 7:00 a.m. to 5:30 p.m. Monday through Thursday. Many services performed by Town employees are essential and must be provided 24 hours each day, every day of the year. Therefore, Town employees may be required to work changing shifts and the number of hours per day may differ.

All employees shall be paid on a bi-weekly basis with the pay day being every other Thursday. When a holiday falls on Thursday the pay day will be the day preceding the holiday. Paychecks are received in arrears one week after the end of the pay period.

Section 16. Effective Dates of Salary Adjustments

Approved salary adjustments shall become effective at the beginning of the next pay period or at such a later date as may be provided.

Section 17. Salary Reductions

Salary reductions may be necessitated by a shortage of funds or other valid and appropriate reason(s). In such instances, all classes of positions shall be given due consideration, and the nature and extent of such reduction determined by the Town Board.

Section 18. Pay for Interim Assignments in a Higher-Level Classification

An employee who is formally designated by the Town Manager to perform the duties of a job that is assigned to a higher salary grade than that of the employee's regular classification shall receive an increase for the duration of the Interim assignment. The employee shall receive a salary adjustment to the minimum level of the job in which the employee is acting or an increase of 5%, whichever is greater. The salary increase shall be temporary and upon completion of the assignment, the employee shall go back to the salary he or she would have had if not assigned in the Interim role, taking into account any increases the employee would have received if they had not been placed in the Interim role.

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## **Article IV. Recruitment And Employment**

### Section 1. Equal Employment Opportunity Policy

It is the policy of the Town to foster, maintain, and promote equal employment opportunities. The Town shall recruit, screen, appoint, and promote employees on the basis of job-related experience the candidates' qualifications, job related skills, the quality of past performance, and the candidates general suitability to perform the required work, without regard to political preference, age, sex, sexual orientation, race, color, creed, religion or national origin or disability. The Town of Biltmore Forest will make reasonable accommodations to the known physical or mental impairments of otherwise qualified individuals, unless the result would create an undue hardship on the Town. Throughout its recruitment and employment efforts the Town will do whatever is required and legally permissible to maintain a "drug free workplace".

### Section 2. Implementation of EEO Policy

All personnel responsible for recruitment and employment shall continue to review regularly the implementation of this personnel policy and relevant practices to assure that equal employment opportunity based on reasonable performance-related job requirements is being actively observed to the end that no employee or applicant for employment shall suffer discrimination because of age, sex, sexual orientation, race, color, creed, religion, national origin, or disability. Notices regarding equal employment matters shall be posted in conspicuous places on Town government premises in places where notices are customarily posted.

### Section 3. Recruitment

Each department head shall be responsible for assisting the Town Manager in recruiting employees for vacancies in their respective departments. All opportunities for employment shall be publicized, including applicable salary ranges and employment qualifications. Individuals shall be recruited from a geographic area as wide as is necessary to ensure that well qualified applicants are obtained for Town service. The Town shall consider among its recruitment sources organizations and news media which are utilized by and are available to minority group applicants and applicants with disabilities, to the extent that these organizations service the Town's labor market. The Town shall ensure that communications with applicants with disabilities are as effective as communications with other applicants.

### Section 4. Job Announcements

Employment announcements shall contain assurances of equal employment opportunity and shall comply with federal and state statutes regarding discrimination in employment matters.

### Section 5. Applications for Employment

All persons expressing interest in employment with the Town shall be given the opportunity to file an application for employment when a position is vacant or when the Town is attempting to fill such positions. Equal consideration shall be given to promoting from within for each job vacancy.

## Section 6. Application Reserve File

The Town Manager shall establish a system of maintaining up-to-date records which reflect the town efforts in equal employment opportunity. Such records shall include data necessary to accomplish required reports under the provisions of the Equal Employment Opportunity Act of 1972. Applications shall be kept in a reserve file for two (2) years, in accordance with Equal Employment Opportunity Commission guidelines.

The EEO form 4, when completed, shall provide for an analysis of the status of actual equal employment opportunity with the Town government and for an evaluation of progress made in this regard.

## Section 7. Qualification Standards

- (a) Employees shall meet the employment standards established by the position classification plan and such other reasonable, job-related minimum standards of character, aptitude, knowledge, skills, abilities, and physical condition as may be established by the Town Board with the advice and recommendation(s) of department heads.

The Town may condition an offer of employment on the result of a medical examination, including a drug test, required post-offer, and before the applicant begins employment duties, if all entering employees in the same job category are subjected to the same such examination. However, if the applicant's medical examination reveals a disability, the Town may not refuse to hire the applicant if the disability can be reasonably accommodated.

Additionally, all applicants shall furnish proof of legal status to work in the United State and fill in the required I-9 form before beginning work.

- (b) The Town's policy includes the responsibility for ensuring that qualifications for both entry level and promotional level jobs shall be reviewed periodically to assure that requirements are fair, will be fairly administered and conform to the actual job performance requirements.
- (c) In keeping with both these responsibilities, the Town may employ an applicant in a trainee capacity who does not meet all minimum qualifications for a particular job if the deficiencies can be eliminated through orientation and on-the-job training.

## Section 8. Testing/Physical Exams

It is the policy of the Town to employ according to merit and fitness. To that end, the Town shall use all available means to attract qualified candidates for employment and make such investigations and have conducted such examinations as deemed appropriate to assess fairly the aptitude, education and experience, knowledge and skills, character, physical fitness, and other qualifications required for positions in the service of the Town. These examinations may consist of medical, drug screening, skills based, job knowledge and/or physical strength and agility tests.

All selection devices administered by the Town, or by persons or agencies for the Town, shall be valid measures of bona fide occupational qualifications.

- (a) Tests administered by the Town or by the North Carolina Employment Security Commission for the Town will conform to applicable legal requirements.
- (b) All tests given to applicants shall be administered and evaluated by qualified employees, or by Employment Security Commission personnel who are fully acquainted with the Town's policy on equal employment opportunity.
- (c) Upon becoming aware of the need of accommodation, disabled applicant(s) shall inform the Town before testing begins. The Town shall ensure that the testing site is accessible to and reasonably accommodates those disabled applicants who notify the Town.

#### Section 9. Appointments

It is the Town's policy to create career opportunities for its employees when possible. Therefore, when a current employee applying for a vacant position possesses the best qualifications of all applicants, that applicant may be appointed to that position. However, if other applicants possess comparable qualifications and if the Town would continue any perceived historical discriminatory employment practices by automatically promoting or transferring the current employee without considering other applicants, then the Town must carefully consider the qualifications of other applicants in filling this position.

When positions are to be filled, department heads shall notify the Town Manager concerning the number and classifications of positions which need to be filled. The Town shall publicize opportunities as outlined in this policy. If selections cannot be made from current employees wishing to be considered for the vacant position(s), available lists of qualified applicants and/or applicants responding to media advertisements, then the Town Manager shall assist department heads with recruitment of qualified applicants.

Each department head shall be responsible for recommending for hire such employees as are authorized by the budget for their department. Before any commitment is made to an applicant or employee, the department head shall submit a completed application form to the Town Manager with a recommendation as to the position to be filled, the salary to be paid, and the reasons for selecting the particular applicant over others. After review, the Town Manager may act on the recommendation of the department head.

The Town Manager shall make the final appointment.

#### Section 10. Employment of Relatives

Members of an immediate family shall not be employed within the same department if such employment will result in one member supervising another member of the employee's immediate family, or if one member will occupy a position which has influence over another member's employment, promotion, salary administration or other related management or personnel considerations. This does not apply to seasonal or temporary employees. The term immediate

family includes spouse, child, parent, brother, sister, grandparent, grandchild, son-in-law, daughter-in-law, parent-in-law, brother or sister-in-law, aunt, uncle, of the employee or spouse or guardian of the employee. This also includes various combinations of “step”, “half”, and adopted relationships. For these purposes, it also includes other people living in the same household, who share a relationship comparable to immediate family members, if either occupies a position which requires influence over the other's employment, promotion, salary administration or other related management or personnel considerations.

Exceptions may only be granted by the Town Manager and only when a subject employee or applicant possesses a unique set of skills or experience needed by the Town and the employee's spouse or relative will not be involved in any personnel decisions regarding that employee. The Manager will note the reasons for making the exception in writing to be maintained in the employee's personnel file and may note appropriate limitations on transfers and promotions for that employee as a condition of initial employment, in order to reduce the likelihood of future problems.

This provision shall not apply retroactively to anyone employed when the provision is adopted by the Town.

#### Section 11. Probationary Period of Employment

An employee appointed to an authorized regular position shall serve a probationary period of not less than six (6) months. The initial probationary period for law enforcement employees shall be twelve (12) months. This time is to be considered a continuation of the selection process, and is a time when the employee determines if this is the career they want, and the employer determines if the employee is right for the position.

During the probationary period, supervisors shall monitor an employee's performance and communicate with the employee concerning performance progress. Employees serving twelve-month probationary periods shall have a review at the end of six months as well as before the end of twelve months.

Before the end of the probationary period, the supervisor shall conduct a performance evaluation conference with the employee and discuss accomplishments, strengths, and needed improvements. A summary of this discussion shall be documented in the employee's personnel file. The supervisor shall recommend in writing whether the probationary period should be completed, extended, or the employee transferred, demoted, or dismissed. Probationary periods may be extended for a maximum of six additional months.

Disciplinary action, including demotion and dismissal, may be taken at any time during the probationary period of a new hire without following the steps outlined in this policy.

A promoted employee who does not successfully complete the probationary period may be transferred or demoted to a position in which the employee shows promise of success. If no such position is available, the employee shall be dismissed. Promoted and demoted employees who are on probation retain all other rights and benefits such as the right to use grievance procedures.



All probationary employees may accumulate sick leave and earn vacation leave but may not be permitted to use paid vacation leave during the first six (6) months of employment unless the denial of such leave will create an unusual hardship. Vacation leave may be taken during this period only with prior approval of the Town Manager.

Before the completion of the probationary period, the department head shall indicate in writing to the Town Manager:

1. That the new employee's progress, accomplishments, strengths, failures, and weaknesses has been discussed with the new employee, and
2. Whether the new employee is performing satisfactory work,
3. Whether the employee should be retained and given a probationary increase or have the probation extended,
4. Whether the employee should be retained in the present position, transferred, demoted, or discharged.

Upon successful completion of the prescribed probationary period, the employee shall be granted a five percent (5%) probationary pay increase.

#### Section 12. Performance Evaluation

A supervisor shall evaluate an employee's performance to assess his/her fulfillment of basic performance requirements for continued employment, recommendation for a merit increase, and recommendation for promotion or transfer. Through open communication from his/her supervisor, the employee shall obtain a clear understanding of what is expected of his/her performance. At least once each year, employees shall have their performance evaluated and goals and objectives reviewed. Any area of needed improvement will be discussed, and a course of action outlined. The completed evaluation shall be placed in the employee's permanent personnel file.

The performance evaluation system provides a history of work progress of the individual employee with the Town. The performance evaluation system may also be used as a tool to determine eligibility for promotion, as a basis for demotion or discharge of an employee. The supervisor should use the evaluation system as a tool for counseling employees and as a communications piece for discussing work progress, problems, and opportunities.

While the work progress of an employee is formally evaluated on a periodic basis, the supervisor should continuously counsel employees about work progress, job expectations, performance, strengths and weaknesses. This serves to open communications between the supervisor and the employee and to build a better work environment.

#### Section 13. Promotion

- a) The Town shall seek qualified applicants for vacant positions giving first consideration to promoting from within and across departmental lines. Employees shall be

considered for promotion on the basis of job experience, the quality of past performance, and the candidate's general suitability to perform the required work. Candidates for promotion shall be chosen on the basis of existing or anticipated job openings, on their qualifications, and on their work records. Performance appraisals and work records of all personnel shall be carefully examined when openings for positions in higher classifications occur.

- b) Vacancies in positions shall be filled as far as practicable by the promotion of employees in the service of the Town, subject to the limitations of Article V Section 9.
- c) When a vacancy occurs, the department head in whose department the vacancy occurs shall review all applications received, including those from current Town employees wishing to be promoted into the position. If a current Town employee is chosen for promotion, the department head shall forward the employee's name to the Town Manager with recommendations for classification and salary and the reasons for selecting the employee over other applicants. After receiving the supervisor's comments, the Town Manager shall make an appointment if appropriate and determine the starting salary.

#### Section 14. Demotion

Demotion is the movement of an employee from one position to a position in a class assigned to a lower salary range. Demotion may be voluntary or involuntary. A voluntary demotion may be called a "reassignment." An employee whose work or conduct in the current position is unsatisfactory may be demoted provided that the employee shows promise of becoming a satisfactory employee in the lower position. Such disciplinary demotion shall follow the disciplinary procedures outlined in this Policy.

An employee who wishes to accept a position with less complex duties and reduced responsibilities may request a reassignment. A reassignment is not a disciplinary action and is made without using the above-referenced disciplinary procedures.

#### Section 15. Transfer

If a vacancy occurs and an employee in another department is eligible for a transfer, the employee should make the request in writing to the receiving department head. If selected, the department head wishing to hire the employee shall request the transfer, subject to the approval of the Town Manager.

An employee who has successfully completed a probationary period may be transferred to the same or similar class in a different department without serving another probationary period.

It is the policy of the town to transfer employees temporarily or permanently from one department to another, and when doing so will serve the Town's best interest. This policy permits maximum utilization of manpower during unanticipated emergency situations, during peak workloads and for shifting staff to where it is needed most.

## Section 16. Reinstatement

An employee who has been separated because of a reduction in force or who resigned while in good standing may be reinstated within one year of the date of separation and credited with all previously accrued benefits that have not been paid to them. An employee who has been suspended for cause may be reinstated at the end of the suspension period at the same or a lower pay grade occupied by them at the time of the suspension.

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## Article V. Work Conditions and Expectations

### Section 1. Work Period and Schedule

The work week is defined as seven consecutive days beginning at 12:01 a.m. on Thursday and ending at 12:00 midnight on the following Wednesday.

Full-time, non-exempt, employees are subject to the overtime provisions set forth in Article IV, Section 10 of this policy. Law enforcement employee's work schedule(s) will be established and maintained in accordance with Title 29 Code of Federal Regulations, Part 500 through 899.

Exempt employees in administrative, professional, or managerial positions shall work the number of hours necessary to assure the satisfactory performance of their duties.

When the activities of a particular department require some other schedule to meet work needs, the Town Manager may authorize a deviation from the normal schedule.

### Section 2. Reporting For Work

Because of the nature of Town work, regular attendance by each employee is mandatory. If an employee is going to be unable to report for work as scheduled, the employee must notify their immediate supervisor immediately. Such notice must be given as far in advance of the time assigned for reporting to work as possible. An employee absent from work because of illness or injury should advise their supervisor immediately of their work status and estimated return to work date daily. Frequent absence or tardiness for any reason may subject an employee to disciplinary action, up to and including dismissal. Unscheduled absences fall into two (2) categories:

- a. Excused absence. Absence for reasons which are necessary and compelling. The supervisor or department head, upon notification of the absence, is responsible for determining if it is excused. As appropriate, sick or other leave time may be utilized to cover the absence, with the approval of an employee's supervisor or department head.
- b. Unexcused absence. Absence which results when an employee does not report for work or notify their supervisor or department head of their absence; or an absence which the supervisor, after notification, determines does not result from compelling reasons. An employee who remains away from his/her job for more than five (5) working days without approved leave will be considered to have resigned from their position with the Town. The five days are cumulative and do not have to be consecutive for this policy to take effect.

If an employee has transportation problems due to weather, they may use vacation leave, take leave without pay, or make up the time lost. Any request to make up the time lost must be approved by the supervisor or department head and may not result in overtime.

Essential services must always be kept at an adequate level. Therefore, these departments cannot always allow employees to report late or leave early during adverse weather.

### Section 3. Gifts and Favors

- (a) No official or employee of the Town shall accept any valuable gift, whether in the form of service, loan, things, or promise from any person, firm or corporation which, to the employee's knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the Town.
- (b) No official or employee shall accept any gift, favor or thing of value that may tend to influence that employee in the discharge of duties.
- (c) No official or employee shall grant in the discharge of duties any improper favor, service, or thing of value.

### Section 4. Political Activity Restricted

Each employee has a civic responsibility to support good government by every available means and in every appropriate manner. Each employee may join or affiliate with civic organizations of a partisan or political nature, may attend political meetings, may advocate and support the principles or policies of civic, social, fraternal, or political organizations in accordance with the Constitution and laws of the State of North Carolina and in accordance with the Constitution and laws of the United States of America. However, no employee shall:

- (a) Engage in any political or partisan activity while on duty or within any period of time during which they are expected to render services for which they receive compensation from the Town;
- (b) Use official authority or influence for the purpose of interfering with or affecting the result of an election or nomination for office;
- (c) Be required as a duty of employment or as a condition for employment, promotion, or tenure of office to contribute to, solicit for, or act as custodian of funds for political or partisan purposes;
- (d) Coerce, solicit, or compel contributions, while on duty, for political or partisan purposes by another employee of the Town; or
- (e) Use any supplies or equipment of the Town for political or partisan purposes;
- (f) Display any political advertisement in or on Town property;
- (g) Be a candidate for or hold elective office while in a pay status with the Town of Biltmore Forest. Should an employee decide to be a candidate for elective office, they must take an unpaid leave of absence or resign their employment. If they take an unpaid leave of absence and are elected to an elective office, they must resign as an employee of Biltmore Forest.

- (h) Shall seek or attempt to use any political endorsement in connection with any appointment to or preferment or advantage in connection with a position in the Town's service.

Town employees in certain federally aided programs are subject to the Hatch Act as amended in 1975. This federal act, in addition to prohibiting (b), (c) and (g), also prohibits candidacy for elective office in a partisan election.

All constitutional and elected officers are exempt from this entire section, but no such officer shall use any public funds, goods, supplies, or materials for partisan political purposes.

Any violation of this section shall subject such employee to disciplinary action up to and including dismissal.

#### Section 5. Outside Employment

The work of the Town will take precedence over other occupational interests of employees. All outside employment for salaries, wages, or commission and all self-employment must be approved by the department head and recommended to the Town Manager for final approval. Employees are expected to work only on Town business when on Town time. Conflicting outside employment will be grounds for disciplinary action up to and including dismissal. Documentation of the disapproval or approval of outside employment will be placed in the employee's personnel file.

Examples of conflicts of interest in outside employment include but are not limited to:

- a) Employment with organizations or in capacities that are regulated by the employee or employee's department; or
- b) Employment with organizations or in capacities that negatively impact the employee's perceived integrity, neutrality, or reputation related to performance of the employee's Town duties.

Employees are prohibited from performing outside employment while on Workers' Compensation Leave or any Leave Without Pay status from Town employment.

#### Section 6. Dual Employment

A full or part-time employee of the Town may simultaneously hold another temporary position with the Town if the temporary position is in a different department and clearly different program area from that of the full or part-time position. The work of the temporary position must also be performed on an occasional or sporadic basis as identified in Fair Labor Standards Act regulations. However, the work of the full or part-time position shall take precedence over the temporary position, and such temporary work will not count toward the calculation of overtime for pay or time off.

## Section 7. Conformance to Immigration Law and Selective Service Requirements

All employees are required to furnish proof of citizenship or other required documents indicating a legal right to work in the United States. Copies of the completed form I-9 shall be a permanent part of their personnel file.

All male employees and applicants for employment between the ages of 18 and 25 must furnish proof that they are registered for selective service and a copy of such proof shall be a permanent part of their personnel file.

## Section 8. Confidential Information

No official or employee shall, without the approval of the department head and Town Manager or by court order, disclose confidential information concerning the property, government, or affairs of the Town. Nor shall they, under any circumstance, use such information to advance the financial or other private interest of themselves or others.

## Section 9. Use of Town Owned Equipment

The Board of Commissioners specifically forbids the personal use of any Town owned equipment, facilities, or supplies by any employee, official, or individual unless authorized by the Town Manager. Should authorization be granted, use will be limited to the use specified in the authorization.

Use of Town owned vehicles are governed by the Town Policy below. Further clarifications are covered in paragraphs (c) through (f).

- (a) Vehicles Owned by the Town may be provided to one or more employees in connection with Town business and shall be used only on Town business. The employee operating the Town vehicle must have the appropriate valid operator's license; operate the equipment in a safe manner and in compliance with all vehicle operation laws. When the vehicle is not used in the Town's business, it is kept on the Town's business premises. The Town's premises and residence of any employee using the vehicle are at different locations. Pursuant to Federal and State law, the employee, nor an individual whose use would be taxable to the employee, may use the Town vehicle for personal use. The Board of Commissioners reasonably believes, based on Town policy and state law, that no employee or any individual uses these vehicles for personal use. Failure to comply with these requirements or loss of driving privileges may result in the employee being re-assigned or dismissed.
- (b) For bona fide non-compensatory business reasons, the Town may require certain employees to commute to and from work in Town vehicles that are not exempted by IRS regulations. In accordance with federal and state law, an employee may not use the Town owned vehicle for personal use other than commuting. The Town has a written policy forbidding personal use of any Town vehicle and the employee using the vehicle is not an elected or appointed official. Under these

conditions the Town will account for commuting use by including an appropriate amount in the employee's gross income, as specified in IRS regulations.

- (c) Certain vehicles may be used to commute without any income being added to the employee's gross income. For example, a “qualified specialized utility repair truck” used to commute to enable the employee to respond in emergency situations to restore or maintain water services and not used for personal reasons is exempt from having an adjustment made to the employee's gross income.
- (d) Use of clearly marked police vehicles to commute, and not used for personal use, are also exempt from the requirement to adjust the employee's gross income. Under certain conditions an unmarked police vehicle used to commute and not for personal use may also qualify for this exemption.
- (e) Only Town employees are authorized to operate Town vehicles.
- (f) Only authorized persons are to be transported in Town vehicles. The only exceptions are emergency situations or authorized ride along programs.

#### Section 10. Reimbursement for use of Personal Vehicle

The Town will reimburse an employee for use of their personal vehicle for Town business when authorized by the Town Manager or Department head. The rate of reimbursement will be equal to the amount allowed for tax deduction purposes by the IRS at the time of use. When required to travel overnight, the Town will reimburse the employee for meals and lodging when the appropriate forms have been submitted.

#### Section 11. Harassment Prohibited

The Town prohibits and will not tolerate sexual harassment or harassment on the basis of sex, race, color, religion, sexual orientation, national origin, age, non-disqualifying disability, political affiliation, marital status or veteran status. Harassment complaints or allegations will be investigated promptly and where, it is determined that such inappropriate conduct occurred, the Town will act immediately to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action up to and including dismissal.

Harassment is defined as conduct that culminates in tangible employment action or is sufficiently severe or pervasive to create a hostile work environment. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; 2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment includes repeated offensive sexual remarks, continual or repeated comments about an individual's body and offensive sexual language.



Any employee who believes that he or she may have a complaint of harassment may follow the Grievance Procedure described in this Policy or may file the complaint directly with the Town Manager or Department Head. The employee may file the complaint directly with the Town Manager if it involves a Department Head. The Town Manager will insure that an investigation is conducted into any allegation of harassment and advise the employee and appropriate management officials of the outcome of the investigation.

Employees who are found to be engaged in harassment are subject to disciplinary action up to and including dismissal. Employees making complaints of harassment are protected against retaliation from alleged harassers or other employees.

#### Section 12. Surrender of Property

An employee who is suspended or discharged shall be required to return all items of equipment and supplies, including uniforms, owned by the Town. Return of such equipment must precede the issuance of such an employee's final salary check.

#### Section 13. Substance Abuse Policy

The Town may establish policies and procedures related to employee substance abuse in order to ensure the safety and well-being of citizens and employees, and to comply with any state, federal, or other laws and regulations. The Town provides a drug-free workplace for all employees.

The Town declares its intention to be a “drug-free workplace.” No employee shall manufacture, distribute, dispense, use or be under the influence of intoxicating beverages or non-prescribed controlled drugs of any kind while on duty. An employee shall not report for duty while under the influence of any alcoholic beverage or non-prescribed controlled or illegal drug. Any employee using medication or a controlled drug by prescription which may affect job performance or safety, shall notify their supervisor upon reporting to work. Any employee convicted or pleading guilty under any criminal drug statute must notify their supervisor or department head no later than five (5) days after such conviction. Any employee who violates this condition of employment may be disciplined up to and including dismissal or may be required to participate in a drug abuse assistance or rehabilitation program approved by the Town.

#### Section 14. Disruption of the Workplace

The Town has a responsibility to maintain a productive and professional work environment conducive to conducting the Town’s business. To that end, employees are expected to keep any workplace disruptions and distractions to a minimum. This includes personal visits and phone calls, texting, receiving personal mail or packages, charitable solicitations, or other activities that distract an employee or coworkers from the work of the Town. Supervisors will provide feedback to employees on any actions that are becoming distracting.

## Section 15. Employee Safety and Health

The personal safety and health of every employee is important to the Town of Biltmore Forest, and it is Town policy to meet this responsibility by providing safe and healthful places and conditions of employment and by constantly striving to improve the quality of the workplace.

The protection of one's fellow employees and the public on Town property is a responsibility shared by all. If an employee knows of safety or health conditions that could be improved where he works, he should notify his supervisor or department head. All Town employees are fully covered by the North Carolina Workers' Compensation Act and are required to report all accidents and injuries on the job to the Town Manager's office within 24 hours so that appropriate action can be taken, and the necessary forms filed.

The following Safety Program Policy governs the activity of all Town employees:

“The Town of Biltmore Forest considers the safety of its employees a major responsibility. The Town will constantly endeavor to encourage safe working habits and provide safe working conditions for its employees. It is recognized that accident control can only be successful when support comes from top management, when adequate coordination and advice comes from staff members, when supervisors accept safety responsibilities, and when employees participate in the elimination of unnecessary safety hazards.”

The principles of our safety programs are as follows:

- (a) Management and supervisory personnel shall provide support for the prevention of accidents and for the implementation of this policy.
- (b) All accidents and safety incidents shall be investigated to determine their causes and the remedial action required to prevent recurrence.
- (c) Supervisors shall be responsible for the safe condition of equipment and materials, for encouraging good housekeeping practices, and for promoting overall safe working conditions. Regularly scheduled inspections of workplaces shall be conducted to identify safety hazards, and corrective actions shall be initiated to control unsafe acts, conditions, or procedures.
- (d) Accident prevention principles shall be incorporated into both training for new employees and on-going training programs for all employees.
- (e) Department heads shall analyze hazardous working conditions and develop standard operating procedures to ensure that hazardous conditions are minimized and that safe work practices are used.
- (f) Personal protective equipment shall be used by employees to reduce the probability of injury.

- (g) Each employee shall be charged with the responsibility of making safety a daily concern. This responsibility must be accepted by everyone, regardless of his/her position in the organization.

Any employee who fails to use proper safety equipment required by and furnished by the Town, shall be subject to disciplinary action by the department head or Town Manager. Failure to use proper safety equipment as directed may constitute a basis for denial of a claim for workers' compensation benefits.

#### Section 16. Media Contact

Biltmore Forest personnel shall make every effort to maintain good working relationships with the media. All requests for information shall be handled with respect and referred to the appropriate personnel that has the information requested. The Town Manager or Department Head shall be notified, as soon as practical, as to the nature of the request and the organization making the request. If possible, any reply should come from the Town Manager or Department head.

Employees should ascertain that the requesting person is in fact representing a media organization. Employees should also be mindful of their personal liability for providing information on employees, former employees, Town policy, projects, or events.

#### Section 17. Attitude and Common Courtesy

When contacting the public in any manner, especially on public business, Town employees shall do so in a courteous manner. Every employee shall endeavor to conduct themselves in a manner that reflects credit upon his/her department and the government of the Town of Biltmore Forest.

## Article VI. Types of Leave

### Section 1. Policy

The policy of the Town is to provide vacation leave, sick leave, and holiday leave to all full-time and part-time employees, and to provide proportionately equivalent amounts to employees having average work weeks of different lengths. Employees shall accrue leave proportionately with each payroll.

### Section 2. Holidays

The Town of Biltmore Forest follows the holiday calendar utilized by the State of North Carolina. In addition, each full-time employee is granted their birthday as a holiday.

In order to be eligible for holiday pay, an employee must have been in pay status for a full regularly scheduled workday before and after the holiday, unless excused by the Town Manager or Department head.

### Section 3. Effect of Holidays on Other Types of Leave

Regular holidays which occur during a vacation, sick, or other leave period of any officer or employee of the Town shall not be considered as vacation, sick or other leave.

### Section 4. Holidays: Compensation When Work is Required or Regularly Scheduled Off for Shift Personnel.

Employees required to perform work on regularly scheduled holidays shall be compensated at their regular pay for the hours worked on the holiday, in addition to the pay for the holiday, or given time off equivalent to the hours worked on the holiday. The holiday hours paid shall be eight (8) hours.

### Section 5. Vacation Leave

Vacation leave shall be used for rest and relaxation, school appointments, and other personal needs. It shall be used at the discretion of the employee and at the convenience of the appropriate supervisor. Vacation leave may also be used by employees who wish to observe religious holidays other than those granted by the Town. Employees who wish to use leave for religious observances must request leave from their respective Department Heads. The Department Head will attempt to arrange the work schedule so that an employee may be granted vacation leave for the religious observance. Vacation leave for religious observance may be denied only when granting the leave would create an undue hardship for the Town. Vacation Leave may be donated to other employees according to procedures published by the Town Manager.

#### (a) Vacation Leave: Use by Probationary Employees

- a. Employees serving a probationary period following initial employment may accumulate vacation leave but shall not be permitted to take vacation leave during the first six months of employment unless approved in a pre-employment agreement.

(b) Vacation Leave - Amount of Allotment and Maximum Accumulation

- a. When calculating vacation leave for employees whose yearly base hours are 2080, the employee's normal workday expressed in hours, up to a maximum of eight (8) hours, shall be used.

Those employees shall earn vacation leave at the following rate:

Years of Service	Accrual Rate (Days per Year)
0-2	10
3	11
4	12
5	13
6	14
7	15
8	15
9	16
10	16
11	17
12	17
13	18
14	18
15	19
16	19
17+	20

Vacation leave may be accumulated without any applicable maximum until the last payroll in December. However, if the employee departs from service, payment for accumulated vacation leave shall not exceed thirty (30) days prorated as shown in Section 16. Effective December 31st, any employee with more than thirty (30) days of accumulated leave shall have the excess accumulation removed so that only thirty (30) days are carried forward to January 1 of the next calendar year. Those hours, in excess of thirty (30) days, shall be converted to the employee's sick leave account.

Employees are cautioned not to retain excess accumulated vacation leave until late in the year. Because of the necessity to keep all functions in operation, large numbers of employees cannot be granted vacation leave at any one time. If an employee has excess leave accumulation during the latter part of the year and is unable to take such leave because of staffing demands, the employee shall receive no special consideration either in having vacation leave scheduled or in receiving any exception to the maximum accumulation.

Vacation Leave - Manner of Taking Leave

Employees shall be granted the use of earned vacation leave upon request in advance at those times designated by the Department Head which will least impact normal operations of the Town. Department Heads are responsible for ensuring that approved

vacation leave does not hinder the effectiveness of service delivery. Vacation may be taken in one half (1/2 hour) increments. Employees may “sell back” vacation days to the Town. The amount of vacation days sold back to the Town may not exceed ten (10) days or eighty (80) hours per fiscal year.

#### Vacation Leave - Payment Upon Separation

An employee who has successfully completed six months of the probationary period will normally be paid for accumulated vacation leave upon separation not to exceed 40 days prorated as shown in Section 16, provided notice is given to the supervisor at least two weeks in advance of the effective date of resignation.

Any employee failing to give and work the two-week notice required by this section shall forfeit payment for accumulated leave. The notice requirement may be waived by the Town Manager when deemed to be in the best interest of the Town. Employees who are involuntarily separated shall be ineligible to receive and shall forfeit payment of any accrued vacation leave hours.

#### Vacation Leave - Payment for Accumulated Vacation Upon Death

The designated beneficiary of an employee who dies while employed by the Town shall be entitled to payment for the balance of vacation leave credited to the employee's account, up to a maximum of 240 hours.

### Section 6. Sick Leave

Sick leave may be granted to a probationary or regular employee absent from work for any of the following reasons: sickness, bodily injury, required physical or dental examinations or treatment, or exposure to a contagious disease, when continuing work might jeopardize the health of others. Sick leave may be taken in half-hour (30 minutes) increments.

For these purposes, “immediate family” shall be defined as spouse, child, parent, brother, sister, grandparent, grandchild, son-in-law, daughter-in-law, parent-in-law, brother or sister-in-law, aunt, uncle, of the employee or spouse or guardian of the employee. This also includes various combinations of “step”, “half”, and adopted relationships. Sick leave may be used when an employee must care for a member of his or her immediate family who is ill.

Sick leave may also be used to supplement Workers' Compensation Disability Leave during the waiting period before Workers' compensation benefits begin.

Notification of the desire to take sick leave should be submitted to the employee's supervisor prior to the leave or according to departmental procedures.

#### a. Sick Leave - Manner of Allotment

- i. Full-time employees shall accrue sick leave at the rate of eight hours per month. When sick leave credits are inadequate to cover absence caused by the employee's illness, the time lost will first be charged to vacation leave, if any, and next to leave without pay. For calculating sick leave compensation, the actual hours taken as sick leave will be used.

b. The Town will accept sick leave balances when documented by a previous employer when the employee worked for a previous employer covered by the State or Local Government Retirement System and the employee did not withdraw accumulated contributions from that employer when leaving employment. The sick leave will be treated as though it were earned with the Town of Biltmore Forest. The sick leave amount must be certified by the previous employer, and it is the employee's responsibility to provide documentation from his or her previous employer within three (3) months of employment. Transferred sick leave will be credited to the employee upon their hire date. For those employees who are currently employed with the Town at the approval of this policy, any previously earned sick leave from prior employers in the State and Local Government Retirement System will be credited to their account.

c. Sick Leave - Maximum Accrual

i. Unused Sick leave shall accumulate or carry forward from year to year.

d. Sick Leave - Physician's Certificate

i. The employee's supervisor or department head may require a physician's certificate concerning the nature of the illness and the employee's physical capacity to resume duties for each occasion on which an employee uses sick leave of forty (40) or more hours. Such request for a physician's certificate may be requested at any time that the department head feels the need.

The department head shall be responsible for the enforcement of this provision to the end that (1) employees shall not be on duty when their presence may endanger their health or the health of other employees, and (2) there will be no abuse of sick leave privileges.

Claiming sick leave under false pretense to obtain a day off with pay shall subject the employee to disciplinary action up to and including dismissal.

Under Family and Medical Leave act guidelines, the Town may require that a request for leave because of a serious illness of the employee or the employee's child, spouse or parent, be supported by a doctor's certification, which shall include the following:

1. The date on which the serious health condition began;
2. The probable duration of the condition;
3. Appropriate medical facts regarding the condition;
4. A statement that the leave is needed to care for a child, spouse or parent and an estimate of the amount of time that is needed; or,
5. That the employee is unable to perform the functions of the position, whichever applies.

Where certification is necessary for intermittent leave for planned medical treatment, the dates on which the treatment is expected to be given and the duration of the treatment, shall be provided.

If the Town has reason to doubt the validity of medical certification, the Town may require the employee to get a second opinion from a doctor designated by and paid for by the Town. If the second opinion differs from the original medical opinion, the Town may require the employee to get a third opinion from a doctor jointly approved by the Town and the employee but paid for by the Town. The Third opinion is final and binding on both the Town and the employee. The Town may require and pay for the employee to obtain periodic re-certification on a reasonable basis, usually no more frequently than every thirty (30) days.

(d) Sick Leave on Separation

Employees who resign and who are not reinstated within one (1) year, or are dismissed from Town employment, shall lose all sick leave credit. No employee shall be paid for any sick leave balance.

### Section 7. Leave Pro-Rated

Holiday, annual, and sick leave earned by full-time employees with fewer or more hours than the basic work week (forty hours) shall be determined by the following formula:

- 1) The number of hours worked by such employees shall be divided by the number of hours in the basic work week (forty hours).
- 2) The proportion obtained in step 1 shall be multiplied by the number of hours of leave earned annually by employees working the basic work week.
- 3) The number of hours in step 2 divided by 12 shall be the number of hours of leave earned monthly by the employees concerned or divided by 26 shall be the number of hours if leave earned biweekly.

### Section 8. Funeral Leave

Eligible employees scheduled to work eight (8), ten (10), or twelve (12) hour shifts who have a death in the Immediate Family (as defined in Section 4 of this Article) are eligible to receive up to twenty-four (24) working hours of paid funeral leave. Permanent part-time employees are eligible for leave, prorated by the average number of hours in the work week (Section 16). Any additional time or for deaths that are not covered by the Immediate Family designation, vacation leave or accrued compensatory time may be taken. Funeral leave pay cannot duplicate any other compensation of the same period. The Town may request documentation for this leave whenever there is a pattern of absenteeism demonstrated by the employee or for other reasons as needed.

### Section 9. Leave Without Pay – Policy

A regular or probationary employee may be granted a leave of absence without pay for up to one (1) year by the Town Manager. The leave shall be used for reasons of inability to report to work, personal or family disability, continuation of education or special work that will permit the Town



to benefit by the experience gained or the work performed, or any absence that is not covered by one of the provided paid leaves.

For extended leave without pay absences, the employee shall apply in writing to the Town Manager for leave and may be carried on the Town's books in a non-pay status during their absence. The employee is obligated to return to duty within, or at the end of, the time determined appropriate by the Town Manager or Department head. Failure to report at the expiration of a leave of absence, unless an extension has been requested, shall be considered a resignation. When on such extended leave without pay, the employee must assume payment of all Town paid benefits, including health insurance and neither vacation nor sick leave shall be earned or accrue. Upon returning to duty after being on leave without pay, the employee shall be entitled to return to the same position held at the time leave was granted or to one of like classification, seniority and pay. If the employee decides not to return to work, the supervisor should be notified immediately.

(a) Leave Without Pay - Effect on Benefits

An employee shall retain all unused vacation and sick leave while on leave without pay. An employee ceases to earn or accrue leave credits on the date leave without pay begins. The employee may continue to be eligible for benefits under the Town's group insurance plans, subject to any regulations adopted by the Board of Commissioners and the regulations of the respective insurance carriers.

Section 10. Family and Medical Leave Act

*The Family and Medical Leave Act* was passed by Congress to balance the demands of the workplace with the needs of families, to promote stability and economic security of families and to promote national interests in preserving family integrity; to minimize the potential for employment discrimination on the basis of sex by ensuring generally that leave is available for medical reasons (including maternity related disability) and for compelling family reasons; and to promote the goal of equal employment opportunity for women and men. At the adoption of this policy, the Town is not a covered employer under the provisions of the Family Medical Leave Act.

Section 11. Parental Leave

Full-time regular employees who are parents, guardians, or persons "standing in loco parentis" of a school-aged child shall be granted four hours per year of unpaid leave to attend or otherwise be involved at their child's school. However, Parental leave is subject to the following conditions:

- (a) The leave shall be at a mutually agreed upon time between the supervisor and the employee;
- (b) A written request must be submitted to the supervisor for the leave at least 48 hours before the time desired for the leave;
- (c) Written verification from the child's school that the employee attended or was otherwise involved at the school during the time of the leave.

For the purposes of this section, “school” means any public school, private church school, church of religious charter, non-public school, preschool and child daycare facilities.

#### Section 12. Workers' Compensation Leave

An employee absent from duty because of sickness or disability covered by the North Carolina Workers' Compensation Act may receive benefits and elect to use accumulated vacation and sick leave as a supplemental payment for the difference between his regular net salary and the net payments received under the Workers' Compensation Act. However, under no circumstances can Biltmore Forest require the employee to endorse his Workers' Compensation check over to the Town. Upon reinstatement, an employee's salary will be computed on the basis of the last salary earned plus any increment or other salary increase to which the employee would have been entitled during the disability covered by Workers' Compensation.

To protect his/her interest under the law, the employee has the responsibility for promptly reporting all injuries resulting from on-the-job accidents in accordance with the N. C. Workers' Compensation Act. All injuries shall be reported immediately to the supervisor of the department.

Temporary employees and employees without any leave balances will be placed in a leave without pay status and will receive only benefits for which they may be adjudged eligible under the Workers' Compensation Act.

#### Section 13. Temporary Disability Leave

Accumulated sick leave is available to employees for the period of medically necessary temporary disability in the same manner as for any other illness.

Leave without pay may be available for a period of time before the employee is medically/mentally disabled, when known in advance, and a period of time after the medical/mental disability ends. Normally this leave shall not exceed three (3) months. However, upon the attending physician's advice and in consultation with and approval of the department head and Town Manager, the employee may alter the duration of this disability leave.

The employee may elect to use accumulated vacation leave (1) before going on sick leave, (2) after accumulated sick leave has been exhausted, and/or (3) after the temporary disability has ended. If an employee is temporarily disabled and has exhausted all accumulated sick leave, that employee may be eligible to receive leave without pay for personal disability under the provisions of Section 6 of this Article. If an employee wishes to retain all accumulated sick leave and vacation leave, leave without pay may be taken for the entire period.

Reinstatement to the same position or one of like classification, seniority and pay shall be made upon the employee's return to work within the approved time period.

#### Section 14. Military Leave

Regular employees who are members of the National Guard or Armed Forces Reserve will be allowed fifteen (15) calendar days military training leave annually with adjusted pay. Adjusted pay means that the Town will make up the difference between military pay and regular Town base pay. If the military net pay is greater than the Town's net pay, there shall be no Town compensation for this leave. If such military duty is required beyond this fifteen (15) calendar days period, the employee shall be eligible to take accumulated vacation leave or be placed in a leave without pay status. While taking military leave with pay or without pay, the employee's leave credits and other benefits shall continue to accrue as if the employee physically remained with the Town during this period. Regular employees who are guardspersons and reservists have all job rights specified in the Veterans Readjustment Assistance Act.

#### Section 15. Civil Leave

A Town employee called for jury duty or as a court witness for the federal or state government or a subdivision thereof, shall receive leave with pay for such duty during the required absence without charge to accumulated vacation or sick leave. While on civil leave, benefits and leave shall accrue as though on regular duty. No employee shall receive or keep any witness fees for appearing in court in connection with their official duties.

#### Section 16. Education Leave

An employee of the Town of Biltmore Forest may be granted an unpaid leave of absence when voluntarily requested and not job required for job training, certification, or other job-related training or education. Arrangements for expenses and compensation shall be made prior to the leave of absence on a case-by-case basis, as recommended by the Department Head and approved by the Town Manager.

#### Section 17. Paid Family Leave

The Town of Biltmore Forest believes that strong families benefit both the local community and the workplace. For this reason, the Town offers the option to its employees of a maximum of four (4) weeks Paid Family Leave for the birth of and bonding with a newborn, bonding with a newly placed child for foster care or adoption and to care for a child, spouse, or parent with a serious health condition. This leave may be utilized in conjunction with other vacation or sick leave as necessary.

#### Section 18. Short Term Disability Leave

The Town offers full-time and permanent part time employees working 30 or more hours short term disability leave. Eligibility for and the amount of disability benefits available are subject to the terms of the applicable plan. During the disability period under certain circumstances there are no contributions to the retirement system, or 401(k). Other employee deductions from regular paychecks such as credit union or supplemental insurance payments and group life, health and dental insurance premiums will need to be addressed to the vendor's satisfaction by the employee. Employees cannot receive more than 100% of their basic salary between all benefits.

Short-term disability (STD) leave assumes worker's compensation will be helping employees with job-related injuries or illnesses, and therefore, does not cover work-related disabilities.

## Section 19. Shared Leave

An employee may request donated leave from fellow employees if they are facing a prolonged absence from work and insufficient accrued leave hours to pay him/ her during that time. Reasons for which the request may be granted are listed below in Recipient Guidelines, parts a, b, and c.

### General Guidelines

- a) An employee requesting donated leave shall file a request with the Town's Finance Director. The Finance Director, Department Head of the employee requesting leave, and Town Manager shall review the application. Employees who volunteer to donate leave shall file the attached form verifying the voluntary donation and acknowledging they will not receive any payment for donated leave.
- b) Information presented to and used by the Town in determining qualification of this program shall be kept confidential.
- c) If the request is granted, sick leave may be donated to a named employee. The hours donated by the employee shall be for the use of the employee of their election only.
  - A catastrophic illness of self or immediate family member (mother, father, sibling, child, and/or spouse - as legally recognized by the State of North Carolina), requiring life threatening surgery or treatment, which has been documented in writing by the attending physician.
  - An extended period of sickness or treatment for self or immediate family member, documented in writing by the attending physician.
  - Injuries or illnesses caused as a direct result of illegal acts on the part of self or immediate family member will not qualify.
- d) To qualify for this program, an employee must anticipate being unable to attend work for a minimum of thirty (30) calendar days.

*\*Elective, nonessential surgeries and/ or treatments do not qualify under this program.*

### Eligibility

Participation in this program shall be based on the employee's past compliance with leave policies. All employees (other than temporary employees) shall be eligible to participate, but no employee is guaranteed a right to participate in this program.

### Application Procedure

An employee may request donated leave by making a written request on the Shared Leave Form available in the Town Hall.

### Recipient Guidelines

- a) In order to qualify for donated leave, an employee must exhaust all his/her available leave, and use the leave accruing while they are out, before using donated leave.
- b) Donated leave will be used as needed until the donated leave bank is no longer available or the employee returns to work.

- c) Participation in this program and use of paid time off under this program shall end upon the recipient's resignation or separation from the Town employment, or upon the death of a currently participating recipient.
- d) When the recipient has exhausted, or anticipates exhausting their donated leave, they may reapply for additional donated leave.
- e) Donor Guidelines
- f) Leave is to be donated on a voluntary basis. No employee shall be coerced or required, as a condition of employment, to donate paid leave to any another Town employee.
- g) The amount of sick leave donated by an employee cannot reduce the donor's sick leave balance below five (5) days of sick leave. There is no corresponding prohibition regarding the maximum amount of annual leave or compensatory time that an employee may voluntarily donate.
- h) Employees donating leave will not receive remuneration for the leave they donated.
- i) Unused donated leave shall be returned to the donor.

## Section 20. Personal Leave

An employee of Biltmore Forest shall be allowed up to twenty-four (24) hours per fiscal year of personal leave. Personal leave should typically be taken in increments of fifteen (15) minutes, up to a maximum of two (2) hours per occasion per month with permission of their supervisor. Personal leave is to be used for personal matters that cannot be transacted outside of normal work hours, medical appointments, and absences due to adverse weather conditions. Any time used beyond two (2) hours in a day will be charged to another appropriate leave, with the exception noted below.

An employee may use up to 8 hours of personal leave on three separate occasions within each fiscal year. In no instance will the total number of personal hours used for each fiscal year exceed twenty-four (24) hours. This allowance recognizes that at some points Town staff may need a longer period to transact business and/or time off for other reasons not accounted for in other leave types.

A request for personal leave shall be submitted to the department head for their approval or disapproval. The request must state the purpose and time requested. The department head may require that the leave be charged to vacation, sick or leave without pay if in his/her opinion it is not justified as personal leave. The employee will be notified prior to taking leave of the departments head's decision. Abuse of personal leave privilege may result in disciplinary action against the individual if warranted. Personal leave may be used by Public Works employees to supplement a standard eight (8) hour holiday.

## Section 21. Calculation of Holiday Leave, Vacation Leave, and Sick Leave

Holiday leave, vacation leave, and sick leave earned by full-time employees will be based on an 8-hour workday.

## Article VII. Separation, Discipline and Reinstatement

### Section 1. Types of Separation

All separations of employees from positions in the service of the Town shall be designated as one of the following types and shall be accomplished in the manner indicated: resignation, reduction in force, disability, retirement, dismissal, or death.

- (a) **Resignation:** A minimum of two (2) weeks' notice for most employees is expected of all resigning personnel. Such notice should be given to the department head or Town Manager.

Employees who do not give proper notice (2 weeks for most employees) shall be deemed a resignation without notice and will not be paid for their accumulated vacation leave balance upon termination. Failure to comply with this requirement may be the cause for denying reference to potential employers.

Five (5) consecutive days without reporting to work or contacting the appropriate official shall be considered a resignation.

All letters or notes of resignation received by department heads shall be forwarded to the Town Manager on the completion of the workday following the date of receipt.

- (b) **Demotion:** A regular employee whose performance of duties is unsatisfactory over a period shall be notified in writing by the supervisor or department head how their performance is deficient and what must be done for their performance to be satisfactory. The employee will be given up to three months to improve their performance to a satisfactory level. If at the end of the three months the appraising official determines that the performance is still unsatisfactory, a recommendation to demote to a position for which the employee is more suited or to dismiss shall be made to the Town Board of Commissioners by the appraising official.
- (c) **Reduction in Force:** In the event that a reduction in force becomes necessary, consideration shall be given to the quality of each employee's past performance, organizational needs, and seniority, in that order, in determining those employees to be retained. Employees who are laid off because of reduction in force shall be given at least two (2) weeks' notice of anticipated layoff. No regular employee shall be separated while there are temporary employees serving in the same class in the department, unless the regular employee is not willing to transfer to the position held by the temporary employee.
- (d) **Disability:** An employee who is injured on or off the job, who becomes ill, or suffers any other condition that meets the American with Disabilities Act definition of disability, is protected by the Act, if they can perform the essential functions of the job, with or without reasonable accommodations.

The Town shall make reasonable accommodation to the known physical or mental impairment of an otherwise qualified employee with a disability, unless the Town can demonstrate that the accommodation would impose an undue hardship on its operations.

An employee may be separated for disability when the employee cannot perform the required duties because of a physical or mental impairment and reasonable accommodations, as required by the American with Disabilities Act (ADA), cannot be made. Action may be initiated by the employee or the Town, but in all cases, it shall be supported by medical evidence as certified by a competent physician. The Town may require an examination at its expense and performed by a physician of its choice. Before an employee is separated for disability, a reasonable effort shall be made to locate alternative positions within the Town's service for which the employee may be suited.

- (e) Dismissal: Dismissals shall be preceded by an automatic three (3) day suspension without pay pending completion of an investigation or placed in a administrative leave status not exceeding 30 days. The investigation shall include an opportunity for the employee to explain their side of the situation. If performance is not substantially improved during the administrative leave status or the investigation provides sufficient cause, after a hearing of the employee by the Town Manager, the employee may be dismissed and discharged. If the Town Manager determines that a dismissal action is appropriate, such dismissal shall be effective at the end of the three (3) day suspension or the end of the administrative leave status. If a dismissal is made at the end of this period, a written summary giving the circumstances and facts leading to the dismissal shall be prepared. A copy of the summary shall be mailed to the employee by certified mail and one copy shall be filed in the employee's personnel folder.
- (f) Death: All compensation due in accordance with Article VII, Section 4 of this policy will be paid to the designated beneficiary of a deceased employee. The date of death shall be recorded as the separation date for computing compensation due.

## Section 2. Disciplinary Actions

The Town establishes rules so that each department can operate in an orderly and efficient manner in order to better serve the public. An employee who engages in activities which disrupt or impair the operation of any department, violates rules, regulations, policies or procedures or orders from a supervisor, is subject to disciplinary action. Disciplinary action may take the form of a verbal or written warning, probation, suspension, demotion, or dismissal depending on the nature of the offense and the work record of the employee in question. Disciplinary action can be taken by the Town Manager because of failure in performance of duties or failure in personal conduct. The department head shall provide the employee with a written notice including the recommended effective date, reasons for the action, and appeal rights available to the employee.

(a) Failure in Performance of Duties

Failure in the performance of duties includes any aspects of the employee's job which are not performed as required to meet the standards set by the Town Manager or Department head.

The following causes relating to failure in the performance of duties are representative, but not all inclusive, of those considered to be adequate grounds for suspension, demotion, or dismissal:

- (1) Inefficiency, negligence or incompetence in the performance of duties;
- (2) Careless, negligent or improper use of Town property or equipment;
- (3) Demonstrates incapacity or inability to perform duties.

Prior to making a decision to terminate employment, the employee will have the opportunity to discuss the dismissal and the reasons for the dismissal recommendation with the supervisor and Town Manager or Department head.

(b) Failure in Personal Conduct

An employee may be suspended, demoted, or dismissed for causes relating to personal conduct detrimental to Town service without warning in order to avoid undue disruption of work, to protect the safety of persons or property, or for other serious reasons.

The following causes relating to failure in personal conduct are representative, but not all inclusive, of those considered to be adequate grounds for suspension, demotion, or dismissal:

- (1) Fraud in securing appointment;
- (2) Conduct unbecoming a public officer or employee;
- (3) Conviction of a felony or of a misdemeanor which would adversely affect performance of duties, or the entry of a plea of no contest: to either;
- (4) Misappropriation of Town funds or property;
- (5) Falsification of Town records for personal profit or to grant special privileges;
- (6) Reporting to work under the influence of alcohol or narcotic drugs or partaking of such things while on duty or while on public property, except that prescribed medication may be taken within the limits set by a physician so long as medically necessary;
- (7) Willful damage or destruction of property;
- (8) Willful acts that would endanger the lives and property of others;
- (9) Acceptance of gifts in exchange for "favors" or "influence";
- (10) Incompatible outside employment or conflict of interest;
- (11) Violation of political activity restrictions;
- (12) Insubordination;
- (13) Discourteous treatment of the public or other employees;



- (14) Absence without approved leave;
- (15) Habitual improper use of leave privileges;
- (16) Habitual pattern of failure to report for duty at the assigned time and place.

Following are explanations of various types of disciplinary actions which may be taken:

- (1) Verbal Warning: Informal counseling of an employee by the immediate supervisor, department head or Town Manager.
- (2) Written Warning: Formal counseling of an employee by the immediate supervisor, department head or Town Manager, written and signed by both the employee and their supervisor and included in the employee's personnel file.
- (3) Disciplinary Probation: A period, usually not to exceed 90 calendar days, during which the employee is expected to improve job performance or behavior with regard to rule infractions. An employee is informed by their immediate supervisor, department head or Town Manager of the terms and length of such disciplinary probation, written and signed by both the employee and their supervisor, and included in the employee's personnel file.
- (c) Disciplinary Suspension: A period of time, usually one to ten days, during which an employee is not permitted to work and is not paid. An employee placed on suspension is informed of same by their immediate supervisor, department head, or Town Manager, written and signed by both the employee and their supervisor, indicating the dates of the suspension, and included in the employee's personnel file.
- (d) Immediate Disciplinary Suspension: Such suspension may be enacted without pay and without notice by the Town Manager, department heads, and/or Town Board of Commissioners for causes related to personal conduct in order to avoid undue disruption of work, to protect the safety of persons or property, or for other serious reasons. When such occurs, the employee shall be told to leave Town property at once and remain away until further notice. A written summary giving the circumstances and facts leading to the suspension shall be prepared with one copy being sent to the employee by certified mail and a copy filed in the employee's personnel folder.

Non-Disciplinary Suspension: During the investigation, hearing, or trial of an employee on any criminal charge or during the course of any civil action involving an employee, the Town Manager may suspend the employee without pay for the duration of the proceedings as a non-disciplinary action. However, the investigation, hearing, trial, or civil action must involve matters that may form the basis for disciplinary suspension, demotion, or dismissal in order for the non-disciplinary suspension to be allowed.

Full recovery of pay and benefits for the period of non-disciplinary suspension may be authorized by the Town Board of Commissioners if the suspension is terminated with full reinstatement of the employee.

Demotion: Failure in personal conduct may be cause for the employee to be demoted as a disciplinary action. An employee demoted as a disciplinary action, is informed of same by their immediate supervisor, department head, in writing and signed by both the employee and their supervisor, indicating the effective date, and included in the employee's personnel file.

Dismissal: Termination of employment at the instigation of the Town. An employee demoted or dismissed for causes relating to personal conduct shall be given a statement of the charges, be allowed to respond in writing, have a hearing and no sooner than the day following the hearing, be given a prompt written statement of the hearing, and the decision of the Town Manager. A copy of the statement shall be signed by the employee and supervisor and one (1) copy shall be filed in the employee's personnel file.

### Section 3. Employee Appeal

A regular employee wishing to appeal a demotion, suspension or dismissal may present the matter in accordance with the provisions of the grievance procedure prescribed in Article VIII of this policy.

### Section 4. Reinstatement

An employee who resigns while in good standing or who is dismissed because of a reduction in force may be reinstated within one (1) year of the date of separation, with the approval of the Town Board of Commissioners. An employee who enters extended active duty with the Armed Forces of the United States, the Public Health Service or with a Reserve component of the Armed Forces will be granted reinstatement rights commensurate with Chapter 43 of Public Law 93-508.

An employee who is reinstated shall be credited with previous service and previously accrued sick leave and will receive all benefits provided in accordance with this policy and state law. The salary paid a reinstated employee shall be as close as reasonably possible, given the circumstance of each employee's case, to the salary rate previously attained by the employee in the salary range for the previous class of work, plus any approved "across-the-board" pay increases.

## Article VIII. Grievance Procedure

### Section 1. Policy

The Town shall provide a just procedure for the presentation, consideration, and disposition of employee grievances. The purpose of this article is to outline the procedure and to assure all employees that a response to their complaints and grievances will be prompt and fair.

Employees utilizing the grievance procedures shall not be subjected to retaliation or any form of harassment from supervisors or employees for exercising their rights under this policy. Supervisors or other employees who violate this policy shall be subject to disciplinary action up to and including dismissal from Town service.

### Section 2. Grievance Defined

A grievance is a claim or complaint by a current or a former employee based upon an event or condition which affects the circumstances under which an employee works, allegedly caused by misinterpretation, unfair application, or lack of established policy pertaining to employment conditions. Grievance does not include appeal from a dismissal decision, which is covered by

### Section 3. Purposes of the Grievance Procedure

The purposes of the grievance procedure include, but are not limited to:

- 1) Providing employees with a procedure by which their complaints can be considered promptly, fairly, and without reprisal;
- 2) Encouraging employees to express themselves about the conditions of work which affect them as employees;
- 3) Promoting better understanding of policies, practices, and procedures which affect employees;
- 4) Increasing employees' confidence that personnel actions taken are in accordance with established, fair, and uniform policies and procedures;
- 5) Increasing the sense of responsibility exercised by supervisors in dealing with their employees.
- 6) Encouraging conflicts to be resolved between employees and supervisors who must maintain an effective future working relationship, and therefore, encouraging conflicts to be resolved at the lowest level possible of the chain of command; and
- 7) Creating a work environment free of continuing conflicts, disagreements, and negative feelings about the Town or its leaders, thus freeing up employee motivation, productivity, and creativity.

### Section 4. Procedure

When an employee has a grievance, the following successive steps are to be taken unless otherwise provided. The number of calendar days indicated for each step should be considered the maximum, unless otherwise provided, and every effort should be made to expedite the process. However, the time limits set forth may be extended by mutual consent. The last step initiated by an employee shall be considered to be the step at which the grievance is resolved. A decision to rescind a disciplinary suspension or demotion must be recommended by the Department Head and approved by the Town Manager.

Informal Resolution. Prior to the submission of a formal grievance, the employee and supervisor should meet to discuss the problem and seek to resolve it informally. Either the employee or the supervisor may involve the respective Department Head as a resource to help resolve the grievance. In addition, the employee or supervisor may request mediation from a local mediation services or other qualified parties to resolve the conflict, upon approval of the Town Manager. Mediation may be used at any step in the process when mutually agreed upon by the employee and relevant Town supervisor or Manager. Mediation is the process where a neutral party assists the parties in conflict with identifying mutually agreeable solutions or understandings.

Step 1. If no resolution to the grievance is reached informally, the employee who wishes to pursue a grievance shall present the grievance to the appropriate supervisor in writing. The grievance must be presented within fifteen calendar days of the event or within fifteen calendar days of learning of the event or condition. The supervisor shall respond to the grievance within ten calendar days after receipt of the grievance. The supervisor should, and is encouraged to, consult with any employee of the Town in order to reach a correct, impartial, fair and equitable determination or decision concerning the grievance. Any employee consulted by the supervisor is required to fully cooperate as possible.

The response from the supervisor for each step in the formal grievance process shall be in writing and signed by the supervisor. In addition, the employee shall sign a copy to acknowledge receipt thereof. The responder at each step shall send copies of the grievance and response to the Town Manager.

Step 2. If the grievance is not resolved to the satisfaction of the employee by the supervisor, the employee may appeal, in writing, to the appropriate Department Head within ten calendar days after receipt of the response from Step 1. The Department Head shall respond to the appeal, stating the determination of decision within ten calendar days after receipt of the appeal.

Step 3. If the grievance is not resolved to the satisfaction of the employee at the end of Step 2, the employee may appeal, in writing, to the Town Manager within ten calendar days after receipt of the response from Step 3. The Town Manager shall respond to the appeal, stating the determination of decision within ten calendar days after receipt of the appeal. The Town Manager's decision shall be the final decision. The Town Manager will notify the Town Board of any impending legal action.

Department Heads. In the case of Department Heads or other employees where the Town Manager has been significantly involved in determining disciplinary action, including dismissal, the Town may wish to obtain a neutral outside party to act as a mediator to assist in resolving the conflict.

The filing of a lawsuit by an employee on an issue while there is a grievance on the same issue will end the appeal(s) under the Town's grievance procedure.

## Section 5. Grievance and Adverse Action Appeal Procedure for Discrimination

When an employee, former employee, or applicant, believes that any employment action discriminates illegally (i.e. is based on age, sex, race, color, national origin, religion, creed, political

affiliation, or non-disqualifying disability, marital status, or veteran status), he or she has the right to appeal such action using the grievance procedure outlined in this Article (Section 4 above).

While such persons are encouraged to use the grievance procedure, they shall also have the right to appeal directly to the Town Manager. Employment actions subject to appeal because of discrimination include promotion, training, classification, pay, disciplinary action, transfer, layoff, failure to hire, or termination of employment. An employee or applicant should appeal an alleged act of discrimination within thirty calendar days of the alleged discriminatory action, but may appeal for up to six months following the action. Nothing in this policy is intended to discourage or prevent an employee, former employee or applicant from filing a formal charge of discrimination or other illegal action with the appropriate state or federal agency having jurisdiction.

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## **Article IX. Insurance/Retirement/Benefits**

All employee benefits outlined in this policy including Article III (Pay Plan), Article VI (Types of Leave), and this Article IX (Employee Benefits) are contingent on the financial condition of the Town and the provision for such funding in each Annual Budget.

### **Section 1. Insurance Benefits**

The Town offers group hospitalization, dental insurance, short term disability, and life insurance. Such provisions and costs shall be as determined by the Town Board and budgeted. Optional dependent coverage shall be provided at the expense of the employee. Employees are eligible for the above benefits after the completion of thirty (30) days of employment.

### **Section 2. Unemployment Insurance**

In accordance with Public Law 94-566 and Chapter 1124 of the Session Laws of 1977 of the North Carolina General Assembly, local governments are covered by unemployment insurance effective January 1, 1978. Town employees who are laid off or released from the Town service may apply for unemployment compensation through the local office of the Employment Security Commission who will determine the employee's eligibility for this benefit.

### **Section 3. Old Age and Survivor's Insurance**

The Town, to the extent of its lawful authority and power, has extended social security benefits for its eligible employees and eligible groups and classes of such employees. Each Town employee shall be included in the Social Security program as a condition of employment.

### **Section 4. Workers' Compensation**

All employees are covered with workers' compensation insurance as required by the General Statutes of North Carolina.

### **Section 5. Credit Union Membership**

Employees of the Town of Biltmore Forest are eligible for membership in the Local Government Federal Credit Union or its successor.

### **Section 6. Retirement Benefits & 401K Contribution**

Each full-time employee who has completed at least one (1) month of continuous employment with the Town and works 1000 or more hours per year participates in the following retirement programs:

- (a) North Carolina Local Governmental Employees' Retirement System (LGERS).

All eligible employees will participate in the North Carolina LGERS in accordance with the rules and regulations adopted by the State of North Carolina. Employees contribute 6% of their salary to this plan. The Town contributes to the retirement system for its eligible employees as provided by law and also makes available the death benefit option offered therein.

(b) Supplemental Retirement Plan of North Carolina 401(k).

The Town contributes amounts equal to five percent (5%) of each eligible employee's base salary to the Supplemental Retirement Plan of North Carolina-401(k) as administered for the State of North Carolina. All rules and regulations of the Plan apply.

Section 7. Separation Allowance/Law Enforcement 401K

Law Enforcement Employees of the Town of Biltmore Forest receive a Town contribution of five (5%) into a 401K, and those law enforcement employees who meet the following requirements shall receive, beginning on the last day of the month in which he or she retires, a special separation allowance equal to eighty-five hundredths percent (0.85%) of the average final compensation as determined by the LGERS. To determine the amount of this special separation allowance, multiply eighty-five hundredths percent (0.85%) times the employee's most recent final base compensation, then multiply this product by the number of creditable years of service as determined by LGERS. The resulting product equals the annual payment of the separation allowance. This amount divided by 12 is the amount that will be paid on the last day of each month. The requirements for this separation allowance are as follows:

1. The employee must be eligible to retire at full benefits from the LGERS; and
2. The employee must not have attained sixty-two (62) years of age; and
3. At least 50% of creditable service is as a law enforcement employee and must be employed in a law enforcement position with the Town of Biltmore Forest at time of retirement. No employee shall receive the Special Separation Allowance if he/she retires on disability; and
4. Payment of this Separation Allowance shall cease at the death of the employee or on the last day of the month in which he/she attains sixty-two (62) years of age, or on the last day of the month in which he/she receives social security, or upon the first day of employment of the employee by any North Carolina governmental body. Should the special separation allowance for law enforcement officers, now required by law, be rescinded, this separation allowance shall be rescinded all at the same time; and
5. The Special Separation Allowance does not replace any benefits to which a retired employee may be entitled from state, federal, or private retirement systems.

### Section 8. Tuition Assistance Program

Full-time employees who have completed initial probation may apply for tuition reimbursement for courses taken on their own time, which will improve their skills for their current job or prepare them for promotional opportunities within the Town service. Tuition, registration, fees, laboratory fees, and student fees are eligible expenses. Employees may be reimbursed for 50% of eligible expenses up to a maximum of \$4,000.00 per fiscal year. Satisfactory completion of the courses will be required for reimbursement. Requests for tuition assistance shall be submitted to the Department Head prior to course registration and are subject to the review and approval of the Town Manager, subject to availability of funds.

### Section 9. Fitness Membership Subsidy

Town staff are encouraged to maintain a healthy and active lifestyle. To that end, the Town may choose to offer a fitness subsidy and/or discounted membership to the YMCA of Western North Carolina. The cost of this subsidy and/or discounted membership shall not exceed \$30.00 per month and is made available to all full-time employees only.

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## Article X. Personnel Records and Reports

### Section 1. Personnel Records Maintenance

Such personnel records as are necessary for the proper administration of the personnel system will be maintained by the Town Manager or Department head or his designee. The Town shall maintain, in personnel records, only information that is relevant to accomplishing personnel administration purposes.

In accordance with GS 160A-168(b), the following information with respect to each Town employee as a matter of public record:

- (a) Name;
- (b) Age;
- (c) Date of original employment or appointment to Town service;
- (d) The terms of any contract by which the employee is employed whether written or oral, past and current, to the extent that the Town has the written contract or a record of the oral contract in its possession;
- (e) Current position title;
- (e) Current salary;
- (f) Date and amount of most recent change in salary;
- (g) Date of most recent promotion, demotion, transfer, suspension, separation, or other change in position classification;
- (h) Date and general description of the reasons for each promotion within the Town;
- (i) Date and type of each dismissal, suspension, or demotion for disciplinary reasons taken by the municipality. If the disciplinary action was a dismissal, a copy of the written notice of the final decision of the municipality setting forth the specific acts or omissions that are the basis of the dismissal; and

### Section 2. Access to Personnel Records

As required by G. S. 160A-168, any person may have access to the information listed in Section 1 of this Article, except item (i), for the purpose of inspection, examination, and copying, during the regular business hours, subject only to such rules and regulations for the safekeeping of public records as the Board of Commissioners may adopt. Access to such information shall be governed by the following provisions:

- (a) All disclosures of records shall be accounted for by keeping a written record (except for authorized persons processing personnel actions) of the following information: name of employee; information disclosed; date information was requested; name and address of the person to whom the disclosure is made; and purpose for which information is requested. This information must be retained for a period of two years.
- (b) Upon request, records of disclosure shall be made available to the employee to whom it pertains.

- (c) An individual examining a personnel record may copy the information. Any available photocopying facilities may be provided and the cost may be assessed to the individual.
- (d) Any person denied access to any record shall have a right to compel compliance with these provisions by application to a court for a writ of mandamus or other appropriate relief.

### Section 3. Confidential Information

All information contained in a Town employee's personnel file, other than the information listed in Section 1 of this Article, except that Article XI, Section 1 (i) "current mailing address" shall be confidential), shall be maintained as confidential (in accordance with the requirements of G. S. 160A-168 and shall be open to public inspection only in the following instances:

- (a) the employee or his duly authorized agent may examine all portions of his personnel file, except, (1) letters of reference solicited prior to employment, and (2) information concerning a medical disability, mental or physical, that a prudent physician would not divulge to his patient.
- (b) A licensed physician designated in writing by the employee may examine the employee's medical record.
- (c) A Town employee having supervisory authority over the employee may examine all material in the employee's personnel file.
- (d) By order of a court of competent jurisdiction, any person may examine all material in the employee's personnel file.
- (e) An official of an agency of the State or Federal government, or any political subdivision of the State, may inspect any portion of a personnel file when such information is deemed by the department head to be necessary and essential to the pursuance of a proper function of the inspecting agency, but no information shall be divulged for the purpose of assisting in a criminal prosecution of the employee or for the purpose of assisting in an investigation of the employee's tax liability. However, the official having custody of such records may release the name, address, and telephone number from a personnel file for the purpose of assisting in a criminal investigation.
- (f) An employee may sign a written release, to be placed with his personnel file, that permits the person with custody of the file to provide, either in person, by telephone, or by mail, information specified in the release to prospective employers, educational institutions, or other persons specified in the release.
- (g) Each individual requesting access to confidential information will be required to submit satisfactory proof of identity.

- (h) A record shall be made of each disclosure and placed in the employee's file (except of disclosures to the employee and the supervisor).

#### Section 4. Records of Former Employees

The provisions for access to records apply to former employees as they apply to present employees.

#### Section 5. Remedies of Employees Objecting to Material in File

An employee who objects to material in his file may place in the file a statement relating to the material they consider to be inaccurate or misleading. The employee may seek the removal of such material in accordance with established grievance procedures.

#### Section 6. Penalty for Permitting Access to Confidential File By Unauthorized Person

G. S. 160A-168 provides that any public official or employee who knowingly and willfully permits any person to have access to any confidential information contained in an employee's personnel file, except as expressly authorized by the designated custodian, is guilty of a misdemeanor and upon conviction shall be fined in an amount not to exceed five hundred dollars.

#### Section 7. Penalty for Examining and/or Copying Confidential Material Without Authorization

G. S. 160A-168 provides that any person, not specifically authorized to have access to a personnel file designated as confidential, who shall knowingly and willfully examine in its official filing place, remove, or copy any portion of a confidential personnel file shall be guilty of a misdemeanor and upon conviction shall be fined in the discretion of the court but not in excess of five hundred dollars.

#### Section 8. Destruction of Records Regulated

No public official may destroy, sell, loan, or otherwise dispose of any public record except in accordance with G. S. 121-5, without the consent of the State Department of Cultural Resources. Whoever unlawfully removes a public record from the offices where it is usually kept, or whoever alters, defaces, mutilates or destroys it will be guilty of a misdemeanor and upon conviction will be fined not less than ten dollars, not more than five hundred dollars as provided in G. S. 132-3.

## **Article XI. Implementation Of Policy**

### Section 1. Conflicting Policies Repealed

All policies, ordinances, or resolutions that conflict with the provisions of this policy are hereby repealed.

### Section 2. Separability

If any provision of this policy or any rule, regulation, or order thereunder of the application of such provision to any person or circumstances is held invalid, the remainder of this policy and the application of such remaining provisions of this policy of such rules, regulations or orders to persons or circumstances other than those held invalid will not be affected thereby.

### Section 3. Violations of Policy Provisions

An employee violating any of the provisions of this policy shall be subject to suspension and/or dismissal, in addition to any civil or criminal penalty, which may be imposed for the violation of the same.

### Section 4. Effective Date

This policy shall become effective upon adoption.

### Section 5. Amendments

This policy may be amended by action of the Board of Commissioners and by a formal action appropriately approved. Notice of any suggested amendment to the policy, or any portion thereof, shall be provided to employees and opportunities for employee comment and reaction shall be made available prior to the amendments going to the Board of Commissioners for action. Proposed amendments should be posted on bulletin boards in all employee work locations and/or in employee newsletters. Any revisions or amendments adopted in conformance with this procedure shall become effective as of the date of such adoption.

**BOARD OF COMMISSIONERS MEETING  
STAFF MEMORANDUM**

May 21, 2024



**Agenda Item F-3**

**Presentation – Biltmore Forest Water Rate Study**

*Megan Powell, WithersRavenel*

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Background

The Town of Biltmore Forest has purchased water from the City of Asheville for many years. The most recent agreement between the Town and City began in 2002 and is renewed annually. The Town is charged a wholesale rate from the City of Asheville due to the volume of water needed within the Town. Recently, the City of Asheville conducted a study of their water rate structure and will implement these new rates in the coming fiscal year.

Water Rate Study

This significant increase required the Town to take a deep dive into our water rate structures and work with a consultant to perform a detailed analysis and provide recommendations to move forward. WithersRavenel has performed these type of rate studies and has experts in the field to conduct this work. Town staff worked with the consultant over the course of the past several months on this review.

Megan Powell, with WithersRavenel, will present their findings and discuss recommendations for the upcoming fiscal year, and subsequent years.



# Water Fund Financial Analysis



# MEET YOUR TEAM



**Shannon Moore**  
Principal



**Megan Powell**  
Project Manager



**Steven Miller**  
Sr. Project Manager



**Alison Alexander**  
Client Officer



# Project Objectives



- Prepare a ten-year financial analysis of the fund considering the rising cost of treated water
- Attempt to balance the needed operational costs with the fiscal impact on ratepayers
- Develop plan for funding future operational costs
- Propose viable and defensible new rate structures that generate needed revenues



# CURRENT SITUATION ASSESSMENT

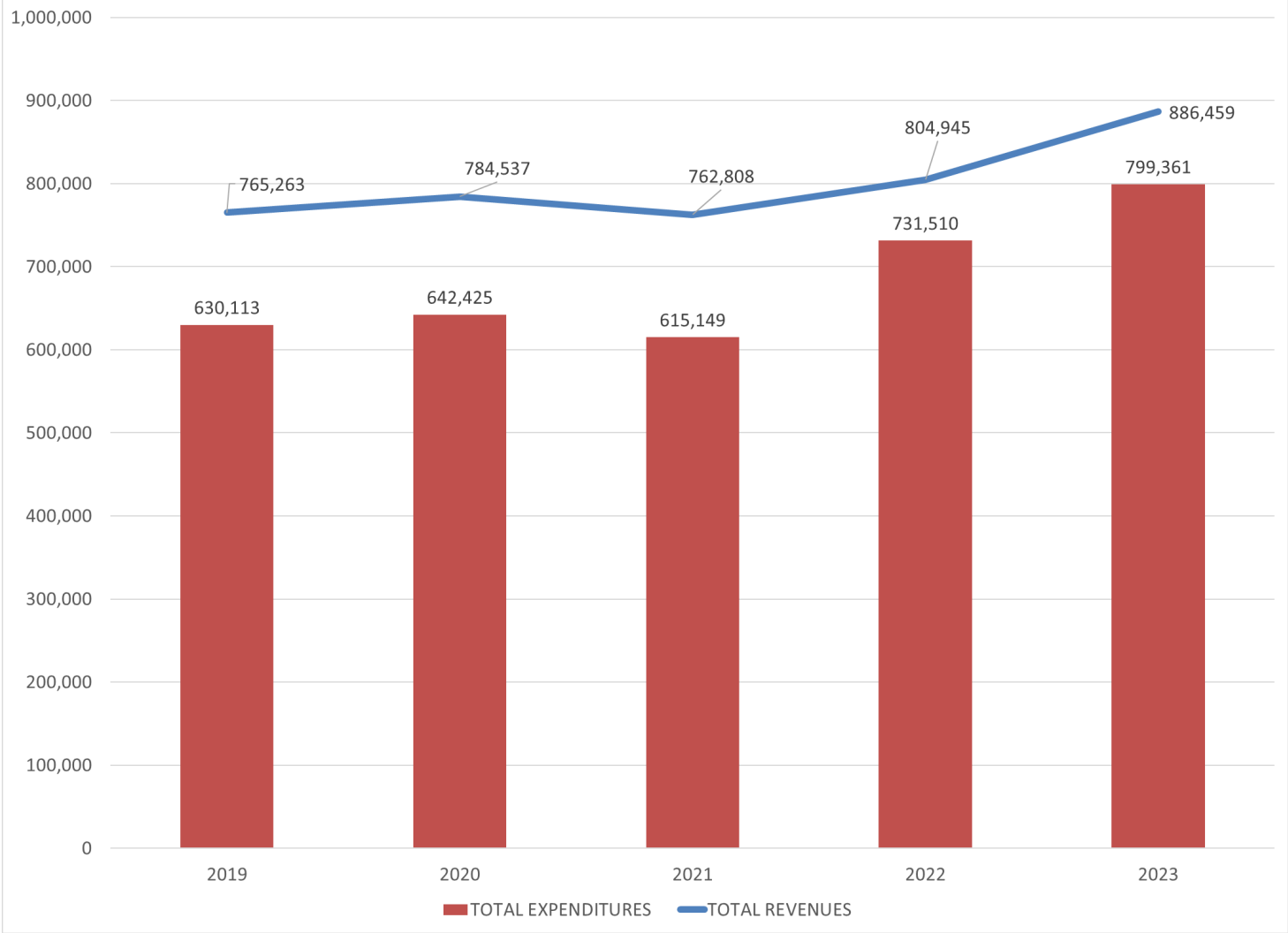


# Water Fund Current State

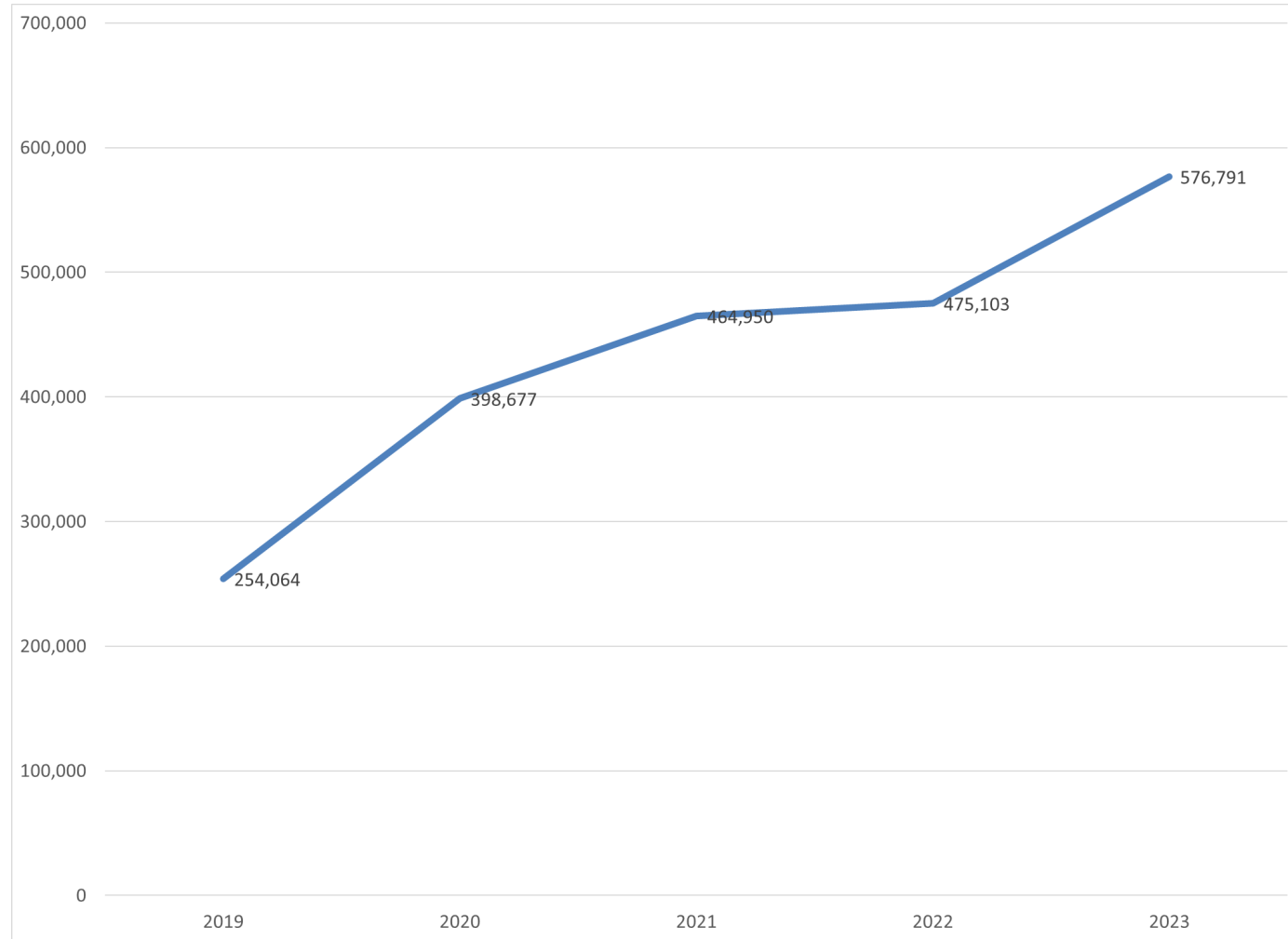
- Revenues have increased by annual average of 3.8% between FY 2019 and FY 2023, partially due to rate changes
- Revenue and rate increases have allowed fund to keep up with expenses increases & inflation before accruals in study period
- Unrestricted Net Position was \$576,291 or 72% of expenditures in FY 2023 Audit
- No outstanding debt



# Revenue vs. Expenses



# Unrestricted Net Position



# Water Costs

- **Comprised of Four Costs**

- Volumetric        \$1.23 per CCF
- Capacity         \$77,280 per year
- Base                \$7,713 per year
- Pickup             \$1,004 per year

- **Asheville Water Projects Volumetric Rate To Increase to \$2.89 per CCF by FY 2027**

- **No additional cost projections provided**



# Approved Assumptions

- No water usage growth
- In lieu of a CIP, used depreciation amount from the FY23 audit of \$167,000 as capital outlay annually starting in FY25
- Treated water costs increase by average annual rate of 4% after FY 2027
- Operating expenditures increase by average annual rates of 4-6%
- Unrestricted Net Position exceeds 75% of Budget by FY 2034

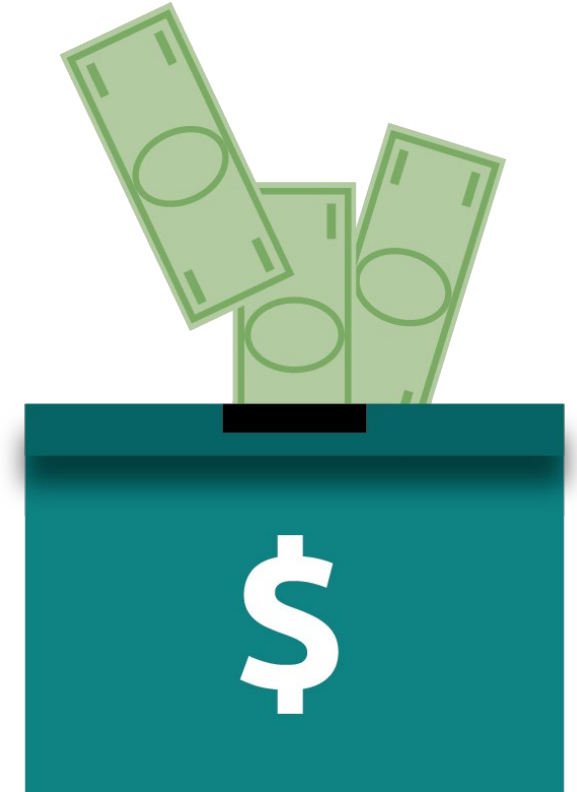


# PROPOSED RATES ALTERNATIVES



# Water Customers

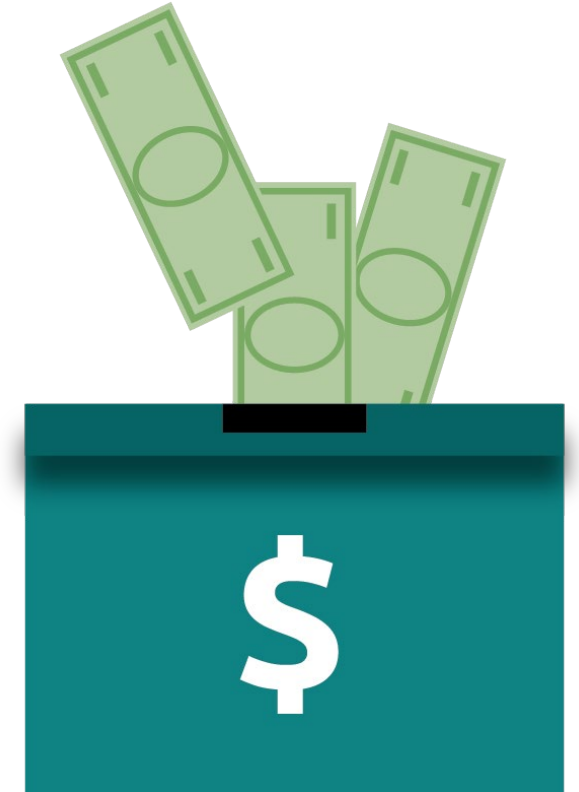
- There are 807 water customers, of which 799 are residential
  - 321 use 5/8-inch meters and 330 use 1-inch meters
  - There are 148 irrigation users
- Average bimonthly usage is 9,980 gallons
- Nearly 72% of residential customers use 10,000 gallons or less per 2 months
- Fixed and volumetric charges yield \$147,487 and \$367,000





# Water Charges

- Billed every two months
- Comprised of one fixed charge and four tiered volumetric charges
- Only two of the four tiers impact average residential usage
- Irrigation customers pay same rates as water customers
- Fund needs rate increases and structure changes to fund increasing costs



# First Proposed Rate Change

**Vary Base Unit Charge by meter size for non-residential meters greater than 1 inch**

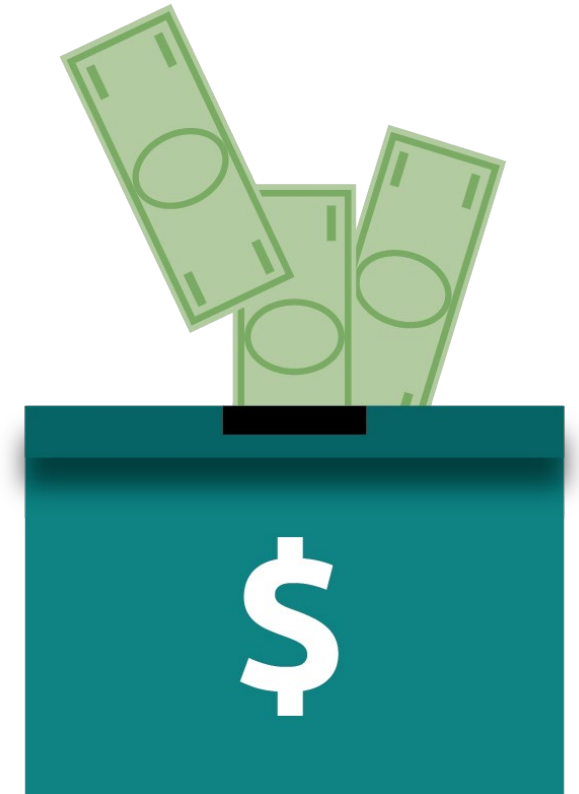
- **Charges increase by factor of maximum meter flow.**

1.5in meter      4x

2in meter      6x

8in meter      64x

- **Best practice to push costs of potential greater water demands to those individual customers needing more capacity**



# Second Proposed Rate Change

## Reduce number of rate tiers

### ➤ Three tiers

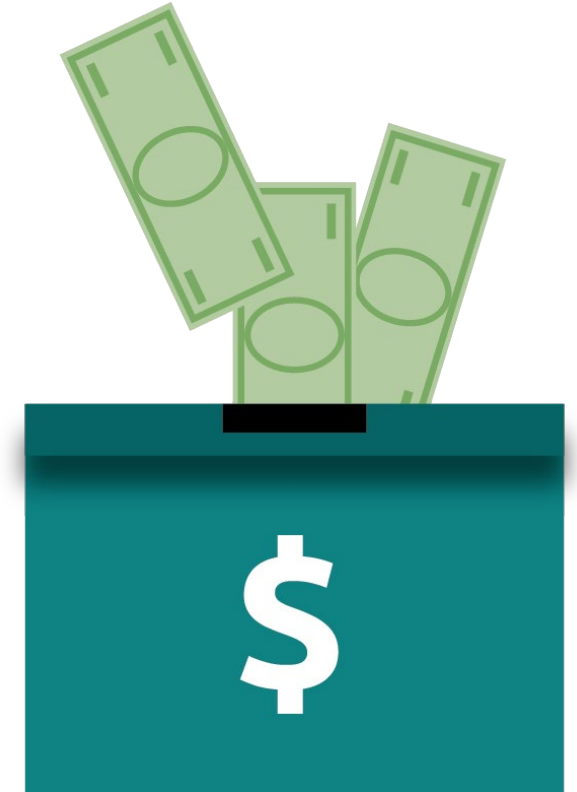
0 - 5,000 gallons

5,001 - 40,000 gallons

40,000 + gallons

### ➤ Simplifies rates

### ➤ Divides usage into flow tiers typical for small household, residential and non-residential.



# Proposed Water Rates

	CURRENT	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	
	2024	2025	2026	2027	2028	2029	
<b><u>Base Unit Charge</u></b>							
All Meters	\$30.46						
5/8-IN		\$45.00	\$49.05	\$53.50	\$58.35	\$63.65	
1		\$45.00	\$49.05	\$53.50	\$58.35	\$63.65	
1.5		\$180.00	\$196.20	\$214.00	\$233.40	\$254.60	
2		\$288.00	\$313.92	\$342.40	\$373.44	\$407.36	
3		\$576.00	\$627.84	\$684.80	\$746.88	\$814.72	
4		\$900.00	\$981.00	\$1,070.00	\$1,167.00	\$1,273.00	
6		\$1,800.00	\$1,962.00	\$2,140.00	\$2,334.00	\$2,546.00	
8		\$2,880.00	\$3,139.20	\$3,424.00	\$3,734.40	\$4,073.60	
<b><u>Volume Charges</u></b>							
0 - 2,250	\$10.01						per 1000 gal
0 - 5,000		\$10.00	\$10.90	\$11.90	\$13.00	\$14.20	per 1000 gal
5,001 - 40,000		\$9.00	\$9.85	\$10.75	\$11.75	\$12.85	per 1000 gal
40,001 +		\$8.00	\$8.75	\$9.55	\$10.45	\$11.40	per 1000 gal
2,251 - 60,000	\$6.30						per 1000 gal
60,001 - 100,000	\$5.85						per 1000 gal
100,000 +	\$3.63						per 1000 gal



# Discussion



**“WithersRavenel commends the Town for undertaking this type of planning project. It demonstrates the Town’s recognition and commitment to investing in its future.”**





# Town of Biltmore Forest

## Water Rate Study

May 2024



**WithersRavenel**  
Our People. Your Success.

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## Introduction

The Town of Biltmore Forest (Town) engaged WithersRavenel to create a long-term financial plan for its water fund and propose structural changes to its water rates. This plan is utilized to evaluate and enhance decision making and to ensure there is sufficient funding for the program's needs. This report documents the resultant findings and analysis and proposes utility rate changes.

The water utility was established in 1929 and currently serves a population of over 1,400. The Town receives treated water from the City of Asheville, which draws raw water from the Mills River and the North Fork and Bee Tree Reservoirs. Sewer service is provided by the Metropolitan Sewerage District (MSD). The Town operates the water fund as a separate self-supporting enterprise fund, with revenues and expenditures accounted for separately from its General Fund.

WithersRavenel assisted the Town by analyzing future water rates, considering the increasing costs of treated water. In conducting this study, WithersRavenel examined the past and present rates, reviewed past usage records and population projections, and projected the financial impact projected changes would have on the fund and its users. The following objectives were identified for the study:

- Create a 10-year financial analysis of the fund.
- Determine the adequacy of existing rates and charges to recover current and future operating and capital costs.
- Propose rates that maintain positive net income and are practical to implement.
- Review viable and defensible alternative water rate structures and develop a plan to implement a new structure to accomplish the revenue forecasts established in the financial analysis.

Certain assumptions have been made with respect to conditions that may occur in the future. While these assumptions are reasonable for the purposes of this study, they are dependent upon future events and actual conditions may differ from those assumed. In addition, information has been used and relied upon which has been provided by others. This information includes, among other things, audited financial statements, annual operating budgets, depreciation reports, and customer billing information. While this information is deemed reliable, the information has not been independently verified and no assurances are offered with respect thereto. To the extent that actual future conditions differ from those assumed herein or provided by others, the actual results may differ from those anticipated.

This analysis addresses revenue requirements, the financial analysis, water rates, and presents findings and conclusions.

## Revenue Requirement

The revenue requirement for the water fund consists of the costs required to assure the adequacy and continuity of safe and reliable services and includes costs associated with operations, maintenance, financing of capital improvements, and replacement of facilities. The determination of the fund's revenue requirements was made in a manner consistent with standard accounting and American Water Works Association (AWWA) utility rate-making principles. The revenue requirement for the system consists of the following cost components.

- **Operating Expenses:** The operation costs, equipment, utilities, water treatment costs, purchased services, and other expenses necessary to operate the system and maintain the facilities. Also included are the costs incurred from staffing the system. These costs consist of items such as salaries, retirement programs, insurance plans, and other benefits for the employees. This group also includes sewer collection and treatment costs by MSD. However, they do not affect the finances of the fund because an equal offsetting revenue is also received; both revenue and expense are transferred to MSD.
- **Capital Outlay:** One-time expenses paid with available funds to purchase items such as equipment, facility improvements, and additions. These costs do not always recur each year.

The total of all the above items is the required revenue for the fund and is shown in the following table for the last audited fiscal year, FY 2023. These figures less the MSD costs serve as the basis for helping project the financial status of the fund in the future.

**TABLE 1**  
**Revenue Requirement**

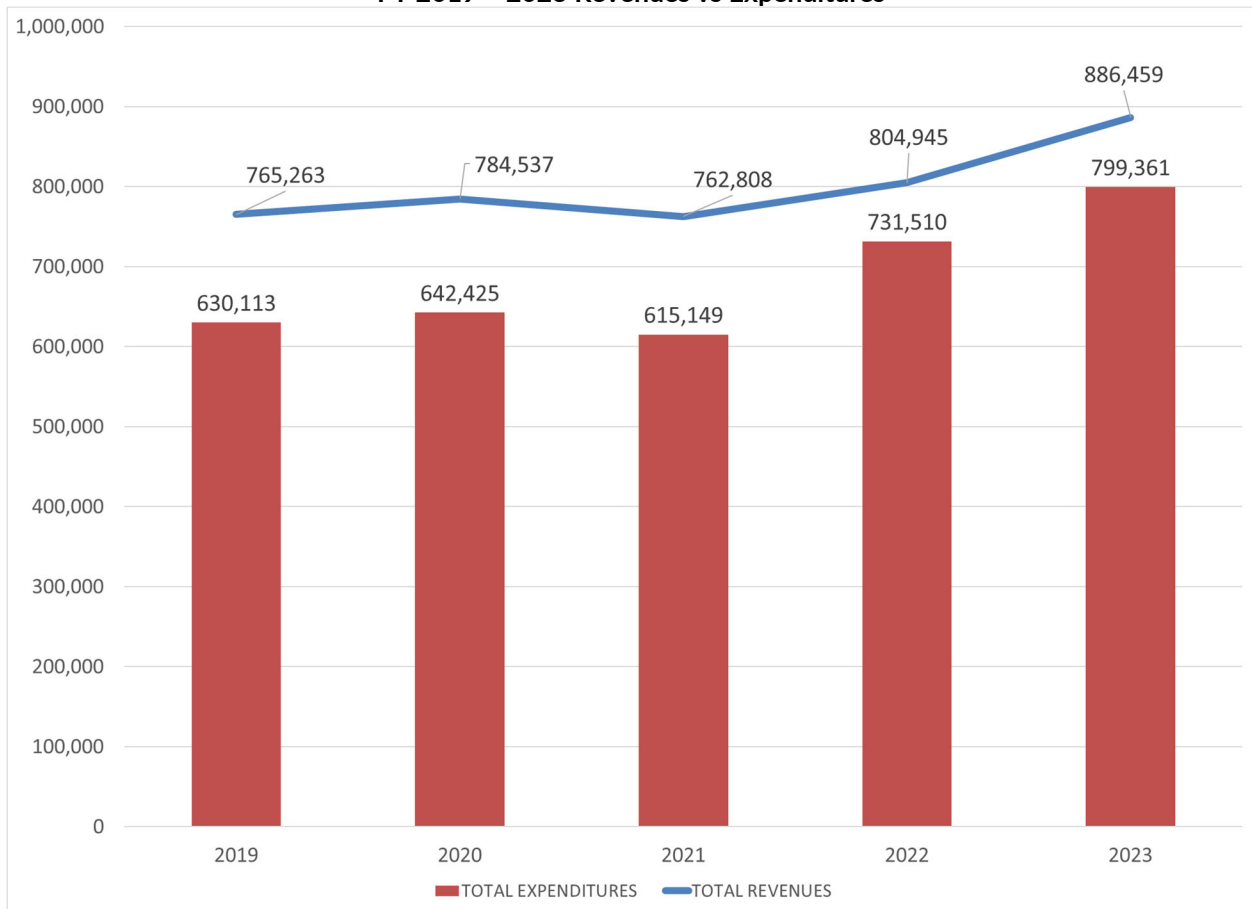
<b>CATEGORY</b>	<b>FY 2023 COST</b>
OPERATIONS AND MAINTENANCE	799,361
CAPITAL OUTLAY	0
<b>TOTAL</b>	<b>799,361</b>

\* Operations and Maintenance total \$410,702 after deducting \$388,659 MSD costs

## Financial History

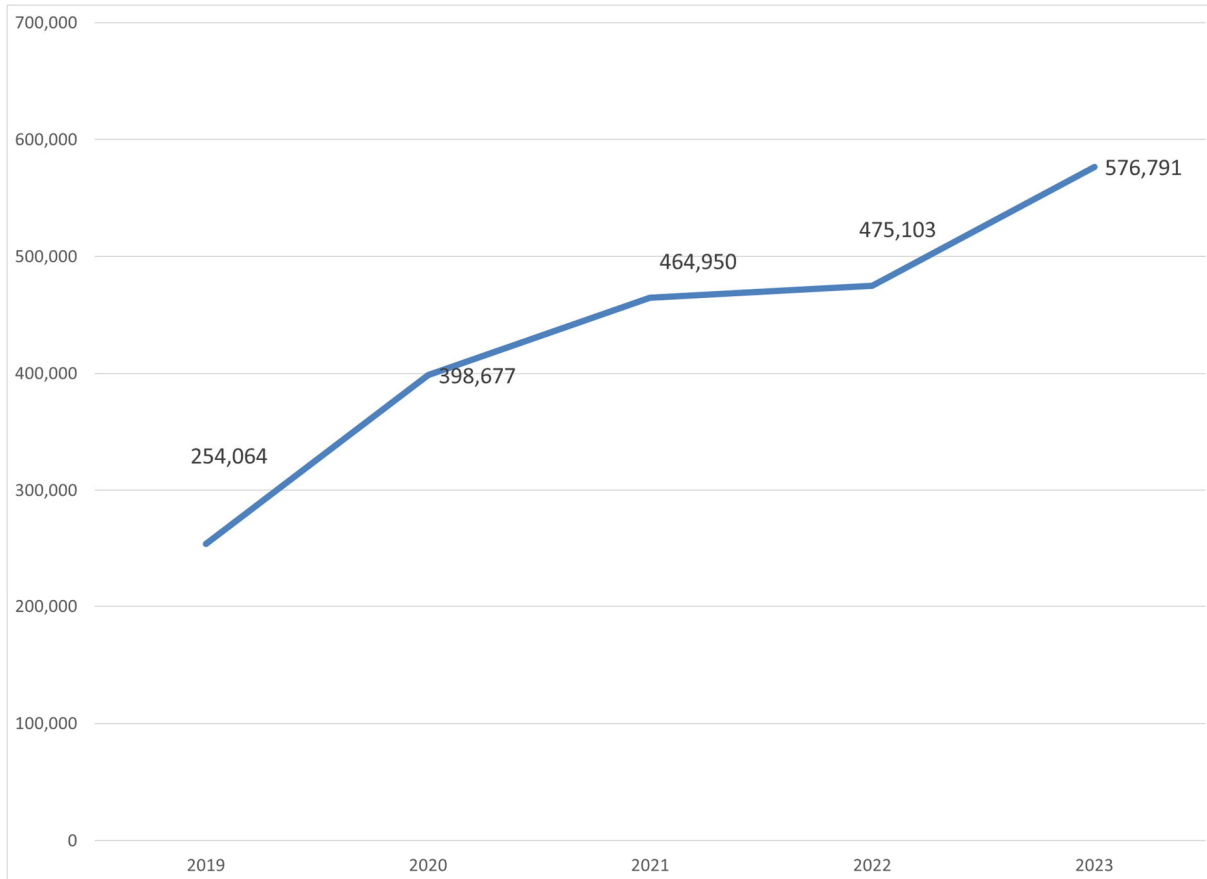
In conducting the financial analysis, the Town’s audited financial statements from FY 2019 through FY 2023 were compiled along with the Year-to-Date and Budget reports for FY 2024. Non-recurring capital outlays were separated from other expenditures to ensure the costs used for projections were consistent with prior years. Historical trends for each of the line items were analyzed to anticipate how each revenue and expenditure would change over the next ten (10) years. As shown in Chart 2, the water fund revenues have exceeded their expenditures before accruals every year over each of the past five (5) years.

**Chart 2**  
**FY 2019 – 2023 Revenues vs Expenditures**



Unrestricted Net Assets have consistently increased due to the years of positive net income. Details are shown in Chart 3.

**Chart 3**  
**FY 2019 - 2023 Unrestricted Net Assets**



After discussions with Town staff, it is prudently assumed that water usage and therefore revenues will not grow significantly over the next ten years without changes to rates due to limited development opportunities. Other operating revenues including tap, connections and other fees are also expected to not grow. Interest rates for investments are not projected to increase but related investment revenue will vary according to the amount of cash in the bank.

Salaries and benefits are projected to increase by an average annual rate of 6% while other operating costs are expected to increase by average annual rates ranging from 4-6%. However, the cost of treated water from Asheville is expected to increase to a greater degree over the next three years. Asheville announced that its volumetric charge will increase from \$1.23 per CCF to \$2.89 per CCF over the next three years. No additional rate change information was provided by Asheville, but the analysis assumes that their volumetric rate will continue to increase by an average annual rate of 4% thereafter. Asheville also applies three other fixed charges to the Town bill as shown in Table 4, of which the base and pickup charges are also assumed to increase by an average annual rate of 4%.

The Town does not have a formal capital improvements plan, due to recent system improvements, therefore staff requested that the analysis assumes the fund allocates \$167,000 annually towards future capital needs. This amount equals the annual depreciation for the Water Fund from the most recent FY23 audit.

**TABLE 4**  
**FY 2024 Asheville Water Costs**

Volumetric	\$1.23 per CCF
Capacity	\$77,280 per year
Base	\$7,713 per year
Pickup	\$1,004 per year

## Financial Analysis

Each of the columns in the financial model shown in Table 5 represents the Town's water fund revenues and expenditures for a specific fiscal year. Revenues and expenditures from past audited years appear in columns on the left side of the table, with adjacent columns on the right showing projections for the current fiscal year and ten (10) additional years thereafter. Each row in the table shows a revenue or expense line item from the audit and/or projections. Revenues are listed at the top of the table followed by operating expenses, and capital outlays.

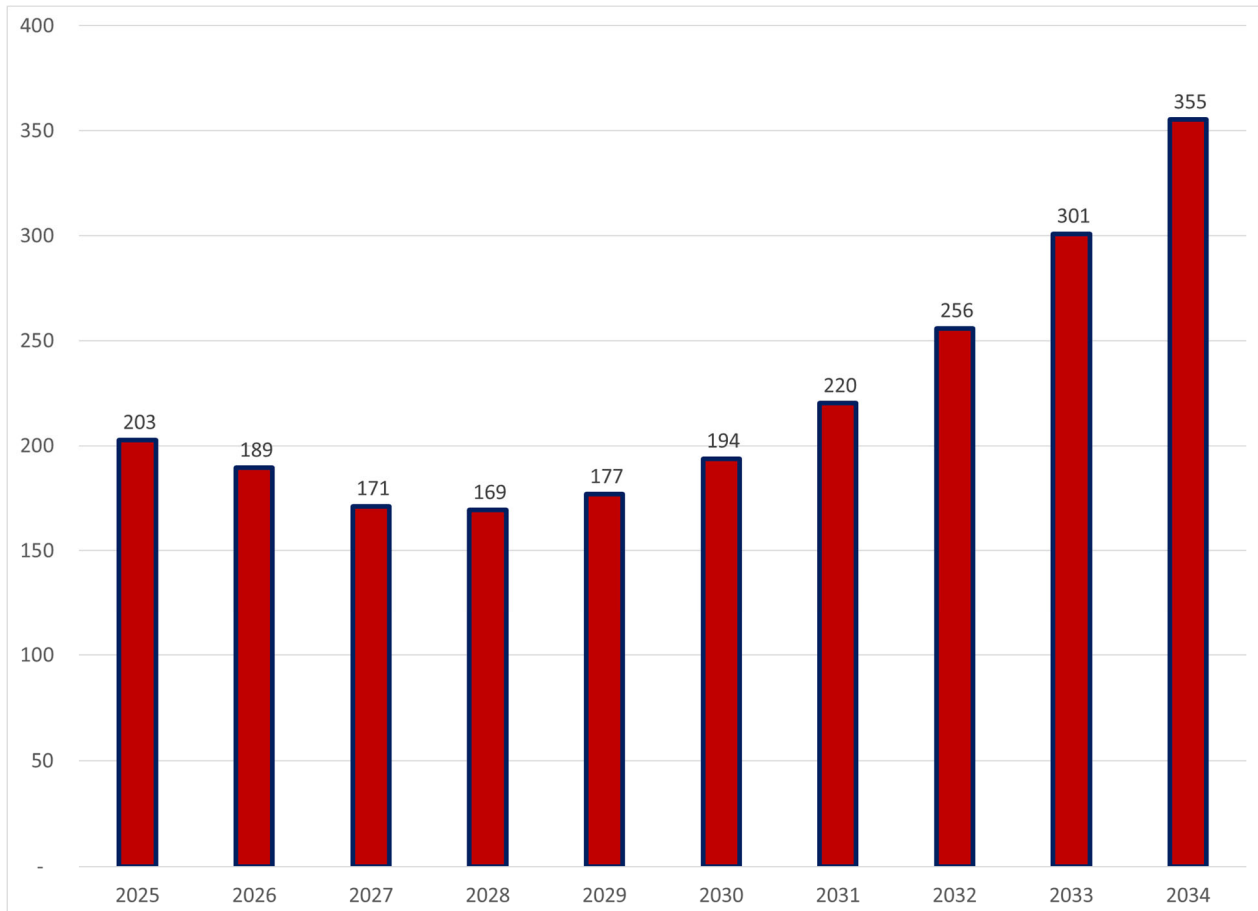
Several notable line items are highlighted in yellow including capital outlay and new revenue sources. Also highlighted are each fiscal year's net income or loss followed by projected Unrestricted Net Position. Highlighted in blue are the projected costs for treated water from Asheville. The proposed water revenue increases over the next ten (10) years are also highlighted in the table. These increases are high enough to yield feasible operations for the funds yet not so high as to create excessive Unrestricted Net Position or Cash balances.

**TABLE 5**  
**TOWN OF BILTMORE FOREST**  
**WATER FUND**  
**FINANCIAL ANALYSIS**

LINE ITEM	AUDIT 2019	AUDIT 2020	AUDIT 2021	AUDIT 2022	AUDIT 2023	ESTIMATE 2024	YEAR 1 2025	YEAR 2 2026	YEAR 3 2027	YEAR 4 2028	YEAR 5 2029	YEAR 6 2030	YEAR 7 2031	YEAR 8 2032	YEAR 9 2033	YEAR 10 2034
<b>REVENUES:</b>																
WATER SALES	406,705	415,162	403,312	434,430	469,293	514,000	514,000	514,000	514,000	514,000	514,000	514,000	514,000	514,000	514,000	514,000
SEWER SALES	334,055	341,114	333,747	350,492	388,659	406,000	422,240	439,130	456,695	474,963	493,961	513,720	534,268	555,639	577,865	600,979
TAPS AND CONNECTIONS	4,870	8,870	9,290	4,870	9,540	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
AMI TRANSMITTER CHARGES	8,332	8,275	8,309	6,814	8,202	8,200	8,200	8,200	8,200	8,200	8,200	8,200	8,200	8,200	8,200	8,200
COMMISSIONS, SEWER CHARGE COLLECTIONS	9,477	9,854	8,135	8,182	7,098	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000
<b>NONOPERATING INCOME:</b>																
INVESTMENT INCOME	1,824	1,262	15	157	3,667	5,000	5,100	5,100	5,100	5,000	5,100	5,600	6,400	7,600	9,200	11,300
<b>TOTAL REVENUES</b>	<b>765,263</b>	<b>784,537</b>	<b>762,808</b>	<b>804,945</b>	<b>886,459</b>	<b>951,200</b>	<b>967,540</b>	<b>984,430</b>	<b>1,001,995</b>	<b>1,020,163</b>	<b>1,039,261</b>	<b>1,059,520</b>	<b>1,080,868</b>	<b>1,103,439</b>	<b>1,127,265</b>	<b>1,152,479</b>
<b>NEW SOURCES OF REVENUE:</b>																
REVENUE FROM WATER RATE STRUCTURE CHANGE							175,255	175,255	175,255	175,255	175,255	175,255	175,255	175,255	175,255	175,255
REVENUE FROM WATER RATE INCREASE								55,140	114,692	179,008	248,469	323,487	404,506	492,007	586,508	688,569
PERCENTAGE INCREASE								8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%	8.0%
<b>TOTAL REVENUES</b>	<b>765,263</b>	<b>784,537</b>	<b>762,808</b>	<b>804,945</b>	<b>886,459</b>	<b>951,200</b>	<b>1,142,795</b>	<b>1,214,825</b>	<b>1,291,942</b>	<b>1,374,425</b>	<b>1,462,985</b>	<b>1,558,261</b>	<b>1,660,629</b>	<b>1,770,701</b>	<b>1,889,027</b>	<b>2,016,303</b>
<b>OPERATIONS:</b>																
SALARIES AND BENEFITS	53,079	42,127	87,087	162,540	168,019	241,929	264,000	279,840	296,630	314,428	333,294	353,292	374,489	396,958	420,776	446,022
PROFESSIONAL SERVICES	5,434	2,890	5,653	4,845	3,824	44,500	20,000	20,800	21,632	22,497	23,397	24,333	25,306	26,319	27,371	28,466
REPAIRS AND MAINTENANCE	4,414	4,043	3,817	0	21,637	25,000	20,000	21,200	22,472	23,820	25,250	26,765	28,370	30,073	31,877	33,790
WATER PURCHASES	207,726	225,415	159,450	158,705	195,743	183,761	214,265	256,748	312,505	321,914	331,699	341,876	352,460	363,467	374,915	386,820
SEWER PURCHASES	334,055	341,114	333,747	350,492	388,659	406,000	422,240	439,130	456,695	474,963	493,961	513,720	534,268	555,639	577,865	600,979
OTHER	19,280	26,836	25,395	36,684	21,479	27,610	28,991	30,440	31,962	33,560	35,238	37,000	38,850	40,793	42,832	44,974
<b>TOTAL OPERATING EXPENDITURES</b>	<b>623,988</b>	<b>642,425</b>	<b>615,149</b>	<b>713,266</b>	<b>799,361</b>	<b>928,800</b>	<b>969,496</b>	<b>1,048,158</b>	<b>1,141,896</b>	<b>1,191,183</b>	<b>1,242,839</b>	<b>1,296,985</b>	<b>1,353,744</b>	<b>1,413,248</b>	<b>1,475,636</b>	<b>1,541,051</b>
<b>CAPITAL OUTLAY / DEPRECIATION</b>	<b>6,125</b>	<b>0</b>	<b>0</b>	<b>18,244</b>	<b>0</b>	<b>0</b>	<b>167,000</b>	<b>167,000</b>	<b>167,000</b>	<b>167,000</b>	<b>167,000</b>	<b>167,000</b>	<b>167,000</b>	<b>167,000</b>	<b>167,000</b>	<b>167,000</b>
<b>TOTAL EXPENDITURES</b>	<b>630,113</b>	<b>642,425</b>	<b>615,149</b>	<b>731,510</b>	<b>799,361</b>	<b>928,800</b>	<b>1,136,496</b>	<b>1,215,158</b>	<b>1,308,896</b>	<b>1,358,183</b>	<b>1,409,839</b>	<b>1,463,985</b>	<b>1,520,744</b>	<b>1,580,248</b>	<b>1,642,636</b>	<b>1,708,051</b>
REVENUES OVER EXPENDITURES	135,150	142,112	147,659	73,435	87,098	22,400	6,299	-333	-16,954	16,243	53,146	94,276	139,885	190,452	246,392	308,252
ACCRUAL ADJUSTMENTS	-120,143	-164,468	-248,355	-230,251	-152,379											
<b>NET INCOME</b>	<b>15,007</b>	<b>-22,356</b>	<b>-100,696</b>	<b>-156,816</b>	<b>-65,281</b>	<b>22,400</b>	<b>6,299</b>	<b>-333</b>	<b>-16,954</b>	<b>16,243</b>	<b>53,146</b>	<b>94,276</b>	<b>139,885</b>	<b>190,452</b>	<b>246,392</b>	<b>308,252</b>
UNRESTRICTED NET POSITION	254,064	398,677	464,950	475,103	576,791	599,191	605,490	605,158	588,203	604,446	657,592	751,868	891,753	1,082,206	1,328,597	1,636,849
UNRESTRICTED NET POSITION / TOTAL EXPENDITURES	40%	62%	76%	65%	72%	65%	53%	50%	45%	45%	47%	51%	59%	68%	81%	96%
CASH AND CASH EQUIVALENTS	181,137	361,314	587,911	530,454	602,256	624,656	630,955	630,623	613,668	629,911	683,057	777,333	917,218	1,107,671	1,354,062	1,662,314
DAYS CASH ON HAND	105	205	349	265	275	245	203	189	171	169	177	194	220	256	301	355
<b>ASSUMPTIONS:</b>																
NO USAGE GROWTH.																
WATER PURCHASE COSTS INCREASE BY CITY STUDY THROUGH FY 2027. THEREAFTER, RATES INCREASE BY AVERAGE ANNUAL RATE OF 4% (4% RATE AND 0% USAGE GROWTH).																
OTHER EXPENDITURES INCREASE BY AVERAGE ANNUAL RATES OF 4-6%.																
SEWER REVENUES AND TREATMENT COSTS OFFSET EACH OTHER AND GROW BY 4% AVERAGE ANNUAL RATE DUE TO RATE INCREASES.																
<b>ASHEVILLE WATER COSTS</b>																
WATER PURCHASED (CCF)						78,000	78,000	78,000	78,000	78,000	78,000	78,000	78,000	78,000	78,000	78,000
AVG WATER RATE						1.23	1.64	2.18	2.89	3.01	3.13	3.25	3.38	3.52	3.66	3.80
VOLUMETRIC CHARGE						97,764	127,920	170,040	225,420	234,437	243,814	253,567	263,710	274,258	285,228	296,637
CAPACITY CHARGE						77,280	77,280	77,280	77,280	77,280	77,280	77,280	77,280	77,280	77,280	77,280
BASE AND PICKUP CHARGES						8,717	9,065	9,428	9,805	10,197	10,605	11,029	11,471	11,929	12,407	12,903
<b>TOTAL ASHEVILLE WATER CHARGES</b>						<b>183,761</b>	<b>214,265</b>	<b>256,748</b>	<b>312,505</b>	<b>321,914</b>	<b>331,699</b>	<b>341,876</b>	<b>352,460</b>	<b>363,467</b>	<b>374,915</b>	<b>386,820</b>

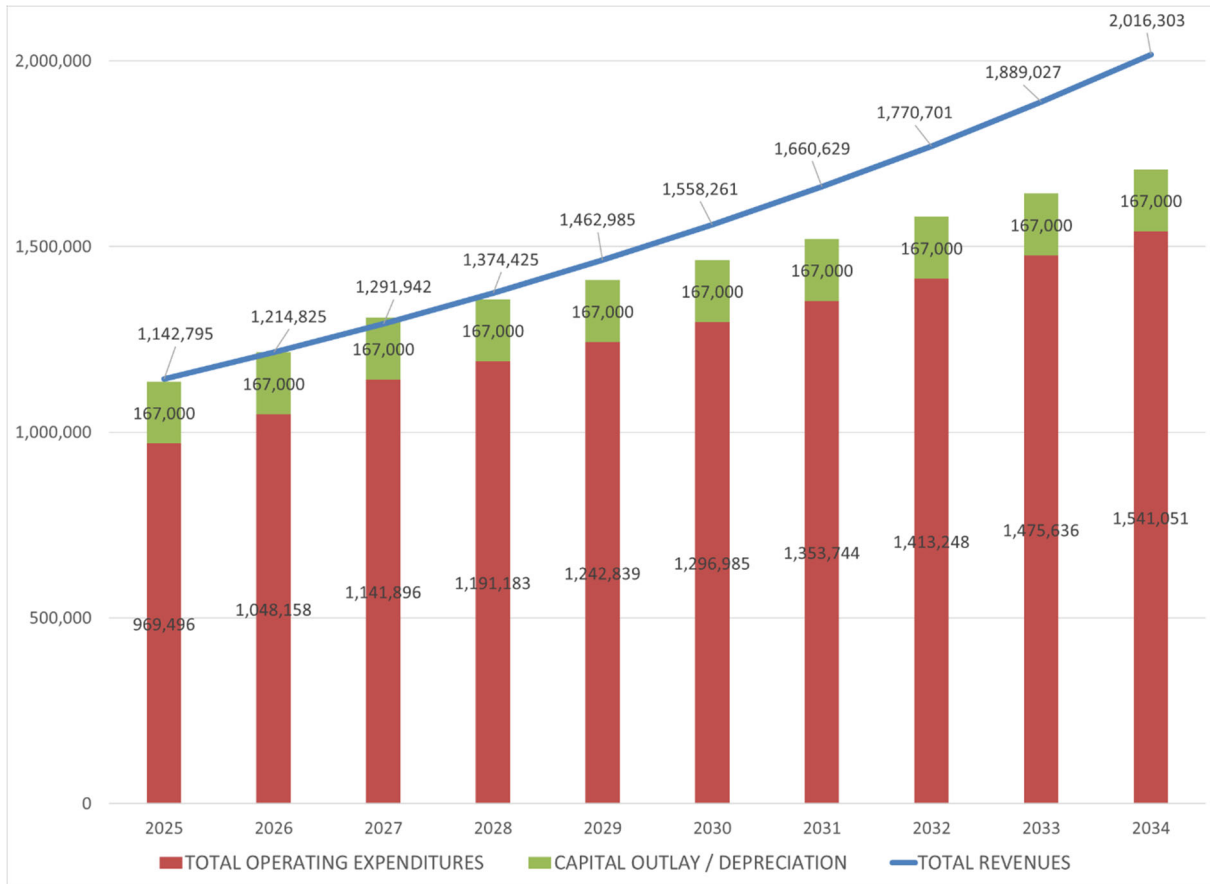
Lastly, Days Cash on Hand, an estimate of the number of days the fund can pay its daily operation and maintenance costs before running out of cash, is projected to grow from 275 days in FY 2023 to 355 days by FY 2034. The impacts on the fund are shown in Charts 6 and 7.

**Chart 6**  
**Days Cash on Hand**





**Chart 7**  
**Projected Revenues and Expenditures**



As discussed next, the current rates charged by the water fund are high enough to yield feasible operations but may not be adequate for funding future increases in operating costs, water costs and capital needs.

## Rate Study Findings

The following characteristics stand out when analyzing the Town’s water usage and rates, as shown in Table 8.

- There are 807 water customers, of which 321 use 5/8-inch meters and 330 use 1-inch meters.
- There are 148 irrigation users.
- Average bimonthly usage is 9,980 gallons.
- Nearly 72% of residential customers use 10,000 gallons per 2 months or less.
- Billing is performed every two months.
- Rates are comprised of one fixed charge (Base Unit) and four tiered volumetric charges.
- Only two of the four tiers impact typical residential usage.
- All customers pay the same Base Unit charge regardless of meter size.
- Base Unit and volumetric charges are projected to yield \$147,487 and \$367,000 in FY 2024.
- The fund needs rate increases and structure changes to pay for increasing costs.

**TABLE 8  
FY 2024 Water Rates**

Base Unit Charge	\$30.46	
0 - 2,250	\$10.01	per 1000 gal
2,251 - 60,000	\$6.30	per 1000 gal
60,001 - 100,000	\$5.85	per 1000 gal
100,000 +	\$3.63	per 1000 gal

To analyze the present water and sewer rates and the impact of any changes, a financial model was created to show the impact of various rate modifications. In proposing changes to rates, the objectives are to maintain positive revenue generation for the fund, while promoting user equity and best practices. Below are the discussed structural changes for the City’s future consideration:

### **OPTION 1 – Vary Base Unit Charge by Meter Size for Meters Greater Than 1 Inch**

Increase the Base Meter Charge for 5/8 and 1-inch meters to \$45. Charges for meters greater than 1-inch increase by a factor based upon maximum meter flow.

- 1.5-in meter                    \$45 x 4
- 2-in meter                        \$45 x 6
- 8-in meter                        \$45 x 64

It is a best practice to push costs of potential greater water demands to those customers needing more capacity.

**OPTION 2 – Reduce Number of Rate Tiers**

Consolidate the volumetric rate tiers from four to three considering typical bimonthly usages of small family, residential, and non-residential customers.

- Three Tiers
  - 0 - 5,000 gallons
  - 5,001 - 40,000 gallons
  - 40,000 + gallons
- Divides usage into flow tiers typical for small household (under 5000 gallons), residential (under 40,000 gallons) and non-residential.

Each of these rate structure options is provided to help facilitate discussion between Town staff and Town leaders about ways to provide simple, fair, and defensible methods to recover water program costs from its customers while employing industry best practices. When applied to the Town billing data for FY 2023, the two rate options combined will yield approximately \$689,000. However, it is worth noting that additional new revenue is necessary for the program to address future growing operation costs and planned capital costs, as depicted below.

## Outcomes

As a result of WithersRavenel's analysis, the following water revenue increases to plan for inflation and capital needs have been modeled in addition to the structure changes. The water increases would affect volume and fixed charges but not tap or other miscellaneous charges. These increases, as shown below, are arranged over time to minimize the impact on most users yet address the need for more revenue.

- FY 2025 – 2034    8% annual increases in water revenues.

The increases will help maintain a strong unrestricted net position, fund treated water and operating costs, while considering constrained growth in water usage. It is worth mentioning that an increase in water revenue requires a greater increase in rates due to the price elasticity of demand. When rates increase, customers' usage slightly decreases. However, the revenue loss from the lower water usage is less than the revenue gained from higher rates. Consequently, rate increases generate more revenue for the program but the percentage increases in rates must exceed the percentage increases in required revenues. The proposed differential is 1% more than 8% revenue increases, or 9% rate increases. Proposed rates for the first five (5) of the next ten (10) years are shown in the following table.

**TABLE 9  
Proposed Water Rates**

	<b>CURRENT</b>	<b>YEAR 1</b>	<b>YEAR 2</b>	<b>YEAR 3</b>	<b>YEAR 4</b>	<b>YEAR 5</b>	
	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>	<b>2029</b>	
<b><u>Base Unit Charge</u></b>							
All Meters	\$30.46						
5/8-IN		\$45.00	\$49.05	\$53.50	\$58.35	\$63.65	
1		\$45.00	\$49.05	\$53.50	\$58.35	\$63.65	
1.5		\$180.00	\$196.20	\$214.00	\$233.40	\$254.60	
2		\$288.00	\$313.92	\$342.40	\$373.44	\$407.36	
3		\$576.00	\$627.84	\$684.80	\$746.88	\$814.72	
4		\$900.00	\$981.00	\$1,070.00	\$1,167.00	\$1,273.00	
6		\$1,800.00	\$1,962.00	\$2,140.00	\$2,334.00	\$2,546.00	
8		\$2,880.00	\$3,139.20	\$3,424.00	\$3,734.40	\$4,073.60	
<b><u>Volume Charges</u></b>							
0 - 2,250	\$10.01						per 1000 gal
0 - 5,000		\$10.00	\$10.90	\$11.90	\$13.00	\$14.20	per 1000 gal
5,001 - 40,000		\$9.00	\$9.85	\$10.75	\$11.75	\$12.85	per 1000 gal
40,001 +		\$8.00	\$8.75	\$9.55	\$10.45	\$11.40	per 1000 gal
2,251 - 60,000	\$6.30						per 1000 gal
60,001 - 100,000	\$5.85						per 1000 gal
100,000 +	\$3.63						per 1000 gal

## Conclusions

Based upon the analysis, the water fund recovers its system costs through current revenues and has maintained sound unrestricted net position and cash levels. However, the water rates will not be enough to support future increases in water treatment and other operating costs. The estimated annual revenue increases will prepare for the phase-in of those higher costs. The Town should consider any future capital improvement needs for future financial studies to ensure it maintains adequate long-term rates and net position. Furthermore, it should consider the implementation of structural changes to rates to achieve the needed revenues from customers who demand more capacity from the system.

The increases are estimated from the current fiscal year's data and projections of future events. If net income declines due to several risks, rates may need to increase further to replace the lost revenue. The risks include, but are not limited to, the following:

- Economic changes.
- Water usage declines due to higher fees.
- Operating costs increasing at unsustainable levels, exceeding those projected.
- Unforeseen capital needs.

Due to the multiple risks facing the Town, it is recommended that the Town continues to review the assumptions and calculations regularly using updated information to determine if adjustments are required at that time to meet established financial objectives.

**BOARD OF COMMISSIONERS MEETING  
STAFF MEMORANDUM**

May 21, 2024



**Agenda Item F-4**

**Presentation – Fiscal Year 2024-2025 Budget**

*Jonathan Kanipe, Town Manager*

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Background

The North Carolina Local Budget and Fiscal Control Act requires the Budget Officer provide a budget proposal no later than May 31st of each year. Attached to this memorandum is my proposed budget and budget message for FY2025. Notice has been provided to the Asheville *Citizen-Times* and an advertisement will be placed in the newspaper indicating the Town will hold a public hearing on Tuesday, June 11, 2024 before considering the budget for adoption.

The budget message provides the coming year's scope of work, funding priorities, and revenue projections and will be reviewed in greater detail at the meeting. Please let me know if you have questions regarding the budget process or notification procedures.



Town of Biltmore Forest  
Fiscal Year 2024-2025  
Budget Message

Presented Tuesday, May 21, 2024

Prepared for the Citizens of the Town of Biltmore Forest  
and General Public

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

Prepared by:  
Jonathan B. Kanipe  
Town Manager

## Introduction

The proposed FY24-25 budget provides the Town a significant opportunity to elevate our public services with no tax increase. The proposal includes significant infrastructure improvements and continued improvements in equipment for the Police and Public Works Departments. This budget proposal does include a significant structural change to the Town’s water rates. These recommended changes include meter access increases and volumetric usage increases for some customers. These recommended increases are the result of the changes and increased costs for wholesale customers on the City of Asheville water system.

The information included in this budget message is provided for the Board and citizens to review and consider. This budget proposal provides an honest reflection of the Town’s service provision and our ability to meet the high level of expectations for our residents.

## General Fund

### Revenues

#### *Property Tax – Real Estate*

Property tax revenue comprises the bulk of the Town’s total general fund revenue. For the coming year, property tax collection will account for 46 percent of the Town’s total revenue. This percentage continues to be slightly lower than prior years due to fund balance allocation for the large stormwater project. This fund balance appropriation accounts for 18.4 percent of the total revenue in the general fund.

Ad valorem property tax revenue will continue to grow in the coming fiscal year at a rate of 2.4 percent. The estimated assessed value for FY25 (tax year 2024) represents growth of 1.99 percent from last year. This growth equals \$17,211,528 in added value from tax year 2023 to 2024. Increases in the Town’s assessed valuation allow the Town to continue providing, and expanding, high level services without a property tax increase. **As a result, my recommendation is for the tax rate in fiscal year 2025 to remain at thirty-four and one-half cents per \$100 valuation.**

<u>FY 25 Estimated Property Tax Information</u>	
Total Valuation (excluding motor vehicles):	\$881,988,781
Property Tax Collection Percentage (from FY23):	99.98%
Proposed Tax Rate:	\$0.345/\$100 valuation

One penny brings the Town \$88,181.24. This is \$1,755 per penny more than last year’s assessed value. Per state law, the Town *must* budget based upon the prior year’s tax collection percentage. I am pleased to report that this year’s tax collection percentage rose once again by 0.04 percent to 99.98 percent. This percentage is exceptionally high and is a testament to the work done by our Tax Collector and front office staff.

#### *Property Tax – Motor Vehicles*

Motor vehicle valuations are not included within the above assessed valuation. These payments are collected by the State and disbursed to the Town monthly. Collection percentages have



increased statewide since the State combined motor vehicle taxation with registration. The Town's collection percentage is 100 percent, and we anticipate remaining at that level. For FY25, the Town's total motor vehicle valuation increased by 3.6 percent to \$35,663,779. This will result in a minimal projected increase in this line item for FY25.

#### *Sales Tax*

Sales tax revenue has started to level off as inflation slows purchasing within the state and nation. However, the Town's sales tax revenue remains high and is forecast to grow by approximately two (2) percent in the coming year. This continued growth is attributed to the commercial and retail services located within Buncombe County, which has inoculated the Town and county from some deeper declines in sales tax from non-urban areas. The estimated revenue shown projects growth based on current year revenue and, as a result, is slightly more conservative than other local governments are forecasting.

#### *Franchise and Utility Taxes*

Franchise and utility taxes, while difficult to judge based on weather conditions for the coming year, are anticipated to increase in the coming year. The Town anticipates this increase being modest at two (2) percent versus the current year. Traditional video and telecommunications usage continues to lag significantly behind streaming services and the overall tax revenue received from these sources is forecast to decrease again in the coming year.

#### *Investment Earnings*

Interest rates remained high in FY24. It is anticipated that there will be some decline in these rates during FY25, but the Town's overall earnings within this sector should continue to improve. Significant earnings due to the Town's strong investment in the NC Capital Management Trust (NCCMT) have been realized over the past several years, further strengthening the Town's fund balance.

#### *Intergovernmental Loans*

We do not forecast any intergovernmental loans for the coming year. The last intergovernmental loan received by the Town was the Stream Restoration Loan from the Department of Environmental Quality in 2021.

#### *Powell Bill Fund Revenue*

Powell Bill revenues exceeded expectations by approximately \$7,000 in FY24. As noted in the North Carolina League of Municipalities' annual revenue projection memo,

*“The FY24 distribution started with the same base amount, \$154.875 million, as FY22’s distribution. However, when the State of N.C. passed its budget after the October distribution was finalized, the total amount of Powell Bill funds appropriated increased to \$170.375 million. As a result, the distribution received in January 2024 was higher than that of October’s in order to total the budgeted amount.”<sup>1</sup>*

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<sup>1</sup> Nida, Chris. NC League of Municipalities FY24-25 Revenue Projections Memo. March 2024.

The League’s memo states another increase is expected, but also noted the potential for the Legislature to roll back this increase in the coming budget. Due to this potential volatility, the Town forecasts this revenue to remain constant with last year.

### *Zoning Permit Revenue*

FY24 zoning permit revenue has returned to prior year levels as significant residential construction continued and large-scale commercial work at Carolina Day School moved forward. We anticipate the new construction and remodeling sector within Biltmore Forest to remain constant for next year and believe that at least one commercial project along Hendersonville Road is likely to begin. For this reason revenues are conservatively projected to remain level.

### *Fund Balance Appropriation*

Last year, the Town budgeted a significant fund balance appropriation for a large stormwater project. The project was not awarded for construction until March and the Notice to Proceed was issued for May 20, 2024. As a result, the proposed FY25 budget includes another request for fund balance appropriation – in essence, to roll funds not expended in FY24 over to the following year. The Town’s fund balance remains strong, with the FY24 financial statements showing an increase of \$675,000 from FY23 to FY24. The Town’s fund balance percentage, seventy-five percent of the total general fund balance, remains much higher than the Town’s fund balance policy which requires 20-35 percent of fund balance being reserved.

### **General Fund Revenue Takeaways**

The Town’s general fund revenue sources remain robust. The Town has a strong and resilient real estate market that continues to grow and there is not a foreseeable turndown in these revenues anticipated. The budget for FY26 is likely to show continued growth in the real estate market as Buncombe County is scheduled to have a revaluation in calendar year 2025. Investment earnings continue to remain strong, and even with fund balance being allocated for stormwater projects, our investment proceeds will remain high. The Town’s state-distributed revenues (sales tax, utility taxes) should remain at consistent levels as well. In total, the Town’s general fund revenue provides substantial and robust funding for the Town and will continue to do so in FY25.



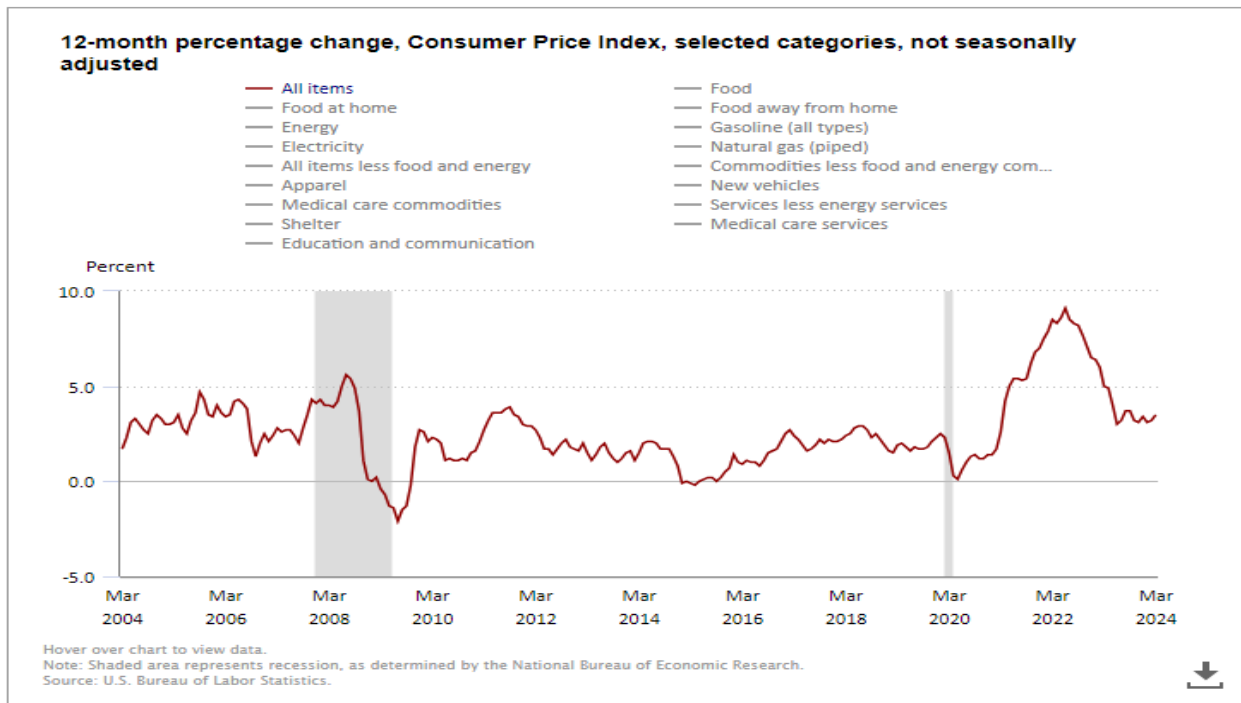
## General Fund

### Expenditures

#### Town Wide Expenditures

##### *Salaries*

The Federal Reserve's benchmark interest rates remain at high levels which leads to the Consumer Price Index (CPI) remaining high as well. The town historically considers cost-of-living adjustments (COLA) on a year over year basis in March. The CPI in March 2024 was 3.8 percent, when not including volatile energy and food items. The Board approved a 5.8 percent COLA during last year's budget cycle in line with the CPI, and my recommendation for the coming year is to tie the Town's COLA once again to the March 2024 CPI. This would result in a 3.8 percent COLA for all full-time employees.



As shown on the 20-year CPI chart above, inflation dropped dramatically since its height in 2022. The Town's focus on retaining employees and ensuring they are paid equitably and fairly remains, and this COLA increase, combined with a renewed merit pool in FY25, continues prioritizing these current employees. Hiring and recruitment remain difficult and employer offerings, beyond salary, are more important than ever. This will be exhibited in the discussion of new benefits proposed for employees within the revised personnel policy.

The proposed merit pool for FY25 is utilized to reward excellent performance within each department. The department heads will perform evaluations and consider advancements within

salaries based on performance and growth. My recommendation and the proposed budget will provide each department a merit pool of 2.0 percent from which to reward employees.<sup>2</sup>

### *Town Provided Benefits*

#### *Improvements as Part of Proposed Personnel Policy Changes*

The Town continues to provide a robust and comprehensive benefit package. The benefit package related to health, dental, and vision insurance is an incentive for recruiting new employees and helps with employee retention. Post-Covid, however, many local governments have expanded their benefit offerings with a focus on current employees. The Town has conducted a full review of the personnel policy for the first time in 25 years. This review included two meetings with staff to advocate for new benefits and provide feedback on existing benefits. The highest ranked improvements sought by existing staff are changes in vacation accrual, improvements in existing personal day offerings, the potential for longevity pay, and an opportunity for a fitness facility at the Town or some subsidy for fitness plans. The Town can offer these increased benefits at a relatively low cost with a high return on investment – increased employee happiness, recognition of their feedback and opinion on employee benefits, and recognition of their continued service to the Town.

A full longevity program for all full-time employees will result in a modest cost to the Town of \$14,250. A subsidized corporate membership with the YMCA-WNC will result in a *maximum* cost to the Town of \$12,000. Improvements in vacation accrual will have minimal fiscal impact and align the Town with more accepted practices within local governments. The most significant benefit of these improvements is somewhat intangible – it is the belief and trust of our employees when possible, existing, and future, that the Town will provide them with every possible benefit. The revised personnel policy is being presented separately, but this budget proposal includes a full recommendation to implement these policies from a fiscal perspective.

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<sup>2</sup> Note: Some salaries within departments may appear to be higher than a combined 5.8 percent across the Board from FY24's initial salaries. This is due in large part to mid-year salary increases from probationary increases or promotions within departments. Additionally, staff salary division between the Water Fund and General Fund (some Administrative and some Public Works staff) were adjusted as well. A full review of these salary comparisons was performed which showed that the actual difference in salaries from proposed FY24 to proposed FY25 was 6.37 percent, and the increase from actual FY24 to proposed FY25 was 5.75 percent – which is in line with the overall potential adjustment of a combined 3.8 percent COLA and 2 percent merit pool.



### *Health Care – State Health Plan*

The Town's health insurance will continue to be provided through the NC State Health Plan. The NCSHP provides effective and quality health insurance benefits to full-time employees. The State Health Plan will not announce changes in fees until October 2024 and any increases will occur in January 2025. This budget proposal includes a five (5) percent increase in the coming year. While benefits within the plan are not changing, the plan carrier will change. The NCSHP will now be administered by Aetna and not Blue Cross Blue Shield, effective January 2025. The State Treasurer's office has ensured plan members there will be no reduction in coverage, however, we will monitor changes to the plan and feedback from employees once this new provider begins service.

### *Vision and Dental Insurance*

There are no changes recommended for the Town's vision, dental, and short-term disability benefits in FY25. These are all offered to the Town through the NCLM.

### *LGERS Retirement and 401(k) Benefits*

The NC Local Government Employees' Retirement System (LGERS) is the pension fund for all town employees. This pension system is managed by the North Carolina Treasurer's Office. The LGERS and State Retirement System Board aggressively modified rates over the past several years to ensure the plan remains in good fiscal standing. The retirement rate in FY25 increases for all employee classes. Sworn law enforcement officers will receive a contribution of 21.72 percent to their pension. This is an increase of 0.96 percent over the previous year. Non-sworn employees will receive a contribution of 20.28 percent, an increase of 0.75 percent over the prior year. Please note, of that total percentage, it is estimated that approximately 6 percent is contributed to the employees' retirement health plan. This funding is required by state law. The proposed FY25 budget also continues the Town's annual contribution of five (5) percent to employee's 401(k) plan.



## Department Specific Expenditures

### *Administration*

In 2023, the Board of Commissioners approved the creation of two new full-time positions within the administration department. These positions were for a Town Planner and Customer Service Representative (CSR). Each position has provided substantial benefit for the Town and increased the level of service for our citizens. This continued improvement is vital for the Town to remain innovative and efficient, both in our forward-facing positions but also within our back-office operations. The CSR position has allowed the Town to further segregate financial duties among our staff and should result in continued improvements within our annual financial reporting to the Local Government Commission. The Town Planner position has allowed for significantly better review of zoning applications and land use plans, has alleviated code enforcement issues on a timelier basis, and provided a single point of contact for contractors and homeowners interested in pursuing work within the Town. The Town is staffed adequately currently and there are no requests for new positions within this budget. Aside from salaries and benefits, the majority of budgeted items within the administration department are for the Town's financial needs (audit and financial software) and staff and board development.

### *Police Department*

The Board continues to prioritize the Police Department and the safety and security of our residents and businesses. The Police Department does a fantastic job providing true community service to Biltmore Forest. These efforts will be enhanced in FY25 with the full implementation of the Flock Security Camera system throughout the Town. The Board approved this agreement with Flock at their March 2024 board meeting, and the funding for FY25 is included within this proposed budget.

The Town will continue improving technological needs within the Department in the coming year. We have utilized computer aided dispatch (CAD) for some time and the proposed budget recommends a mobile version within each patrol car in the FY25 budget.

The Board approved the purchase of new service weapons for the Police Department during last year's budget. The focus for the coming year is on providing new rifles for each officer and ensuring these are at their most effective. These rifles are approximately \$1,600 per unit and are included within the proposed budget. In addition to these items, pay for part-time officers will be increased to \$25.00 per hour, once again keeping in line with the current market rate.

## *Public Works Department*

Public Works continues to focus on park improvements throughout the Town. We have utilized American Recovery Program (ARP) funding to create a new trail within Brooklawn Park, have made significant improvements and are awaiting more within Greenwood Park, and will be renewing the playground equipment in Rosebank Park in the coming year. The ARP funding has allowed opportunities to invest in these public spaces over the past four years that otherwise would not have been viable. The full ARP funding - \$451,000 – equates to just over five (5) cents on the tax rate. Maintenance needs within the parks will increase as part of these improvements, and the proposed budget for FY25 reflects these increased needs.

## *Streets Department*

The largest expenditures within the Streets department for FY25 are comprised of stormwater needs. The bulk of these funds are for the stormwater project at Lone Pine, Stuyvesant, and Vanderbilt Roads. The project was anticipated to be constructed in FY24, but delays prevented this from happening. The Board awarded the project to Hyatt Pipeline at their March 2024 meeting and work should commence by the end of May 2024. The project is scheduled to take 9 months for full completion and will impact the above roads and Rosebank Park. Associated fees for engineering and other professional services related to this project are included in the FY25 budget.

Additional funding is included for further engineering associated with this project as well as other storm water or street engineering needs. All roadways within this project will be milled and resurfaced, and continued striping improvements throughout the Town are included within the overall budget. The proposed budget also includes funding for more routine repairs and emergency repairs as well.

## *Sanitation and Recycling*

The proposed FY25 budget includes upgrades to the Town's garbage truck fleet. The Town continues to experience high maintenance costs and repairs with the trucks and is working with Enterprise Fleet Management to coordinate the acquisition of at least one truck. It is possible that we will acquire two within the coming year, and the proposed budget reflects funding at this level. The Town's rear yard solid waste and recycling collection is an exceptionally high-level of service to residents. From my discussion throughout the State, the Town is the only municipality that continues to provide this level of service, and it is something that brings pride to our staff. Unlike most local governments, the Town's solid waste department is funded through taxes and not user fees. Solid waste and recycling services account for just over 6.63 cents of the total tax rate.

This department also includes funding the brush and leaf removal within Town. The Town provides brush removal service year-round and leaf removal, from the street, from November through January. These services allow residents to maintain clean and debris free yards and the coming budget continues this service level.



***General Government***

The Town’s general government department provides funding for projects and expenditures that cross departmental boundaries. The Town’s property/liability and workers compensation insurance fees are included within this budget, as are the Town’s utility bills, technology funding, and professional service fees. Several years ago, the Town also began incorporating funding for annual tree removal and wildlife management. Funding remains relatively consistent for each of these line items.

The proposed budget for FY25 includes just over \$260,000 in contingency funding. These funds reflect the Town’s strong financial position as well as provide an avenue for potential land acquisition costs associated with any new facility construction. While we do not have a firm number at this time for anything that may be available for purchase, the Board should feel confident that we have direct access accounted for within the FY25 budget if needed. Professional architectural services for the facility design work is also included within the proposed budget, and once a final decision is made about moving forward, design and consulting services would then be moved over to a more direct capital project ordinance.

***Debt Service***

The Town’s debt service for municipal street repairs and the Police Department interior remodel were paid off in FY24. The Town’s only remaining debt service is the Public Works Building renovation from 2019 and the stream restoration loan in Greenwood Park from the Department of Environmental Quality. These total debt service balances are approximately \$387,000 and \$270,000, respectively. For the future, the Town is well positioned to issue new debt. State law allows a maximum of eight (8) percent of a local government’s assessed property valuation for debt. This equals \$70.5 million for the Town. The Town would never desire to issue that amount of debt, but clearly, we are well positioned to assume more debt for the potential Police Department and Public Works storage facilities if the Board chooses.

## Water Fund

### City of Asheville Wholesale Water Increases

#### *Impact on Town Water Rates*

The City of Asheville conducted a study of their water system and fiscal needs last year. The Town has purchased water from the City for many years and is currently governed by an existing wholesale water agreement. The result of their study are sizable changes to their water rate structure and resulting water rate charges to the Town. These changes will begin in fiscal year 2025 and include a re-ordering of their water charges, such that wholesale customers (like the Town) and other large-scale users will begin paying more over the next three years and likely subsequent years. The increases are a phased-in approach but will result in substantive increases for the Town. The City's rationale and recommendation from staff is shown below. The Asheville City Council has already adopted these proposed changes for FY25.

### Study Results Overview

**Financial Sufficiency**

- Rate adjustments are needed to fund 5-year capital program needs of \$239 million and to meet financial targets
  - › Revenue bonds anticipated to fund 2/3 capital program

**Equity / Cost of Service**

- Majority of rate adjustments should be on the volumetric component of the rate structure
- Residential class is subsidizing other customer classes; specifically commercial/manufacturing and wholesale
- Commercial/manufacturing and wholesale customer classes will see higher rate increases relative to other classes
  - › Recommending 3-year phase-in of these rate adjustments

The proposed changes will result in compounded thirty-three (33) percent increases over each of the next three fiscal years, as shown on the next page.

<sup>3</sup> Raftelis. City of Asheville Water Department Cost of Service Rates and Financial Plan Results. February 13, 2024. (Provided to Town by City of Asheville Water Department Staff).

\*Monthly tier cutoffs are half the bimonthly tier cutoffs.

### Volumetric Rate Comparison

Volumetric (per CCF)*	Current	Year 1: FY25	Year 2: FY26	Year 3: FY27
Single Family Residential	\$5.21	\$5.21	\$5.60	\$6.02
Irrigation	\$6.44	\$7.20	\$7.74	\$8.32
Multifamily Residential	\$4.58	\$4.95	\$5.32	\$5.72
Commercial				
Tier 1	\$4.41	\$4.95	\$5.32	\$5.72
Tier 2	\$2.74	\$3.24	\$3.82	\$4.51
Manufacturing				
Tier 1	\$4.41	\$4.95	\$5.32	\$5.72
Tier 2	\$2.50	\$3.04	\$3.71	\$4.51
Wholesale	\$1.23	\$1.64	\$2.18	\$2.89

The chart above shows the 33 percent compounded rate for wholesale customers from FY25-27.

### 3-Year Phase-In: Typical Customer Bill Impacts

Bimonthly Usage*	Current	FY25	FY26	FY27
Residential - 5/8" 8 CCF	\$54.63	\$55.02	\$59.14	\$63.58
		0.7%	7.5%	7.5%
Commercial - 5/8" 84 CCF	\$383.39	\$428.97	\$461.15	\$495.73
		11.9%	7.5%	7.5%
Commercial - 1" 120 CCF	\$559.60	\$624.16	\$670.97	\$721.30
		11.5%	7.5%	7.5%
Manufacturing - 4" 4,922 CCF	\$16,418.48	\$19,083.36	\$21,781.98	\$24,958.65
		16.2%	14.1%	14.6%
Manufacturing - 8" 26,306 CCF	\$70,518.34	\$84,810.77	\$101,713.92	\$122,177.78
		20.3%	19.9%	20.1%
Wholesale - 8" 18,120 CCF	\$23,220.94	\$30,575.85	\$40,427.88	\$53,513.22
		31.7%	32.2%	32.4%

\*Usage based on actual customer data.

The chart above provides a typical water user's rate charges in years FY25-27, compared with the current year charge in FY24.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

## Town Water Rate Study

With such dramatic increases looming, the Town enlisted a consultant to perform a water rate study for the coming fiscal year (and subsequent years) to ensure the water fund was operating in a fiscally responsible manner. The water rate study is scheduled for presentation at the May 2024 Board meeting, but the draft recommendations are included within this proposed budget. Recommendations identified are substantive but equitable for all Town users and will ensure the Town is able to develop a dedicated source of revenue for the water fund absent of volumetric usage increases or decreases.

### *Recommended Changes to Water Rates*

The Town's current water rates are broken down into two categories, and each will be discussed in detail below: base unit charges and volumetric charges.

### **Base Unit Charges**

The Town's base unit charge is currently the same for all users, regardless of meter size. This cost is \$30.46 bi-monthly. Base unit charges are necessary to essentially "reserve" a customer's access to the water system based on the maximum volume allowed by the size of their meter. The utility is agreeing to provide this maximum volume when the meter is installed (whether it is used or not) and these volumes are used when sizing and building the water distribution system. Customers that have larger meter sizes are effectively "reserving" access to more water capacity, and the utility is guaranteeing to provide it, than a customer with a smaller meter. A variable base unit charge based on meter size allows the utility to recoup the costs of providing the allocated capacity in an equitable way.

For practical purposes, the American Water Works Association (AWWA) classifies a residential meter as one that is one inch in size or less. Commercial meters are typically larger than one inch, and are often two to eight inches in diameter. As would be expected in a primarily residential town, the vast majority of the Town's users are on meters that are either 1" or 5/8" in diameter, as shown in the chart below.

Meter Size	Number of Customers
5/8"	321
1"	330
1 1/2"	2
2"	5
8"	1
Irrigation Meters	148
Total	807

Because the Town has historically charged a flat rate for base unit charges, regardless of meter size, the Town's residential users have effectively subsidized the cost for the larger users that require more system capacity. While the base unit charges are proposed to increase for all customers (which is necessary due to the changes to the City of Asheville's water rate structure), the largest increases are

reserved for those with the largest meters who require significantly higher volumes of water. By varying the base unit charge by meter size, the proposed increases reflect the most equitable allocation of costs available to the Town. The proposed base unit charge changes would result in an approximately \$90 per year increase for the Town’s residential customers that make up most of the Town’s system. The increases for users with larger than one inch diameter meters would be much more dramatic but would more accurately reflect the increase in water volume available to each user with a larger meter.

### **Volumetric Charges**

Volumetric charges are what customers pay for their actual water usage. The following table represents the Town’s existing rate structure:

<b>Volume (Gallons)</b>	<b>Rate (per hundred gallons)</b>
0-2,250	\$10.01
2,251 – 60,000	\$6.30
60,001 – 100,000	\$5.85
>100,000	\$3.63

The proposed changes for the volumetric rate are not as dramatic as the base unit charges for the average user. Additionally, the recommendation was to reduce the number of tiers from four to three. The tiers themselves would also change, as reflected in the following proposed volumetric rate structure:

<b>Volume (Gallons)</b>	<b>Rate (per thousand gallons)</b>
0-5,000	\$10.00
5,001 – 40,000	\$9.00
>40,000	\$8.00

The volumetric rate more accurately reflects the utility’s ability to recoup the recurring variable expenses such as wholesale water purchases and demand-based costs. As we discussed potential changes to the volumetric rates with the consultant, several important factors were brought out: the potential for decreasing the number of and restructuring the tiers to reflect typical usage blocks more accurately, and to establish fair and equitable charges for customers based on their usage, and to encourage water conservation. Since the user can conserve water and not use as much if they choose, the volumetric charge has the ability to be controlled to an extent by the customer, and as such is considered a more variable source of revenue.

The proposed base unit charge and volumetric rates are proposed to be implemented in in FY24-25, and the consultant’s modelling also proposes increases of approximately nine (9) percent per year to these rates for the next several years to accommodate the compounding increases from the City of Asheville.

## **Revenue Increases Based on These Changes**

The Town would generate an additional \$175,255 from both the base unit charge increase and volumetric increase in FY25. For comparison purposes, in subsequent years, the Town would generate an additional \$55,140 in FY26 and \$114,692 in FY27. These revenue increases allow the Town to compensate for the wholesale increases from the City of Asheville and fund the Town's capital outlay and/or depreciation costs within the water system. In short, these recommendations solidify the Town's water system from a fiscal perspective and ensure its continued viability. There is no doubt these are changes that will be substantive for customers, but the Town needs to make these changes for the Water Fund to remain in good financial standing.

### ***Revenues***

The remainder of the Town's revenue items will remain constant for FY25. There is a small increase coming for AMI transmitter fees (from 78 cents per month to 91 cents per month) that will be passed along to the user. The Town has seen increased demand for new water taps, absent new house construction, in the past year and this proposal shows that continuing as well.

### ***Expenditures***

In addition to showing an increase in costs paid to the City of Asheville, the proposed budget continues to fund staff salaries (half for each) for five (5) employees – three in Public Works and two from the Administration department. This is allowable based on the time and work done by each staff person on behalf of the Town's water system. MSD charges are passed along to the customer on each water bill and is essentially a wash with revenues brought in for sewer charges.

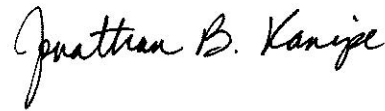
## **Police Department and Public Works Facility Master Planning Note**

The proposed FY25 budget does not include direct funding for the Police Department construction project or Public Works storage facility project. The Board is currently working with DP3 Architects on this design work and potential property acquisition that would be associated with it. If the Town moves forward with either or both projects, funding for that will come in the form of a Capital Project Ordinance (CPO) that is designed to cover this work over several years.

### **Conclusion**

The Town is in excellent fiscal condition. We are fortunate to have a robust fund balance, continued low tax rate relative to other local governments, and exceptionally high level of service for our residents. The proposed FY25 budget continues these efforts and provides enhancement in many areas as well. On behalf of all Town staff members, I appreciate the support of the Citizens, Mayor, and Board of Commissioners and for entrusting the Town and its operations with us. Thank you for your belief in the Town's staff as we continually try to improve how we serve the citizens of Biltmore Forest.

Respectfully Submitted,



Jonathan B. Kanipe  
Town Manager

**GENERAL FUND EXPENDITURES (Administration & General Government)**

GENERAL FUND EXPENDITURES		2021-22	2022-23	2023-24	2024-2025
ADMINISTRATION		BUDGET	BUDGET	BUDGET	RECOMMENDED
10-4200-0200	Salaries	217,543	226,063	321,633	357,385
10-4200-0300	Overtime	85	3,000	3,000	-
10-4200-0500	FICA	15,497	17,293	24,605	27,340
10-4200-0550	Unemployment Insurance			-	-
10-4200-0600	Health Insurance	23,189	24,158	42,598	41,748
10-4200-0650	Dental, Vision, Life Insurance	4,650	4,935	10,500	10,500
10-4200-0675	Health Reimbursement Acct	3,750	3,750	7,500	7,500
10-4200-0700	LGERS Retirement	37,671	41,231	62,815	72,478
10-4200-0800	401k Supplemental Retirement	10,638	11,453	16,232	17,869
10-4200-1000	Accounting & Taxes	51,381	51,400	51,400	60,000
10-4200-1200	Postage, Printing & Stationary	6,204	10,140	10,140	12,500
10-4200-1400	Mileage & Board Salary	21,600	21,600	21,600	21,600
10-4200-1500	Bldg & Grounds Maintenance		20,000	20,000	15,000
10-4200-3300	Supplies & Equipment	8,264	7,722	10,000	15,000
10-4200-5300	Dues & Fees	7,656	5,070	5,070	12,000
10-4200-5700	Miscellaneous	2,986	1,000	1,000	5,000
10-4200-6500	Staff & Board Education	7,357	16,000	21,395	20,000
10-4200-6600	Capital Improvements			-	-
<b>TOTAL</b>		<b>418,470</b>	<b>464,815</b>	<b>629,487</b>	<b>695,921</b>

GENERAL FUND EXPENDITURES		2021-22	2022-23	2023-24	2024-2025
GENERAL GOVERNMENT		BUDGET	BUDGET	BUDGET	RECOMMENDED
10-6600-0400	Outside Professional Services	-	-	45,959	50,000
10-6600-0401	Legal Services	27,278	35,000	35,000	24,000
10-6600-1100	Technology	99,374	92,120	105,937	125,000
10-6600-1300	Municipal Utilities	37,079	25,000	40,000	24,000
10-6600-1500	General Maintenance	35,851	28,200	40,000	40,000
10-6600-2800	Elections		6,000	6,000	1,000
10-6600-3300	Supplies & Equipment				-
10-6600-5400	Insurance	82,911	105,000	110,000	120,000
10-6600-6000	Contingency	-	181,444	50,000	260,708
10-6600-6100	Miscellaneous	11,209	10,000	10,000	5,000
10-6600-6201	Corporate Wellness	900	2,000		12,000
10-6600-6300	Community Events		50,000	55,000	50,000
10-6600-6301	4th of July	6,343	10,000		
10-6600-6302	National Night Out	3,841	7,000		
10-6600-6303	Holiday Lighting	10,843	21,500		
10-6600-6304	Arbor Day Event	205	2,000		
10-6600-6400	Wildlife Management	977	5,000	5,000	5,000
10-6600-6500	Forest Management	32,131	60,000	60,000	60,000
<b>TOTAL</b>		<b>348,941</b>	<b>640,264</b>	<b>562,896</b>	<b>776,708</b>



## GENERAL FUND REVENUES

REVENUES		2021-22 BUDGET	2022-23 BUDGET	2023-24 BUDGET	2024-2025 ESTIMATED
10-3010-0000	Ad Valorem Taxes (Property)	2,956,098	2,920,559	2,980,215	3,042,253
10-3010-0100	Ad Valorem Taxes (DMV)	108,759	109,396	122,399	123,040
10-3010-0200	Tax Interest & Penalties	5,314	5,000	5,000	5,000
10-3010-0300	Tax Collection Prior Years			-	-
<b>Total Ad Valorem</b>		<b>3,070,171</b>	<b>3,034,955</b>	<b>3,107,615</b>	<b>3,170,293</b>
10-3020-0000	Franchise & Utilities Tax	221,240	211,384	235,200	233,800
10-3020-0100	Alcohol Beverage Tax	5,594	6,450	6,500	6,750
10-3020-0200	Sales Tax-Article 39	743,407	793,429	835,550	789,576
10-3020-0300	Sales Tax-Article 40	292,188	330,137	358,260	340,912
10-3020-0400	Sales Tax-Article 42	365,732	419,847	443,961	419,097
10-3020-0600	Sales Tax Refund	(22,449)	15,000	15,000	15,000
10-3020-0700	Gasoline Tax Refund	2,315	3,500	5,000	
<b>Total Unrestricted Intergovernmental</b>		<b>1,608,029</b>	<b>1,779,747</b>	<b>1,899,471</b>	<b>1,805,135</b>
10-3030-0000	Solid Waste Disposal Tax	804	975	1,133	1,000
10-3030-0100	Powell Bill	67,822	66,849	67,210	75,000
10-3030-0200	Illicit Substance Tax		-	-	-
<b>Total Restricted Intergovernmental</b>		<b>68,625</b>	<b>67,824</b>	<b>68,343</b>	<b>76,000</b>
10-3040-0000	Zoning Permits	73,729	45,000	30,000	30,000
10-3040-0100	Dog License Fee	1,220	1,300	1,300	1,300
<b>Total Permits &amp; Fees</b>		<b>74,949</b>	<b>46,300</b>	<b>31,300</b>	<b>31,300</b>
10-3050-0000	Interest Earned	7,227	2,000	148,800	233,333
<b>Total Investment Earnings</b>		<b>7,227</b>	<b>2,000</b>	<b>148,800</b>	<b>233,333</b>
10-3060-0100	American Tower Agreement	31,044	45,600	46,365	33,800
10-3060-0200	Miscellaneous	43,174	20,000	20,000	25,000
<b>Total Miscellaneous</b>		<b>74,218</b>	<b>65,600</b>	<b>66,365</b>	<b>58,800</b>
10-3500-0000	Sale of Personal Property	26,020	10,000	10,000	14,970
10-3500-0200	Installment Agreement	-	292,000	-	-
10-3500-0300	Transfer from Fund Balance	-	-	1,213,866	1,213,866
10-3500-0500	Governmental Grant (NCLWF)	-	-	-	30,000
<b>Total Other Financing Source</b>		<b>26,020</b>	<b>302,000</b>	<b>1,223,866</b>	<b>1,258,836</b>
<b>TOTAL General Fund Revenues</b>		<b>4,929,239</b>	<b>5,298,426</b>	<b>6,545,759</b>	<b>6,633,697</b>

**GENERAL FUND EXPENDITURES (Police Department & Fire Contract)**

GENERAL FUND EXPENDITURES		2021-22	2022-23	2023-24	2024-2025
POLICE DEPARTMENT		BUDGET	BUDGET	BUDGET	RECOMMENDED
10-5100-0200	Salaries	987,949	951,387	1,013,718	1,100,444
10-5100-0300	Overtime	16,585	26,000	30,412	-
10-5100-0400	Separation Allowance	30,617	38,117	16,445	16,445
10-5100-0500	FICA	72,632	72,781	77,549	84,184
10-5100-0550	Unemployment Insurance				-
10-5100-0600	Medical Insurance	146,901	164,272	144,832	141,944
10-5100-0650	Dental, Vision, Life Insurance	19,168	35,558	35,700	35,700
10-5100-0675	Health Reimbursement Account	25,250	25,500	25,500	25,500
10-5100-0700	LGERS Retirement	171,654	185,598	210,651	239,016
10-5100-0800	401K Supplemental Retirement	48,002	48,996	50,686	55,022
10-5100-0900	Short Term Disability				-
10-5100-1500	Maint/Repair -Building & Grounds	1,017	20,000	20,000	10,000
10-5100-1600	Maint/Repair - Equipment	793	1,000	1,000	5,000
10-5100-1700	Maint/Repair - Vehicles	8,374	10,000	10,000	25,000
10-5100-3100	Motor Fuels	21,596	24,600	24,600	18,000
10-5100-3300	Supplies	5,828	20,080	10,080	10,000
10-5100-3600	Uniforms	7,508	15,000	15,000	15,000
10-5100-3700	Software	70,448	18,725	18,725	18,725
10-5100-3800	Technology	51,504	58,740	58,740	102,250
10-5100-5700	Miscellaneous	13,023	8,265	8,265	10,000
10-5100-5800	Physical Exams	951	2,000	2,000	2,500
10-5100-6500	Staff Development	13,144	15,000	15,000	10,000
10-5100-7400	Capital Equipment Purchases	98,891	102,500	169,000	125,000
<b>TOTAL</b>		<b>1,811,835</b>	<b>1,844,119</b>	<b>1,957,903</b>	<b>2,049,731</b>

GENERAL FUND EXPENDITURES		2021-22	2022-23	2023-24	2024-25
FIRE CONTRACT		BUDGET	BUDGET	BUDGET	RECOMMENDED
10-5200-0000	Fire Contract	425,000	425,000	425,000	425,000
<b>TOTAL</b>		<b>425,000</b>	<b>425,000</b>	<b>425,000</b>	<b>425,000</b>

**GENERAL FUND EXPENDITURES (Public Works)**

<b>GENERAL FUND EXPENDITURES</b>		<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-2025</b>
<b>PUBLIC WORKS</b>		<b>BUDGET</b>	<b>BUDGET</b>	<b>BUDGET</b>	<b>RECEOMMENDED</b>
10-5600-0200	Salaries	238,121	244,822	211,888	221,831
10-5600-0300	Overtime	-	5,000	5,000	-
10-5600-0500	FICA	17,194	19,111	16,209	16,970
10-5600-0500	Unemployment Insurance	-	500		-
10-5600-0600	Medical Insurance	34,260	43,484	68,156	41,748
10-5600-0650	Dental, Vision, Life Insurance	3,937	8,883	10,500	10,500
10-5600-0675	Health Reimbursement Account	6,313	6,750	7,500	7,500
10-5600-0700	LGERS Retirement	41,002	44,968	41,382	48,182
10-5600-0800	401K Supplemental Retirement	11,097	12,491	10,594	11,092
10-5600-1000	Outside Services	1,109	10,000	-	-
10-5600-1300	Streetlights Electric	1,773	7,000	7,000	16,800
10-5600-1500	Maint/Repair-Building & Grounds	3,564	9,600	9,600	10,000
10-5600-1600	Maint/Repair - Streetlights	24,696	35,000	35,000	15,000
10-5600-1700	Maint/Repair-Vehicles	5,748	10,000	10,000	16,800
10-5600-3100	Motor Fuels	17,351	20,000	20,000	15,000
10-5600-3300	Supplies	5,779	10,000	10,000	9,600
10-5600-3400	House Number Signs	285	1,000	1,000	1,000
10-5600-3600	Uniforms	3,472	8,650	8,650	10,000
10-5600-3800	Technology	7,115	9,500	9,500	1,680
10-5600-5200	Parks	20,328	60,000	60,000	75,000
10-5600-5202	Stream Restoration Planning Grant	-	-		60,000
10-5600-5800	Physical Exams	-	500	500	1,000
10-5600-5900	Miscellaneous	773	1,000	1,000	5,000
10-5600-6000	Capital Equipment Purchases			8,000	22,800
10-5600-6500	Staff Development	1,386	8,000		6,000
<b>TOTAL</b>		<b>445,302</b>	<b>576,259</b>	<b>551,480</b>	<b>623,503</b>

**GENERAL FUND EXPENDITURES (Streets & Transportation and Sanitation & Recycling)**

<b>GENERAL FUND EXPENDITURES</b>		<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-2025</b>
<b>STREETS &amp; TRANSPORTATION</b>		<b>BUDGET</b>	<b>BUDGET</b>	<b>BUDGET</b>	<b>RECEOMMENDED</b>
10-5700-1600	Maint/Repair - Equipment	-	-	-	5,000
10-5700-1700	Maint/Repair - Vehicles	5,325	10,000	5,000	1,000
10-5700-2200	Contracts-Paving & Striping	225,735	210,000	255,000	75,000
10-5700-2300	Supplies	10,178	10,000	10,000	9,600
10-5700-2400	Traffic Signs	560	500	500	1,000
10-5700-2500	Storm Water Drainage Repairs	212,276	275,000	1,400,000	1,100,000
10-5700-3800	Technology	2,284	5,000	5,000	-
10-5700-6500	Staff Development	287	1,000	1,000	2,500
10-5700-7400	Capital Equipment Purchases	(0)	5,000	19,200	25,000
10-5700-7500	Engineering	22,610	100,000	50,000	120,000
<b>TOTAL</b>		<b>479,255</b>	<b>616,500</b>	<b>1,745,700</b>	<b>1,339,100</b>

<b>GENERAL FUND EXPENDITURES</b>		<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-2025</b>
<b>SANITATION &amp; RECYCLING</b>		<b>BUDGET</b>	<b>BUDGET</b>	<b>BUDGET</b>	<b>RECEOMMENDED</b>
10-5800-0200	Salaries	123,571	125,190	141,376	142,326
10-5800-0300	Overtime	286	5,000	5,000	-
10-5800-0500	FICA	9,238	9,960	11,198	10,888
10-5800-0550	Unemployment Insurance				-
10-5800-0600	Medical Insurance	20,591	28,989	68,156	25,012
10-5800-0650	Dental, Vision, Life Insurance	1,968	5,922	6,300	6,300
10-5800-0675	Health Reimbursement Account	4,500	4,500	4,500	4,500
10-5800-0700	LGERS Retirement	21,809	23,435	27,611	48,182
10-5800-0800	401K Supplemental Retirement	6,236	6,510	7,069	11,092
10-5800-1700	Maint/Repair - Vehicles	25,461	25,000	40,000	86,400
10-5800-3100	Motor Fuels	22,376	30,000	30,000	24,000
10-5800-3300	Supplies	43,667	1,000	1,000	1,000
10-5800-3600	Uniforms	1,022	1,000	1,000	-
10-5800-3800	Technology	553	600	3,000	1,000
10-5800-5800	Physical Exams	-	500	500	
10-5800-5900	Miscellaneous	532	1,000	1,000	
10-5800-6000	Capital Equipment Purchases	(1)	55,000	80,000	150,000
10-5800-8000	Landfill Tipping Fees	60,122	30,000	50,000	27,000
10-5800-8100	Recycling Disposal Fees	-	6,000	20,000	8,000
10-5800-8200	Brush & Leaf Disposal Fees		31,200	31,200	43,200
10-5800-8300	Dumpster Fees	-	-	-	24,000
<b>TOTAL</b>		<b>341,931</b>	<b>390,806</b>	<b>528,910</b>	<b>612,899</b>

**GENERAL FUND EXPENDITURES (Debt Service)**

<b>GENERAL FUND EXPENDITURES</b>		<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-2025</b>
<b>DEBT SERVICE</b>		<b>BUDGET</b>	<b>BUDGET</b>	<b>BUDGET</b>	<b>RECEOMMENDED</b>
10-6700-0100	Principal Police Dept Renovations	23,333	23,334	23,334	
10-6700-0200	Principal Street Improvements	6,667	6,667	6,667	
10-6700-0500	Principal Public Works Bldg	84,564	84,211	84,211	84,211
10-6700-0600	NCDEQ Loan Strm Rest			14,600	14,600
10-6700-1100	Interest Police Dept Renovations	2,334	1,445	556	
10-6700-1200	Interest Street Improvements	667	413	159	
10-6700-1500	Interest Public Works Bldg	20,160	17,685	14,855	12,025
10-6700-1600	Interest 2020 Police Cars	1,579	801		
<b>TOTAL</b>		<b>139,303</b>	<b>134,556</b>	<b>144,382</b>	<b>110,836</b>

**WATER FUND**

<b>WATER FUND</b>		<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-2025</b>
<b>REVENUE</b>		<b>BUDGET</b>	<b>BUDGET</b>	<b>BUDGET</b>	<b>RECEOMMENDED</b>
30-3290-0000	Interest Earned		50	4,000	4,400
30-3350-0000	Commissions (Sewer Collection Fee)		8,000	8,000	8,000
30-3710-0000	Water Charges	434,705	369,000	572,382	641,000
30-3710-0100	Sewer Charges	350,217	248,284	493,425	422,240
30-3710-0200	AMI Transmitter Charges	6,814	7,700	7,700	8,867
30-3730-0000	Water Tap & Connection Fees	4,870	6,000	6,000	10,000
	<b>TOTAL</b>	<b>796,606</b>	<b>639,034</b>	<b>1,091,507</b>	<b>1,094,507</b>
30-3710-0000	Transfers from General Fund	-	-	-	-
	<b>TOTAL</b>	<b>796,606</b>	<b>639,034</b>	<b>1,091,507</b>	<b>1,094,507</b>

<b>WATER FUND</b>		<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-2025</b>
<b>EXPENDITURES</b>		<b>BUDGET</b>	<b>BUDGET</b>	<b>BUDGET</b>	<b>RECEOMMENDED</b>
30-8100-0200	Salaries	108,247	144,572	169,693	199,205
30-8100-0300	Overtime			-	-
30-8100-0400	Professional Services	4,845	5,000	5,000	20,000
30-8100-0500	FICA	8,192	11,060	12,981	15,239
30-8100-0550	Unemployment Insurance			-	-
30-8100-0600	Medical Insurance	16,527	19,326	-	-
30-8100-0650	Dental, Vision, Life Insurance	2,533	3,948	-	-
30-8100-0675	Health Reimbursement Account	2,938	3,000	-	-
30-8100-0700	LGERS Retirement	83,084	26,023	27,611	40,399
30-8100-0800	401K Supplemental Retirement	6,273	7,229	8,485	9,960
30-8100-1200	Postage, Printing & Stationary	4,340	5,000	5,000	2,000
30-8100-1500	General Repairs	-	10,000	25,000	15,000
30-8100-3300	Supplies & Equipment	16,592	15,000	15,000	15,000
30-8100-3800	Technology	2,284	5,000	5,000	-
30-8100-4800	Water Purchases	158,705	179,580	204,750	215,545
30-8100-4900	Sewer Purchases	350,492	185,400	396,000	422,240
30-8100-5000	AMI Transmitter Fees	8,529	7,700	7,700	8,867
30-8100-5700	Miscellaneous	-	6,196	6,196	-
30-8100-6000	Contingency			178,891	
30-8100-6500	Staff Development	4,943	5,000	5,000	2,500
30-8100-7400	Capital Improvement	18,244	29,939	19,200	128,552
	<b>TOTAL</b>	<b>796,767</b>	<b>668,973</b>	<b>1,091,507</b>	<b>1,094,507</b>

## 2024-2025 BUDGET SUMMARY

GENERAL FUND REVENUE	2024-2025 RECEOMMENDED
Ad Valorem	3,170,293
Unrestricted Intergovernmental	1,805,135
Restricted Intergovernmental	76,000
Permits & Fees	31,300
Investment Earnings	233,333
Miscellaneous	58,800
Other Financing Source	1,258,836
<b>TOTAL General Fund Revenues</b>	<b>6,633,697</b>

GENERAL FUND EXPENDITURES	2024-2025 RECEOMMENDED
Administration	695,921
Police Department	2,049,731
Fire Contract	425,000
Public Works	623,503
Streets & Transportation	1,339,100
Sanitation & Recycling	612,899
General Government	776,708
Debt Service	110,836
<b>TOTAL General Fund Expenditures</b>	<b>6,633,697</b>

<b>GENERAL FUND REVENUES</b>	<b>6,633,697</b>
<b>GENERAL FUND EXPENDITURES</b>	<b>6,633,697</b>

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WATER FUND REVENUE	2024-25 RECEOMMENDED
Operating Revenues	1,142,795

WATER FUND EXPENDITURES	2024-25 RECEOMMENDED
Operating Expenditures	1,142,795

<b>WATER FUND REVENUE</b>	<b>1,142,795</b>
<b>WATER FUND EXPENDITURES</b>	<b>1,142,795</b>