

**BOARD OF THE METROPOLITAN SEWERAGE DISTRICT
OCTOBER 15, 2008**

1. Call to Order and Roll Call:

The regular monthly meeting of the Metropolitan Sewerage District Board was held in the Boardroom of MSD's Administration Building at 2:00 P.M., Wednesday, October 15, 2008. Mr. Aceto presided with the following members present: Bissette, Bryson, Creighton, Gantt, Haner, Kelly, Metcalf, Russell and Sobol. Ms. Bellamy and Mr. VeHaun were absent.

Others present were: Thomas E. Hartye, General Manager, William Clarke, General Counsel, Gary McGill with McGill Associates, Leah Karpen with the League of Women Voters, Joseph Martin with Woodfin Sanitary Water & Sewer District, Tom Brzpzinski, Charles Christy and Dave Gildersleeve with WadeTrim, Ed Bradford, Stan Boyd, John Kiviniemi, Jim Hemphill, Scott Powell, Peter Weed, Ken Stines, Angel Banks, Matthew Walter, Mike Butler and Sondra Honeycutt, MSD.

2. Inquiry as to Conflict of Interest:

Mr. Aceto asked if there were any conflicts of interest with the agenda items. No conflicts were reported.

3. Approval of Minutes of the September 17, 2008 Board Meeting:

Mr. Aceto asked if there were any objections to approving the Minutes of the September 17, 2008 Board Meeting as presented. With no objections, the Minutes were approved by acclamation.

4. Discussion and Adjustment of Agenda:

None

5. Informal Discussion and Public Comment:

Mr. Aceto welcomed Mr. Brzpzinski, Mr. Christy, Mr. Gildersleeve, Ms. Karpen and Mr. Martin.

6. Report of General Manager:

Mr. Hartye reported that MSD is partnering with Buncombe County and, potentially with the City of Asheville, to create a one stop shop for permitting. He stated that an MSD employee has relocated to a downtown office in order to make this effort more accessible. He further reported that Mr. Creighton has brought the Starnes Cove affordable housing issue to the County, which is moving forward and may come back to the Board in the near future. Also, MSD is partnering with the City of Asheville in an Environmental Education Program on water, sewer and storm water and that consideration is being given to the idea of utilizing MSD's old administration building as a Learning Center.

Mr. Hartye reported that an e-mail was received from Mr. Roy Davis of NCDENR who expressed his appreciation to Ken Stines, Grady Brooks, Eric Sams and Wayne Rice who responded to his call for assistance in clearing a blocked and overflowing private sewer line. The person whose property the sewer crossed did not have the resources to bring in a plumbing contractor. He further reported that he received a phone call from Mr. Clarence William at 10 Royal Oaks who claimed that over the years he has dealt with many folks at utilities, but none were as professional as Steve Meeks and that MSD is lucky to have such quality people representing them.

Mr. Hartye reported that last year the MSD Preventative Maintenance Crews; using vacuum and rod trucks, performed 866,000 feet of main line cleaning and 72,000

feet of root removal. He stated that these are “behind the scenes” efforts that play a large part of why the SSO’s have gone down from 289 to 41 over the last eight years. He expressed his appreciation to Jason Capizzi, Shaun Meadows, Mitch Hawes, Mike Rice, Ray Lunsford, Anthony England, Greg Patton, Ed Whatham, Allan Knighten and Lee Plemmons.

Mr. Hartye provided a copy of the annual VWIN report for the Board’s review. In addition, he presented an article from the Raleigh News & Observer on Wake County projects.

Mr. Hartye stated that this meeting is primarily dedicated to an update of the Master Plan. With regard to what is happening with the economy, staff plans to bring this issue, along with the purchase of the Microscreens back to the Board in November.

Mr. Haner asked what the life of a vacuum truck is. Mr. Weed said 10 years. Mr. Hartye stated that MSD has a replacement program for the entire fleet, with different types of vehicles on different cycles. Mr. Weed stated that generally, the life of a heavy duty vehicle is 10 years, and 8 years on a diesel pickup vehicle.

Mr. Hartye reported that the next regular Board Meeting will be held November 19th at 2PM.

7. Report of Committees:

Right of Way Committee

Mr. Kelly reported that the Right of Way Committee met September 24, 2008 to consider compensation budgets on the Charland Forest GSR and US 70 @ Neil Price Avenue Phase II projects. The Committee also considered condemnation on the Heywood Road Interceptor Phase II project. He stated that recommendations on these issues are reported as part of the Consolidation Motion Agenda.

8. Consolidated Motion Agenda:

a. Consideration of Compensation Budget – Charland Forest GSR:

Mr. Hartye reported that the Right of Way Committee recommends approval of the Compensation Budget.

b. Consideration of Compensation Budget – US 70 @ Neil Price Avenue Phase II:

Mr. Hartye reported that the Right of Way Committee recommends approval of the Compensation Budget.

c. Consideration of Condemnation – Heywood Road Interceptor Phase II:

Mr. Hartye reported that the Right of Way Committee recommends authority to obtain appraisal and proceed with condemnation.

d. Consideration of Developer Constructed Sewer Systems, Craven Street, Wal-Mart-Airport Road, Biltmore Lake-A6 and The Residences at Biltmore:

Mr. Hartye reported that staff recommends acceptance of the developer constructed sewer systems and all MSD requirements have been met.

e. Adoption of Identity Theft Prevention Program/Red Flag Rules:

Mr. Hartye reported that the new Federal Trade Commission rules require all utilities to adopt an identity theft prevention program by November 1, 2008. The Program must encompass procedures to identify, detect, and respond to possible signals of identity theft known as Red Flags. Mr. Hartye stated that staff recommends the Board adopt the proposed Identity Theft Prevention Program Policy.

f. Cash Commitment/Investment Report – Month Ended August 31, 2008:

Presented as information only.

Mr. Gantt moved that the Board approve the Consolidated Motion Agenda as presented. Mr. Bisette seconded the motion. Mr. Aceto called for discussion. With no discussion, roll call vote was as follows: 10 Ayes; 0 Nays.

9. Master Plan Presentation:

Mr. Hartye stated that Mr. McGill will give a presentation on the Master Plan and, prior to the next Board meeting, a digital copy of the Master Plan will be provided to Board Members. The Master Plan will then be officially endorsed by the Board at the November meeting.

Mr. McGill reported that the Master Plan is a collection system plan that is not in place yet and does not involve the Treatment Plant or get into rehabilitation, preventative maintenance or other areas of operation. He reported that some of the Master Plan objectives are to define MSD's role in Land Use Planning, support community growth plans and strengthen partnerships with local governments. He stated that the 20-year plan allows for the efficient and orderly growth of the system; avoiding excessive increases in O&M cost. Mr. McGill went over the 4-step planning approach that includes future collection system layout; 20-year flow projections; system facilities sizing, and GIS based planning maps/attributes. He stated that this approach will give Staff the ability to provide pertinent information about property, not served by MSD, to anyone who inquires. He presented a map of the MSD District Boundary, showing areas inside the District that are not being served. He also presented a Buncombe County Land Use Plan map. He explained that the area shown in gray is the current District Boundary. The red areas are primary areas that are the main focus of the County Land Use Plan and are areas that are currently un-served. He stated that collection lines were planned to every parcel of land in these areas. The blue areas are the secondary areas that are not the primary focus of the Land Use Plan, but recognized as areas that will come later, however, they did size interceptors in these areas and allocated flows. The green areas are tertiary areas that are the third tier of the County Land Use Plan. Flows were allocated in these areas as well.

Mr. McGill reported that they met with the local governments to talk about what they were planning for the future and what MSD was planning and meshed these plans together. In addition to the MSD member agencies, they went to the Town of Fletcher, Madison County, Cane Creek Water & Sewer District, the Town of Mars Hill and Henderson County to discuss their plans. Mr. McGill briefly addressed the plans for each of the areas mentioned. Mr. Aceto asked if Avery's Creek was involved in the process. Mr. McGill stated that other than the need for flow and service area information, planning was not an issue in Avery's Creek.

Using the Reems Creek basin as an example of the planning approach, Mr. McGill presented a map showing the existing collection lines, parcels and tertiary areas, which is the boundary used in laying out the lines. He stated that all of these areas were broken down into sub-basins in order to allocate flows. He presented a map showing the

existing system and a new layout of the systems that shows the parcels in it. He stated that they modeled the flows through the pipes to determine pipe size and the depth of flow through the pipes over time. Attribute tables were prepared showing maximum flow capacity, design capacity, slopes of the pipes and details of the pipes themselves. He further stated that there will be a set of attribute tables for all of the pipe segments, with all of the manholes, in the system, to find out what its capacities are.

Mr. McGill presented an informational summary showing the existing and additional service areas; additional wastewater flow and the new wastewater lines and pump stations that will be deleted or added. Ms. Karpen asked if this encompasses the entire Buncombe County area. Mr. McGill said no. Ms. Karpen asked why the whole county is not included. Mr. McGill stated that some areas were identified as not needing sewer in the next 20 years and that it's up to the individual agencies to do their own plans. Mr. McGill stated that the next step in the process is to do flow monitoring and modeling in the existing system for dry weather baseline and wet weather. Mr. McGill addressed the collection system planning challenges; specifically with crossing the French Broad River. Other planning challenges include the plan update process; policy considerations and achieving gravity flow. He presented a map showing future interceptor expansions. Mr. Haner asked if there is an indication from Woodfin or the County as to the time frame for development on the West side of the River. Mr. McGill stated that time frames were not discussed, but what they got instead, was the big picture planning process. Mr. Haner asked if it's MSD's choice as to how it will develop service. Mr. McGill stated that the MSD collection system is very focused on its rehab programs and the Master Plan is not set up to initiate those actions. He further stated that MSD's role is to support what the member agencies want to do. If Woodfin wants to pursue development on the West side of the river, he would like to sit down with them and ask how they would go about it. A discussion was held regarding projected flows and pipe sizes. Mr. Hartye expressed his appreciation to Mr. McGill and his staff for a great job. Mr. Aceto stated that MSD has met a major obligation to the community in compiling the Master Plan. Mr. McGill stated that the responses from the municipalities, were very positive and the MSD planning effort was well received.

10. Old Business:

With regard to the lawsuit brought by Timothy R. Waddell on behalf of his wife arising out of a sledding accident involving a sewer manhole, Mr. Clarke reported that Summary Judgment was granted in favor of MSD and all remaining defendants.

With regard to MSD's financial status, Mr. Haner asked Mr. Powell to address the economic triggers mentioned at the last meeting. Mr. Powell stated that MSD has not reached the trigger points yet, however, after the last meeting there was an increase in variable rates for a three week period, but these rates are back down to 3.25 percent. Regarding the second trigger, (Bank of American being downgraded) Mr. Powell said they have not been downgraded or put on watch. Mr. Aceto asked for confirmation from Mr. Powell that MSD deposits are diversified, that they comply with the securitization rules and that none are secured by corporate bonds, but are secured by other means of collateral. Mr. Powell said yes.

11. New Business:

None

12. Adjournment:

With no further business, Mr. Aceto called for adjournment at 3:27 P.M.

MSD

Regular Board Meeting

Metropolitan Sewerage District
of Buncombe County, NC

AGENDA FOR 10/15/08

✓	Agenda Item	Presenter	Time	
	Call to Order and Roll Call	Aceto	2:00	
	01. Inquiry as to Conflict of Interest	Aceto	2:02	
	02. Approval of Minutes of the September 17, 2008 Board Meeting.	Aceto	2:07	
	03. Discussion and Adjustment of Agenda	Aceto	2:12	
	04. Informal Discussion and Public Comment	Aceto	2:14	
	05. Report of General Manager	Hartye	2:16	
	06. Report of Committees	Aceto	2:26	
	a. Right of Way Committee – 9/24/08	Kelly		
	07. Consolidated Motion Agenda		2:36	
	a. Consideration of Compensation Budget – Charland Forest GSR.	Hartye		
	b. Consideration of Compensation Budget – US 70 @ Neil Price Avenue Phase II.	Hartye		
	c. Consideration of Condemnation – Heywood Road Interceptor Phase II.	Hartye		
	d. Consideration of Developer Constructed Sewer Systems: Craven Street, Wal-Mart-Airport Road, Biltmore Lake – A6 and The Residences at Biltmore.	Hartye		
	e. Adoption of Identity Theft Prevention Program/Red Flag Rules.	Hartye		
	f. Cash Commitment/Investment Report – Month ended August 31, 2008.	Hartye		
	08. Master Plan Presentation	McGill	2:55	
	09. Old Business:	Aceto	3:15	
	10. New Business:	Aceto	3:25	
	11. Adjournment (Next Regular Meeting 11/19/08)	Aceto	3:35	

APPROVAL OF MINUTES

**BOARD OF THE METROPOLITAN SEWERAGE DISTRICT
SEPTEMBER 17, 2008**

1. Call to Order and Roll Call:

The regular monthly meeting of the Metropolitan Sewerage District Board was held in the Boardroom of MSD's Administration Building at 2:00 PM, Wednesday, September 17, 2008. Mr. Aceto presided with the following members present: Bellamy, Bissette, Bryson, Creighton, Gantt, Haner, Kelly, Sobol and VeHaun. Mr. Metcalf and Mr. Russell were absent.

Others present were: Thomas E. Hartye, General Manager, William Clarke, General Counsel, Gary McGill with McGill Associates, Leah Karpen with the League of Women Voters, Joseph Martin with Woodfin Sanitary Water & Sewer District, Todd Biggeman, Kent Lackey and Charlie Browning with Black & Veatch, Charlie Clogston with the Forest Homeowners Association, Ed Bradford, John Kiviniemi, Roger Watson, Peter Weed, Scott Powell, Jim Hemphill, Ken Stines, Julie Willingham, Kevin Johnson and Sondra Honeycutt, MSD.

2. Inquiry as to Conflict of Interest:

Mr. Aceto asked if there were any conflicts of interest with the agenda items. No conflicts were reported.

3. Approval of Minutes of the August 20, 2008 Board Meeting:

Mr. Aceto asked if there were any objections to approving the Minutes of the August 20, 2008 Board Meeting as presented. Mr. Clarke noted a typographical error on page five, paragraph two that read "French Board instead of French Broad." With no other corrections, the Minutes were approved by acclamation as amended.

4. Discussion and Adjustment of Agenda:

None

5. Informal Discussion and Public Comment:

Mr. Aceto welcomed Ms. Karpen, Mr. Biggeman, Mr. Lackey, Mr. Browning, Mr. Clogston and Mr. Martin.

6. Report of General Manager:

Mr. Hartye called on Mr. Powell for a report on the recent happenings on Wall Street and the potential impact to MSD. Mr. Powell reported that with MSD's synthetic fixed rate bonds, the maximum exposure, should the Bank of America (BOA) go under, is MSD bonds would become variable rate bonds. Currently the interest rate is at 1.8%. On an average, from the refunding in April, the bonds have averaged about 1.75%. Therefore any exposure to MSD in relation to the synthetic fixed rate bonds, is just exposure to the variable fixed rate market. Mr. Powell further reported that as far as MSD's overall investments right now, MSD has a third in governmental securities; a third in NC Capital Management Trust and a third in bank CD's. Regarding the CD's, Mr. Powell explained that the banks participate in a pooling method with the State Treasurer and if the institutions default, MSD would get its money from the State Treasurer. Mr. Sobol asked how much money is at risk if MSD goes to a variable rate. Mr. Powell said \$55 million of its total debt. Mr. Hartye stated that some of this money is already variable rate and the additional \$33 million of synthetic fixed would become variable. He further stated that depending on what the rate is MSD may be saving money.

Mr. Sobol asked what the trigger point is and the plan should (BOA) go under. Mr. Powell stated that MSD is watching the market on a weekly basis and when the variable market gets above 3.5% on average, MSD needs to look at alternatives in

relation to that. As far as MSD's synthetic rate bonds, if MSD needs to terminate the Swap Agreement on those bonds today, it would cost MSD \$2.8 million and there would be an additional cost pertaining to tax issues which remain until 2010. Mr. Powell stated that with (BOA) buying Merrill Lynch, Standard & Poors, Moody's and Fitch did not change any of their ratings. He further stated that the trigger point for MSD, as far as getting out of the Swap Agreement, is to regularly monitor how the rating agencies are monitoring (BOA), which is the second largest bank in America and is the second highest rated bank, besides JP Morgan. Mr. Powell reported that as of last week, the fixed rate market was at 5.09% and if you issued bonds today, they would be issued at 5.05%. He stated that with the savings MSD has realized in the first two months of the fiscal year and what the market is anticipated to do for the next month, MSD is in very good shape. Mr. Sobol confirmed that MSD would wait until the interest rate got to 3.5%, and then staff, Mr. Clarke and (BOA) would sit down and discuss this, then call a special meeting of the Finance Committee. Mr. Hartye stated that the buy out for MSD is very expensive and if MSD goes to a fixed rate, it would have to pay the re-issuance cost of \$400,000 on top of that. He further stated that if (BOA) defaulted, MSD would not have to buy out, but just pay the re-issuance cost if the LGC wants MSD to go to a fixed rate on all of its bonds. Mr. Sobol stated that it's the Board's fiduciary responsibility to stay on top of this. Mr. Clarke stated that if interest rates go up, the fixed rate bonds will cost more than the variable rate bonds.

Mr. Sobol asked how the CD's are guaranteed. Mr. Powell stated that the banks must put up a minimum of 110% collateral, which is placed with the State Treasurer. If the banks default, MSD would go to the State Treasurer to recover its losses. Mr. Sobol asked Mr. Powell to provide more information about collateralization. Mr. Aceto stated that it was important the Board had this discussion in reviewing its cash position and plan should the interest rates go up.

Mr. Hartye continued with his report. He stated that the MSD's United Way golf tournament will be held September 18th and the employee picnic will be held October 2nd.

Mr. Hartye reported that MSD received a letter of appreciation from Mr. Barnett regarding the work of the following staff around his property at 21 Westchester Drive in Kenilworth: Bobby Arrowood, McKinley Hensley, Lloyd Anders, Ray Lunsford and Clement Crowe. Also, a letter was received from Copper Coggins regarding the professionalism of Ken Stines. He further reported that a call was received from Jackie Salabert of 25 Alclare Drive to compliment the following dig up crew: Bobby Arrowood, McKinley Hensley, Lloyd Anders, Ray Lunsford, Clement Crowe, Robert Denny, Marcus Bynum, Jesse Hunter and Randy Mull. A call was received from Ms. Marta Johnson of 6 Persimmon Lane in Asheville to compliment Ricky Bates who responded quickly and provided customer service that was through and professional.

Mr. Hartye reported that after the Plant presentation at the last Board meeting there were questions regarding the T.C. air emissions. He presented copies of slides showing components of this system and some test results of the emissions. He stated that MSD has always been in compliance with the emission standards and has received the WNC Air Quality "Pat on the Back" award for several years.

Mr. Hartye presented a copy of an editorial in the Asheville Citizen Times regarding the City of Asheville's battle over rates for water. He also presented an excerpt from the NCLM Legislative Bulletin.

Mr. Hartye announced that the next regular meeting of the Board will be held October 15th at 2PM. The ROW Committee Meeting is scheduled for September 24th at 9 AM.

Ms. Bryson expressed her appreciation to Mr. Hartye for his presentation to the Woodfin Town Board.

7. Report of Committees:

Finance Committee

Mr. Kelly reported that the Finance Committee met August 28, 2008 to hear a report from Scott Powell on MSD's Self-Funded Health Insurance Plan for FY 2008, a Report on Worker's Compensation Claim Experience, the Fourth Quarter City of Asheville Billing Report, and an Update on Debt Financing. No action was taken.

8. Consolidated Motion Agenda:

a. Consideration of Bids for the Reems Creek Interceptor Rehabilitation Project:

Mr. Hartye reported that this project consists of the replacement of an aged clay interceptor line which serves the Reems Creek Valley, including the Town of Weaverville. The project is comprised of 15,032 LF of 24 and 20-inch DIP and has been sized for future build-out within the basin. The construction budget for this project is \$3,252,700.00. He further reported that the following bids were received on August 28, 2008: Haren Construction Co. with a total base bid of \$5,300,520.00, no alternate bid; Mackenzie Company, LLC with a base bid of \$4,771,441.20, an alternate bid of \$182,139.50; Payne, McGinn & Cummins with a base bid of \$4,753,231.00, an alternate bid of \$0.00; Terry Brothers Construction Co., with a base bid of \$4,738,995.00, an alternate bid of \$625.00; Moorhead Construction, Inc. with a base bid of \$4,729,733.00, an alternate bid of \$24,570.00; Ruby-Collins, Inc. with a base bid of \$4,555,705.00, an alternate bid of \$10,737.00; D.H. Griffin Infrastructure with a base bid of \$4,494,902.00, an alternate bid of \$9,721.00; Morgan Contracting, Inc. with a base bid of \$4,394,195.00, an alternate bid of \$190,300.00; John D. Stephens, Inc. with a base bid of \$4,100,561.20, an alternate bid of \$26,906.00; Buckeye Construction Co., with a base bid of \$4,043,733.30, an alternate bid of \$36,684.00; Metra Industries with a base bid of \$3,751,653.00, an alternate bid of \$0.00; S.J. Lewis Construction Co., with a base bid of \$3,725,007.00, an alternate bid of \$96,000.00 and Mendon Pipeline, Inc. with a base bid of \$3,549,320.00, an alternate bid of \$0.00. The bid of Haren Construction Company was rejected because an Alternate Bid was not submitted and the bid of Payne, McGinn & Cummings was rejected due to invalid Bid Bond. Mr. Hartye stated that staff recommend award of this contract to Mendon Pipeline, Inc. in the base bid amount of \$3,549,320.00, subject to review and approval by District Counsel.

Mr. Aceto asked why the bids came in over budget. Mr. Bradford stated that since January, the base pipe cost has increased by 35%, resulting in an additional cost of \$295,000 due to the length of this project. Mr. Hartye stated that the amount of rock in this project is another factor.

b. Consideration of Developer Constructed Sewer Systems: Ross Creek Phase II, Asheville Rental Commercial Center, Crowell Park Apartments and The Forest:

Mr. Hartye reported that staff recommends acceptance of the developer constructed sewer systems. All MSD requirements have been met.

c. Cash Commitment/Investment Report – Month ended July 31, 2008:

Mr. Hartye reported that included in this month's report is the variable and fixed rate market history, interest rate performance and long-term interest rate history.

Ms. Bellamy moved that the Board approve the Consolidated Motion Agenda as presented. Mr. Kelly seconded the motion. With no discussion, Mr. Aceto called for the question. Roll call vote was as follows: 10 Ayes; 0 Nays.

9. Consideration of Procurement of Disk Filter Equipment from Aqua Aerobics Systems for the Final Microscreen Replacement Project:

Mr. Hartye reported that at the last meeting a presentation was given on the Plant and recent history of the microscreens. On November 14, 2007 the Board authorized staff to proceed with the sole source procurement of the AquaDisk System to replace the final microscreens. He stated that Black & Veatch (B&V) has been working on a design that is best suited for MSD's operational characteristics and facility needs. Mr. Hartye introduced Mr. Kent Lackey with Black & Veatch for a presentation.

Mr. Lackey reported that the main goal of the project is to replace the final microscreens, which are in a state of disrepair, and very difficult to get replacement parts for and provides ineffective treatment. He stated that pilot testing was done in the spring of 2007 with the Kruger Hydrotech disk filter system and the Aqua-Aerobics AquaDisk system, which consistently performed better than the Kruger System. The secondary goal was to look at enhancement of the disinfection process. With regard to the status of the disk filter procurement, (B&V) worked closely with staff and the manufacturer, since they were looking at a sole source scenario, and completed the procurement documents and bid. He further stated that the construction document development is ninety percent complete, is currently in QA/QC review and they anticipate submitting this to staff for final review as well as to the permitting agencies; primarily County inspections as well as the State in early October.

Mr. Lackey presented a slide of what the Disk Filters look like. He stated that originally there were 16 units with a backwash pump and control panel for each unit. However, a collaborative effort between (B&V), Aqua Aerobics Systems, Inc. (AASI) and MSD staff resulted in a tailored design around the specific equipment/process resulting in the consolidation of the backwash system from what would have been 32 pumps to 8 pumps for 16 filters and the consolidation of the filter control systems to a single control panel for four filters in lieu of a panel for each filter. Additionally, by working with AASI and MSD staff, it was possible to consolidate the electrical motor control system. He explained that in this design, the two existing microscreen basins would each house two disc filters with another existing microscreen basin between them housing the consolidated backwash pumping system. This would ultimately result in four filter quad installations. He presented a current overview of the microscreen facility and a snapshot of the 3-D model.

Mr. Lackey reported that in an effort to save money, the electrical system from the intermediate pump project and the microscreen project will be housed in one building. He presented actual 3-D design sketches of the proposed filter installation as well as a unique 3-D "walk through" of the process as part of the overall Powerpoint presentation. Mr. Haner asked how much water is under the disk filter. Mr. Lackey said a minimum of one foot, according to the flow going to the plant. Mr. Lackey reported that Bid Alternative A was to provide for an additional two filters to complete the four Quad and bring the total installed filters to 16. The controls, control panels and backwash pumps associated with the two additional filters were included in the base filter bid. Considering long term costs, the cost to MSD to install the two additional filters and gain additional installed redundancy will only increase over time, therefore, (B&V) recommends Alternative A for the two additional filters to be installed under this project.

Mr. Bisette moved that the Board approve the recommendation of staff to sole-source procure the specified Aqua Aerobics Systems, Inc., AquaDisk System for the replacement of its Final Microscreen process based upon the fact that 1) performance and

price competition are not available among other disk-filter suppliers; and 2) the bulk of this equipment is available from only one source of supply. Staff also recommends the addition of Alternate "A" for the purchase of two additional filters. The total purchase amount is \$5,145,904.52, including \$319,279.52 in refundable State sales tax. Mr. Sobol seconded the motion. Mr. Aceto called for discussion. Mr. Sobol asked if this system will be a bonus to MSD. Mr. McGill stated that this system is the final barrier before the river that works, rather than having a system that has not worked for some time. He further stated that there is recognition from the State that MSD has had trouble with the old system and that it's replacing it with a new system. Mr. Sobol asked what would happen if there is a flood. Mr. Kiviniemi stated that the filters are designed to handle 70 mgd of flow. Mr. Hartye stated that the main bonus of this system is the water quality will be better. With no further discussion, Mr. Aceto called for the question. Roll call vote was as follows: 9 Ayes; 0 Nays. Mr. Kelly was absent during the vote.

10. Old Business:

None

11. New Business:

Mr. Sobol suggested the Board consider discussing what is going on in Washington.

12. Adjournment:

With no further business, Mr. Aceto called for adjournment at 2:58 P.M.

Jackie W. Bryson, Secretary/Treasurer

REPORT OF GENERAL MANAGER

MEMORANDUM

TO: MSD Board
FROM: Thomas E. Hartye, P.E., General Manager
DATE: October 9, 2008
SUBJECT: Report from the General Manager

- Kudos

- Mr. Roy Davis from NCDENR emailed that “early this week I was trying to deal with a private sewer which was blocked and overflowing. The person whose property the sewer crossed did not have the resources to bring in a plumbing contractor. I called Ken Stines to ask for help and he sent out a Vac-Truck to deal with the situation. I really appreciate the help. I just wanted you and hopefully the Board to know that Grady Brooks, Eric Sams and Wayne Rice could not have been more helpful.”
- Received a phone call from Mr. Clarence Williams at 10 Royal Oaks who claimed that over the years he has dealt with many folks at utilities, but none were as professional as Steve Meeks and that MSD is lucky to have such quality people representing them.

- Preventative Maintenance Program

Last year the MSD Preventive Maintenance Crews performed 866,000 feet of main line cleaning and 72,000 feet of root removal. These are “behind the scenes” efforts that play a large part of why the SSO’s have gone down from 289 to 41 over the last eight years. Much thanks to Jason Capizzi, Shaun Meadows, Mitch Hawes, Mike Rice, Ray Lunsford, Anthony England, Greg Patton, Ed Whatham, Allan Knighten, and Lee Plemmons.

- VWIN Program annual publication of results

The annual VWIN report will be available on the side table in the Board room for those interested in a copy.

- Reading

- Raleigh N&O article on Wake projects

- Board/Committee Meetings

The next Regular Board Meeting will be held November 19th at 2pm.

Published: Oct 07, 2008 12:30 AM

Modified: Oct 07, 2008 05:00 AM

Credit problems delay Wake projects

Finance frozen for schools, libraries

MICHAEL BIESECKER, Staff Writer

[Comment on this story](#)

RALEIGH - As stocks plunged Monday, Wake County commissioners learned that the nation's worsening financial crisis will stall several government building projects.

The projects are likely to include the county's new downtown court-house, libraries and some new schools that voters approved two years ago. How long the projects might be delayed depends on how long the economy takes to rebound.

County manager David Cooke told the board that frozen credit markets have rendered it impossible for the county to sell the fixed-rate bonds -- the primary low-interest financial instruments local governments use to borrow money for construction.

"The situation on Wall Street affects every county and city in the nation," Cooke said. "We're going to slow down or delay all debt-financed projects. We're going to call a time out and see what the markets do."

On the advice of financial advisers, Wake canceled the Sept. 23 issuance of \$354.5 million in bonds with fixed interest rates because there were no buyers.

"It's not just a matter of getting the rate you want," said Tim Lee, a lawyer with the firm Womble Carlyle who advises the county on bonds. "It's that all sales are on hold."

The county could still move ahead with the previously planned sale of \$100 million in variable-rate bonds set for Oct. 15, but the volatility in the financial markets is causing interest rates for even AAA-rated borrowers like Wake County to fluctuate wildly.

Bonds that recently allowed the county to pay only 1.7 percent in annual interest have surged as high as 8 percent in the last week, potentially adding tens of millions in finance costs to planned projects.

Adding to the uncertainty, about \$152 million in variable-rate bonds the county has already issued are being handled by Wachovia, the Charlotte-based banking giant in the midst of selling itself to avoid collapse.

Cooke said he needed authority from the elected board to restructure that debt if necessary. In addition, he said, the county staff negotiated a potential deal with Bank of America to borrow up to \$300 million at 2.5 percent interest for 1 year.

The loan would give the county enough money to continue moving forward with construction projects already under way, while also buying time for the financial system to right itself.

"The idea is to make the county more nimble to respond to the market," Lee said.

Heartburn ahead

Some commissioners expressed doubt about borrowing more money in a climate of uncertainty. All told, the county already has about \$1.4 billion in debt.

"My concern is issuing the short-term debt, and then a year from now finding ourselves in a terrible situation," Commissioner Paul Coble said to Cooke. "I don't want to give you a credit card for you to go out and spend [\$300 million]. We're going out in hard financial times and saying we're going to spend. That gives me heartburn."

The board voted 6-0 to let Cooke manage the county's current bonds with Wachovia, but declined to give the manager the authority to issue new debt. Chairman Joe Bryan, a financial consultant with Wachovia, recused himself from the vote.

At a joint meeting with the Wake County school board set for Wednesday, the two elected bodies will discuss the financial crisis, what school projects may be delayed, and the impact on students.

The commissioners will meet again Monday to consider whether to issue more bonds.

Most on the board appeared ready to borrow enough to keep money flowing to projects where ground has already been broken.

The county will honor existing contracts, said Commissioner Tony Gurley: "We're not going to stop paying our bills."

michael.biesecker@newsobserver.com or 919-829-4698

WAKE COUNTY PROJECTS

Wake County officials had planned to borrow \$454.5 million for construction projects and land purchases. Here's where the money would go:

Schools \$370 million

Libraries \$9.5 million

Open Space preservation \$25 million

Wake Tech \$50 million

SOURCE: WAKE COUNTY

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REPORT OF COMMITTEES

**RIGHT OF WAY
COMMITTEE RECOMMENDATIONS
AND MINUTES
September 24, 2008**

I. Call To Order

The regular monthly meeting of the Right of Way Committee was held in the Boardroom of the William H. Mull Building and called to order at approximately 9:00 a.m. on Wednesday, September 24, 2008. The following Right of Way Committee members were present: Glenn Kelly, Jackie Bryson, Jon Creighton and Mike Sobol.

Others present were: Max Haner, Board member; Tom Hartye, Angel Banks, Ed Bradford, Mike Stamey, Shaun Armistead, Wesley Banner, Scott Powell and Sondra Honeycutt, M.S.D.

II. Inquiry as to Conflict of Interest

Mr. Kelly inquired if anyone had a conflict of interest with Agenda items. There was none.

**III. Consideration of Compensation Budget – Charland Forest GSR,
Project No. 2006130**

The attached Compensation Budget is based on current ad valorem tax values and follows the MSD approved formula.

STAFF RECOMMENDATION: Approval of Compensation Budget.

Ms. Banks explained the location of the above. There was no discussion. Mr. Kelly made the motion to accept Staff's recommendation. Mrs. Bryson seconded the motion. Voice vote was unanimous.

COMMITTEE RECOMMENDATION: Approval of Compensation Budget.

**IV. Consideration of Compensation Budget – US 70 @ Neil Price Avenue Phase II,
Project No. 2005098**

The attached Compensation Budget is based on current ad valorem tax values and follows the MSD approved formula.

STAFF RECOMMENDATION: Approval of Compensation Budget.

Ms. Banks explained the location. There was discussion regarding this project in relation to prior projects in this area. Mr. Sobol made the motion to accept Staff's recommendation. Mrs. Bryson seconded the motion. Voice vote was unanimous.

COMMITTEE RECOMMENDATION: Approval of Compensation Budget.

**V. Consideration of Condemnation – Heywood Road Interceptor Phase II,
Project No. 2004251**

PIN No. 9654.09-15-1923 – The property owners are requesting that MSD purchase the entire permanent easement corridor rather than granting an easement. The proposed alignment of the sewer is slightly out of the alignment of the existing sewer which carries a recorded 16' permanent easement which overlaps into the new proposed 20' permanent easement. The property owner is requesting that MSD purchase the portions of overlapping recorded easement areas in addition to the new proposed permanent easement areas. MSD is offering the property owners \$7,624 for the new easement areas on their property. The property owners have not provided an exact dollar amount for the easement area proposed, but they are requesting MSD purchase said easement based on current market values of surrounding parcels along the Hendersonville Road/Heywood Road corridor.

Despite several contacts and a meeting on site, the property owners are still insisting that MSD purchase the easement corridor at current market value which historically has not been MSD's policy.

Total Contacts: 10

STAFF RECOMMENDATION: Authority to obtain appraisal and proceed with condemnation.

Ms. Banks explained the location and issues with the above property owner. Mr. Kelly inquired if anyone had any questions regarding this matter. There was no discussion. Mr. Kelly made the motion to accept Staff's recommendation. Mrs. Bryson seconded the motion. Voice vote was unanimous.

COMMITTEE RECOMMENDATION: Authority to obtain appraisal and proceed with condemnation.

There being no further business the meeting adjourned at approximately 9:05 am.

CONSOLIDATED MOTION AGENDA

Metropolitan Sewerage District of Buncombe County Board Action Item - Right-of-Way Committee

COMMITTEE MEETING DATE: 9/24/2008 BOARD MEETING DATE: 10/15/2008

SUBMITTED BY: Tom Hartye, PE, General Manager
 PREPARED BY: Angel Banks, Right of Way Manager
 REVIEWED BY: Ed Bradford, PE, Director of CIP

**SUBJECT: Consideration of Compensation Budget – Charland Forest GSR,
 Project No. 2006130**

The attached Compensation Budget is based on current ad valorem tax values and follows the MSD approved formula.

STAFF RECOMMENDATION: Approval of Compensation Budget.

Ms. Banks explained the location of the above. There was no discussion. Mr. Kelly made the motion to accept Staff's recommendation. Mrs. Bryson seconded the motion. Voice vote was unanimous.

COMMITTEE RECOMMENDATION: Approval of Compensation Budget.

COMMITTEE ACTION TAKEN	
Motion by: Glenn Kelly	To: <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by: Jackie Bryson	<input type="checkbox"/> Table <input type="checkbox"/> Send back to Staff
<input type="checkbox"/> Other	
BOARD ACTION TAKEN	
Motion by:	To: <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by:	<input type="checkbox"/> Table <input type="checkbox"/> Send back to Staff
<input type="checkbox"/> Other	

Charland Forest GSR

Project Number 2006130

Compensation Budget

05-Sep-08

Pin Number and Name	Acres	Parcel SF	Land Value	LV/SF	PE	PE Assd. Value	50% PE Assd. Value	TCE SF	TCE Assd.	10% Annl Return	Proj Time (Months)	TCE Rent Value	Total Comp. (Rounded)
966710355133	0.35	15,246.00	\$30,600.00	\$2.01	3,294.91	\$6,622.77	\$3,311.38	3,363.15	\$6,759.93	\$675.99	6	\$338.00	\$3,649
966710355467	2.81	122,403.60	\$181,400.00	\$1.48	5,736.92	\$8,490.64	\$4,245.32	11,916.94	\$17,637.07	\$1,763.71	6	\$881.85	\$5,127
966710351977	1.39	60,548.40	\$228,900.00	\$3.78	107.00	\$404.46	\$202.23	1,152.51	\$4,356.49	\$435.65	6	\$217.82	\$420
966714346930	1.01	43,995.60	\$34,300.00	\$0.78	4,521.03	\$3,526.40	\$1,763.20	7,687.93	\$5,996.59	\$599.66	6	\$299.83	\$2,063
966714348751	0.91	39,639.60	\$31,000.00	\$0.78	724.62	\$565.20	\$282.60	2,836.29	\$2,212.31	\$221.23	6	\$110.62	\$393
966714340965	0.52	22,651.20	\$31,800.00	\$1.40	1,352.14	\$1,893.00	\$946.50	2,107.62	\$2,950.67	\$295.07	6	\$147.53	\$1,094
966714347661	0.53	23,086.80	\$32,400.00	\$1.40	0.00	\$0.00	\$0.00	1,747.79	\$2,446.91	\$244.69	6	\$122.35	\$122
966710355214	0.38	16,552.80	\$4,000.00	\$0.24	2,942.99	\$706.32	\$353.16	4,472.21	\$1,073.33	\$107.33	6	\$53.67	\$407
966710353198	0.70	30,492.00	\$32,600.00	\$1.07	2,468.65	\$2,641.46	\$1,320.73	3,407.35	\$3,645.86	\$364.59	6	\$182.29	\$1,503
966714246995	1.45	63,162.00	\$46,200.00	\$0.73	303.48	\$221.54	\$110.77	451.45	\$329.56	\$32.96	6	\$16.48	\$127

TOTALS:	\$14,906
Staff Contingency:	\$10,000
GM's Contingency	\$10,000
Amendment	
Total Budget:	\$34,906

PINS 9667.14-34-8751 and 9667.14-34-7661 belong to Homeowner's Associations. Tax Assessor does not assign values to Homeowner's Associations. Figures provided are estimates based on surrounding properties.

Metropolitan Sewerage District of Buncombe County

Board Action Item - Right-of-Way Committee

COMMITTEE MEETING DATE: 9/24/2008

BOARD MEETING DATE: 10/15/2008

SUBMITTED BY: Tom Hartye, PE, General Manager
 PREPARED BY: Angel Banks, Right of Way Manager
 REVIEWED BY: Ed Bradford, PE, Director of CIP

**SUBJECT: Consideration of Compensation Budget – US 70 @ Neil Price Avenue Phase II,
 Project No. 2005098**

The attached Compensation Budget is based on current ad valorem tax values and follows the MSD approved formula.

STAFF RECOMMENDATION: Approval of Compensation Budget.

Ms. Banks explained the location. There was discussion regarding this project in relation to prior projects in this area. Mr. Sobol made the motion to accept Staff's recommendation. Mrs. Bryson seconded the motion. Voice vote was unanimous.

COMMITTEE RECOMMENDATION: Approval of Compensation Budget.

COMMITTEE ACTION TAKEN	
Motion by: Mike Sobol	To: <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by: Jackie Bryson	<input type="checkbox"/> Table <input type="checkbox"/> Send back to Staff
<input type="checkbox"/> Other	
BOARD ACTION TAKEN	
Motion by:	To: <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by:	<input type="checkbox"/> Table <input type="checkbox"/> Send back to Staff
<input type="checkbox"/> Other	

US 70 @ Neil Price Avenue Phase II

Project Number 2005098

Compensation Budget

05-Sep-08

Pin Number and Name	Acres	Parcel SF	Land Value	LV/SF	PE	PE Assd. Value	50% PE Assd. Value	TCE SF	TCE Assd. Value	10% Annl Return	Proj Time (Months)	TCE Rent Value	Total Comp. (Rounded)
060917117791	73.04	3,181,622.40	\$2,410,300.00	\$0.76	9,669.75	\$7,349.01	\$3,674.51	14,483.74	\$11,007.64	\$1,100.76	5	\$458.65	\$4,133
060917122332	2.55	111,078.00	\$154,700.00	\$1.39	2,197.95	\$3,055.15	\$1,527.58	0.00	\$0.00	\$0.00	5	\$0.00	\$1,528
060917028081	1.91	83,199.60	\$175,000.00	\$2.10	2,123.50	\$4,459.35	\$2,229.68	0.00	\$0.00	\$0.00	5	\$0.00	\$2,230
TOTALS:												\$7,890	
Staff Contingency:												\$5,000	
GM's Contingency												\$5,000	
Amendment													
Total Budget:												\$17,890	

Metropolitan Sewerage District of Buncombe County Board Action Item - Right-of-Way Committee

COMMITTEE MEETING DATE: 9/24/2008

BOARD MEETING DATE: 10/15/2008

SUBMITTED BY: Tom Hartye, PE, General Manager
PREPARED BY: Angel Banks, Right of Way Manager
REVIEWED BY: Ed Bradford, PE, Director of CIP

**SUBJECT: Consideration of Condemnation – Heywood Road Interceptor Phase II,
Project No. 2004251**

PIN No. 9654.09-15-1923 – The property owners are requesting that MSD purchase the entire permanent easement corridor rather than granting an easement. The proposed alignment of the sewer is slightly out of the alignment of the existing sewer which carries a recorded 16’ permanent easement which overlaps into the new proposed 20’ permanent easement. The property owner is requesting that MSD purchase the portions of overlapping recorded easement areas in addition to the new proposed permanent easement areas. MSD is offering the property owners \$7,624 for the new easement areas on their property. The property owners have not provided an exact dollar amount for the easement area proposed, but they are requesting MSD purchase said easement based on current market values of surrounding parcels along the Hendersonville Road/Heywood Road corridor.

Despite several contacts and a meeting on site, the property owners are still insisting that MSD purchase the easement corridor at current market value which historically has not been MSD’s policy.

Total Contacts: 10

STAFF RECOMMENDATION: Authority to obtain appraisal and proceed with condemnation.

Ms. Banks explained the location and issues with the above property owner. Mr. Kelly inquired if anyone had any questions regarding this matter. There was no discussion. Mr. Kelly made the motion to accept Staff’s recommendation. Mrs. Bryson seconded the motion. Voice vote was unanimous.

COMMITTEE RECOMMENDATION: Authority to obtain appraisal and proceed with condemnation.

COMMITTEE ACTION TAKEN	
Motion by: Glenn Kelly	To: <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by: Jackie Bryson	<input type="checkbox"/> Table <input type="checkbox"/> Send back to Staff
<input type="checkbox"/> Other	
BOARD ACTION TAKEN	
Motion by:	To: <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by:	<input type="checkbox"/> Table <input type="checkbox"/> Send back to Staff
<input type="checkbox"/> Other	

Metropolitan Sewerage District of Buncombe County

Board Action Item

BOARD MEETING DATE: October 15, 2008

SUBMITTED BY: Thomas Hartye, P.E., General Manager

PREPARED BY: Kevin Johnson, David Monteith

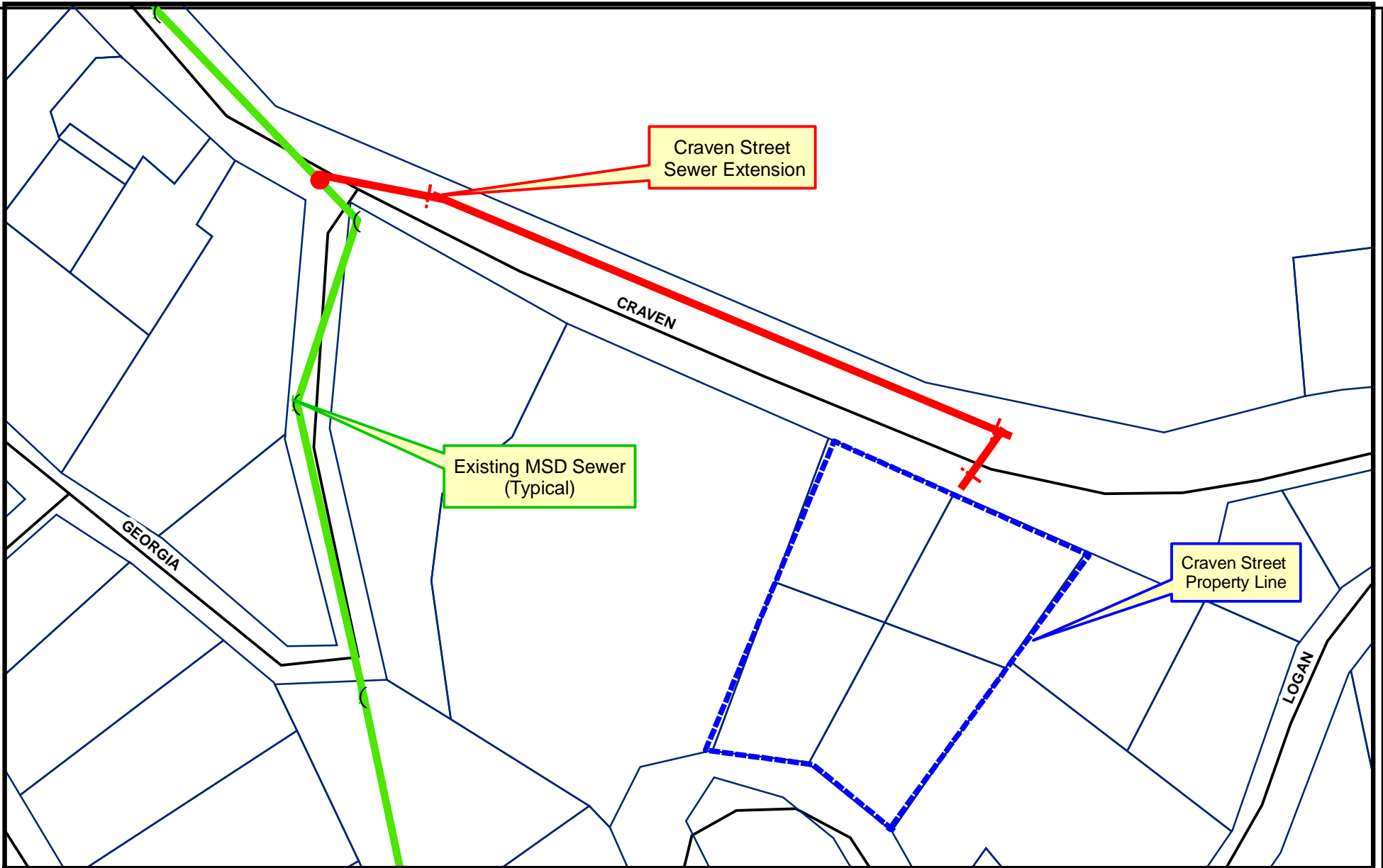
REVIEWED BY: Stan Boyd, PE, Engineering Director

SUBJECT: Acceptance of Developer Constructed Sewer System
Craven Street.

BACKGROUND: This project is located inside the District boundary off Haywood Road in Asheville, North Carolina. The developer of the project is Mountain Realty Builders, LLC (James E. Hunter). The project included the installation of approximately 382 linear feet of 8" gravity sewer extension to serve a residential development. A wastewater allocation was issued in the amount of 3,600 GPD for the project. The estimated cost of the sewer extension is \$ 37,000.00.

STAFF RECOMMENDATION: Acceptance of developer constructed sewer system.
(All MSD requirements have been met)

COMMITTEE ACTION TAKEN	
Motion by :	To: <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by:	<input type="checkbox"/> Table <input type="checkbox"/> Send back to staff
<input type="checkbox"/> Other:	
BOARD ACTION TAKEN	
Motion by	To: <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by:	<input type="checkbox"/> Table <input type="checkbox"/> Send back to staff
<input type="checkbox"/> Other:	



Project #2007098

Not To Scale



METROPOLITAN SEWERAGE DISTRICT
of
BUNCOMBE COUNTY, NORTH CAROLINA

**Craven Street
Sewer Extension**

Metropolitan Sewerage District of Buncombe County

Board Action Item

BOARD MEETING DATE: October 15, 2008

SUBMITTED BY: Thomas Hartye, P.E., General Manager

PREPARED BY: Kevin Johnson, David Monteith

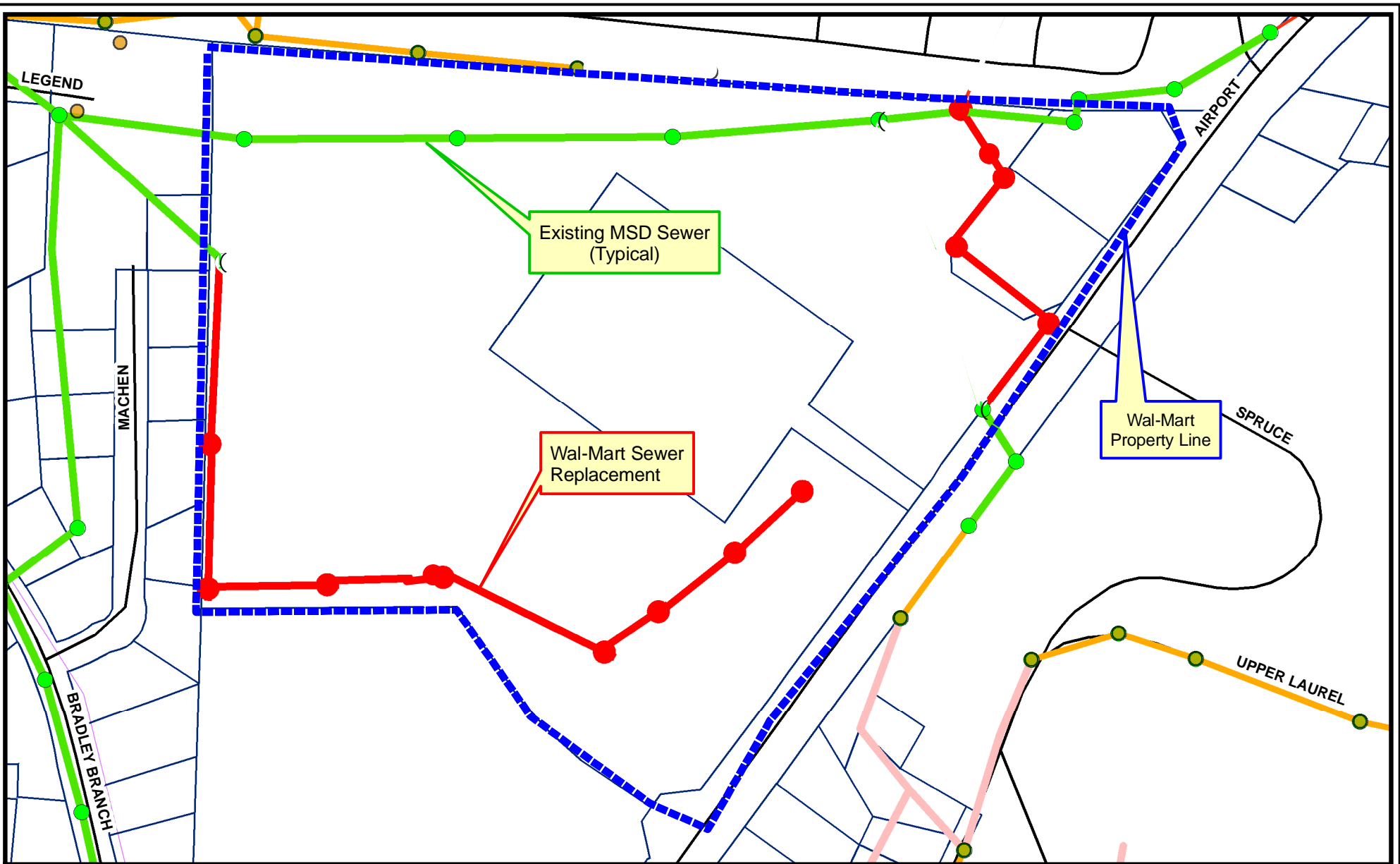
REVIEWED BY: Stan Boyd, PE, Engineering Director

SUBJECT: Acceptance of Developer Constructed Sewer System
Wal-Mart Airport Road.

BACKGROUND: This project is located inside the District boundary off Airport Road in Asheville, North Carolina. The developer of the project is Wal-Mart Stores East. The project included the relocation of approximately 2,624 linear feet of 8" gravity sewer to serve a commercial development. A wastewater allocation was issued in the amount of 11,250 GPD for the project. The estimated cost of the sewer extension is \$ 134,000.00.

STAFF RECOMMENDATION: Acceptance of developer constructed sewer system.
(All MSD requirements have been met)

COMMITTEE ACTION TAKEN	
Motion by :	To: <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by:	<input type="checkbox"/> Table <input type="checkbox"/> Send back to staff
<input type="checkbox"/> Other:	
BOARD ACTION TAKEN	
Motion by	To: <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by:	<input type="checkbox"/> Table <input type="checkbox"/> Send back to staff
<input type="checkbox"/> Other:	



Project #2006144

Not To Scale



METROPOLITAN SEWERAGE DISTRICT
of
BUNCOMBE COUNTY, NORTH CAROLINA
WAL-MART AIRPORT ROAD
Sewer Replacement

Metropolitan Sewerage District of Buncombe County

Board Action Item

BOARD MEETING DATE: October 15, 2008

SUBMITTED BY: Thomas Hartye, P.E., General Manager

PREPARED BY: Kevin Johnson, David Monteith

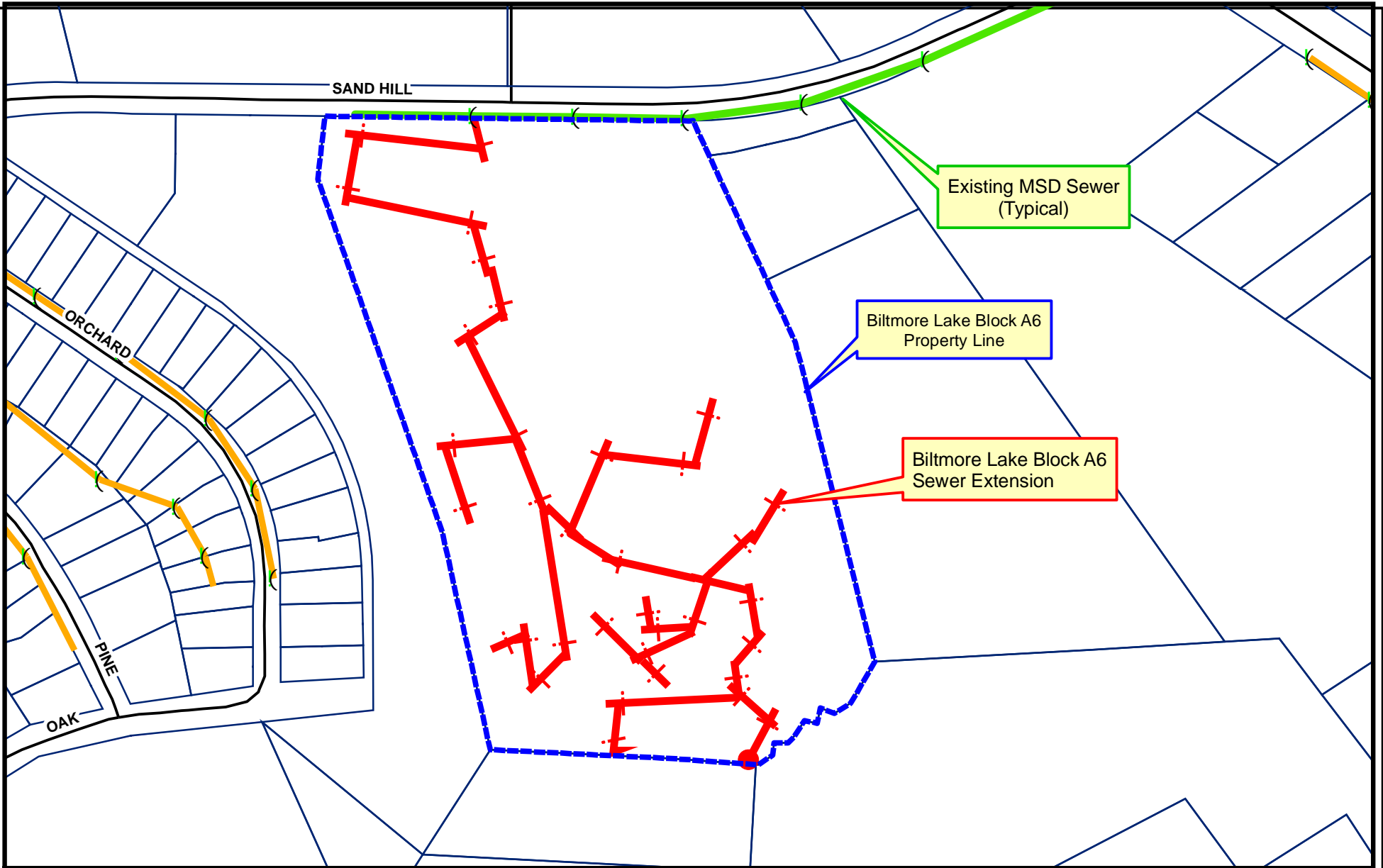
REVIEWED BY: Stan Boyd, PE, Engineering Director

SUBJECT: Acceptance of Developer Constructed Sewer System
Biltmore Lake Block A6

BACKGROUND: This project is located inside the District boundary off Sandhill Road in Buncombe County, North Carolina. The developer of the project is Biltmore Lake, LLC. The project included the installation of approximately 6635 linear feet of 8" gravity sewer extension to serve a residential development. A wastewater allocation was issued in the amount of 24,000 GPD for the project. The estimated cost of the sewer extension is \$581,936.50.

STAFF RECOMMENDATION: Acceptance of developer constructed sewer system.
(All MSD requirements have been met)

COMMITTEE ACTION TAKEN	
Motion by :	To: <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by:	<input type="checkbox"/> Table <input type="checkbox"/> Send back to staff
<input type="checkbox"/> Other:	
BOARD ACTION TAKEN	
Motion by	To: <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by:	<input type="checkbox"/> Table <input type="checkbox"/> Send back to staff
<input type="checkbox"/> Other:	



Project #2006227

Not To Scale



METROPOLITAN SEWERAGE DISTRICT
of
BUNCOMBE COUNTY, NORTH CAROLINA

BILTMORE LAKE BLOCK A6
Sewer Extension

Metropolitan Sewerage District of Buncombe County

Board Action Item

BOARD MEETING DATE: October 15, 2008

SUBMITTED BY: Thomas Hartye, P.E., General Manager

PREPARED BY: Kevin Johnson, David Monteith

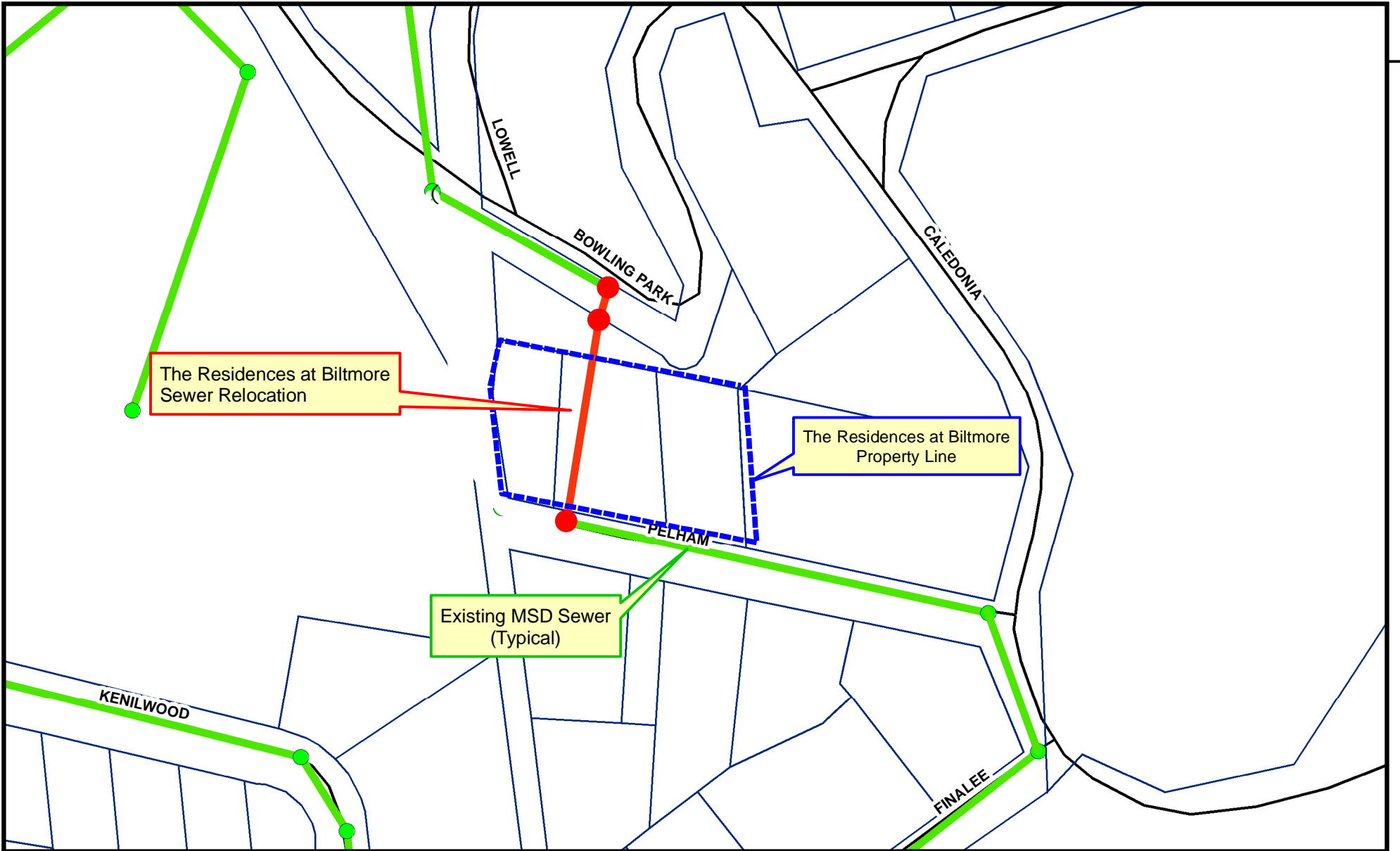
REVIEWED BY: Stan Boyd, PE, Engineering Director

SUBJECT: Acceptance of Developer Constructed Sewer System
The Residences at Biltmore.

BACKGROUND: This project is located inside the District boundary off Bowling Park Road in Asheville, North Carolina. The developer of the project is Power Development, LLC. The project included the relocation of approximately 277 linear feet of 8" gravity sewer which serves an existing residential development. A wastewater allocation was not issued since there was no new or additional flow. The estimated cost of the sewer extension is \$ 36,050.00.

STAFF RECOMMENDATION: Acceptance of developer constructed sewer system.
(All MSD requirements have been met)

COMMITTEE ACTION TAKEN	
Motion by :	To: <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by:	<input type="checkbox"/> Table <input type="checkbox"/> Send back to staff
<input type="checkbox"/> Other:	
BOARD ACTION TAKEN	
Motion by	To: <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by:	<input type="checkbox"/> Table <input type="checkbox"/> Send back to staff
<input type="checkbox"/> Other:	



Project #2006162

Not To Scale



METROPOLITAN SEWERAGE DISTRICT
of
BUNCOMBE COUNTY, NORTH CAROLINA

THE RESIDENCES AT BILTMORE
Sewer Relocation

Metropolitan Sewerage District of Buncombe County

BOARD ACTION ITEM

Meeting Date: October 15, 2008

Submitted By: Thomas E. Hartye, PE., General Manager

Prepared By: W. Scott Powell, Director of Finance

Reviewed By: Billy Clarke, District Counsel

Subject: Adoption of Identity Theft Prevention Program/Red Flag Rules

Background

New Federal Trade Commission (FTC) rules require all utilities to adopt an identity theft prevention program by November 1, 2008. The written Program must encompass procedures to identify, detect, and respond to possible signals of identity theft known as Red Flags. Under the FTC rules, Red Flags means "a pattern, practice, or specific activity that indicates the possible existence of identity theft." The FTC expects any Identity Theft Prevention Program to be approved by the governing body and that senior management be involved in the oversight, implementation and administration of the program, including employee training and appropriate oversight with regard to service provider arrangements.

Implementation will include development of a Security of Identifying Information and Breach Response Plan, which will not be a public document to maintain confidentiality of the specific techniques to avoid any deliberate avoidance or circumvention of control procedures specified therein.

Fiscal Impact

Minimal incremental cost for administration and employee training. However, in the event of material noncompliance with FTC rules, the Authority could be subject to significant monetary consequences including civil penalties, damages, and attorneys' fees.

Staff Recommendation

Staff recommends that the Board adopt the proposed Identity Theft Prevention Program Policy.

Action Taken

Motion by:

Second by:

Other:

Follow-up required:

Person responsible:

to

Approve

Table

Disapprove

Send to Committee

Deadline:

Metropolitan Sewerage District of Buncombe County Administrative Policy

Policy: Security of Identifying Information and Breach
Response Plan

Section: Administrative

Prepared By: W. Scott Powell

Approved By: Billy Clarke, Attorney

Effective Date: 11/1/08

Page: 1 of 10

DRAFT

SECTION 1. Purpose

Rules adopted by the Federal Trade Commission (“FTC”) under the Fair and Accurate Credit Transactions Act of 2003 require the District to adopt a policy to protect individuals and businesses who do business with the District from identity theft. The FTC rules regarding identity theft are set forth at 16 Code of Federal Regulations, Part 681.2 *et seq.* In addition, the District is required under state law to protect individual identifying information. The purpose of this policy is to communicate to District employees and third parties their responsibility for protecting such information, to identify “red flags” regarding the possible or threatened release of such information and to put in place a plan for responding to an unauthorized release of such information.

SECTION 2. Definitions

Identifying Information – Information that is identifying information according to the Act and through contractual obligations related to merchant services (credit card acceptance). The following are specifically identified as identifying information:

1. Social security and employer taxpayer identification numbers
2. National and international identification
3. Drivers license, State identification card, or passport numbers
4. Credit card and debit card numbers
5. Savings and checking account numbers
6. Personal Identification (PIN) Codes and passwords
7. Electronic identification numbers, electronic mail names or addresses, internet account numbers, or internet identification names
8. Customer credit information (credit history, pay arrangements, and financial transactions)
9. Parent’s legal surname prior to marriage
10. Any other numbers or information that can be used to access a person’s financial resources.
11. Digital signatures
12. Biometric data
13. A person’s first name or first initial and last name in combination with identifying information

Security Breach – A breach is considered to have taken place if any identifying information has been stolen, viewed, copied or otherwise released by an unauthorized person. Access and use of identifying information by an

employee or an agent of the District for a legitimate purpose is not a Security Breach.

SECTION 3. Responsibilities of Departments

- 3.1 Each department will develop and maintain a standard procedure to provide staff with specific guidance on the protection of identifying information applicable to the department. Departmental procedures will supplement, but not supersede this policy or applicable laws.
- 3.2 Each department will ensure that service providers who are in contact with identifying information are aware of security requirements, as well as the need for confidentiality, through proper contractual agreements and arrangements.
- 3.3 Department heads are responsible for determining which employees are authorized to access and handle identifying information and the department head must ensure that the authorized employees are trained to handle such information in accordance with this policy.
- 3.4 All employees who manage and work with identifying information are required to read and sign the Identifying Information User Agreement which will be maintained in the employee's personnel file.
- 3.5 All third party contractors who may have access to identifying information are required to read and sign the Identifying Information Service Agreement which will be maintained with the contract.

SECTION 4. Managing, maintaining, and storing identifying information

- 4.1 Employees who have access to identifying information are required to create, handle, maintain, and dispose of such information with prudent care in order to ensure proper security. Access to identifying information will be limited and only provided in order for authorized employees and contractual third parties to perform essential tasks for Districts business.

4.2 The following procedures should be followed while creating, handling, maintaining, storing, and disposing of indentifying information.

1. Enter information directly to a final destination (i.e. computer system) and refrain from documenting the information in other areas.
2. If indentifying information is written on paper for reference, shred immediately upon recording the information in the final destination.
3. Electronic payment data should be handled by authorized personnel and only the last 4 digits of the customer's credit or debit account number should be visible on reports.
4. Indentifying information should not be included in unencrypted e-mails.
5. Indentifying information should not be included on printed reports except as required for the performance of essential tasks.
6. Maintain documents that contain indentifying information in a secured room and limit access to the area.
7. Encryption, password access or similar technology shall be used to secure information in the database or storage system.
8. Employees shall not leave a computer unattended in a manner which could allow indentifying information to be accessed by unauthorized individuals. While away from the computer, log off or lock the workstation.
9. Do not store files with indentifying information on laptops or on flash drives unless the information and the device can be secured and not accessible to unauthorized individuals.
10. Take reasonable measures when destroying indentifying data that will prohibit the information from being read or reconstructed. Documents with indentifying data should be shredded by the individual who has authorized access to the data or by another employee while in the presence of the authorized employee. The District may enter into a written contract with a third party in the business of record destruction to destroy indentifying information in a manner consistent with this policy.

4.3 In order to protect indentifying information, the District will only release indentifying information to the account holder or individual(s) who own the information upon confirmation of personal indentifying information or a valid picture ID. The confirmed account holder or individual may authorize the release of indentifying information to a third party. Confidential information will only be released in accordance with state statute. The only exception

will be the release of specified information pursuant to a court order, warrant, subpoena or other requirement by law.

SECTION 5. Identify Theft Risk

- 5.1 The District has a responsibility to identify potential threats termed by the FTC as “red flags”. Red flags are indicators that identifying information is being misused. This policy in combination with department specific guidelines should help to detect a potential for identify theft and unauthorized use of information.
- 5.2 The following are red flags that have been identified as indicators that indentifying information is being used fraudulently. Red flags are most commonly associated with activity on customer accounts (utilities, taxes, activity registrations, vendors). Other red flags may exist that are unique to a department and should be included in departmental guidelines.
1. The customer or individual provides notice that they are a victim of identify theft
 2. A consumer reporting agency or service provider has provided an alert, notification, or other warning
 3. Unusual number of recent and significant inquiries
 4. Unusual or significant change in recently established credit or financial relationships
 5. Conflicting names on identification and other documentation
 6. Documents provided appear to have been altered or forged
 7. Picture identification is not consistent with the appearance of the individual presenting the identification or the physical description on the identification does not match
 8. Shortly after establishing an account, there is a request to change a mailing address or to add authorized users to the account
 9. Personal identifying information provided is not consistent with other external information sources
 - a. Social security number does not match or is listed on the Social Security Administration’s death master file
 - b. Address does not match or is fictitious, a mail drop, or prison
 - c. The phone number is invalid or associated with a pager or answering service

- d. Authenticating information (i.e. PIN, password) provided is incorrect
 - e. Name on credit card or check does not match name on account or names associated with the account
- a. 5.3 Upon identification of a red flag indicating a potential risk of identify theft; staff should notify their immediate supervisor in person or by telephone to determine the validity of the red flag. Once an identify theft risk is confirmed, staff should respond in accordance with the breach response plan (Section 6).

SECTION 6. Identifying Information Breach Response Plan

6.1 Step 1. Identify that a breach of identifying information has occurred.

Physical Breach - The following are some, but not all, indications that there has been unauthorized access to identifying information via a physical breach.

- a. Evidence of lock tampering on file cabinets or office doors
- b. Evidence of unauthorized entry in an area where identifying information is stored
- c. Missing files or documents that contain identifying information

Technology Breach - The following are some, but not all, indications that there has been unauthorized access to identifying information via a technology breach.

- a. Unknown or unauthorized name in the computer logon window
- b. Disconnected computer cables or power cables
- c. Missing computer equipment (desktop, laptop)
- d. Evidence that electronic files have been accessed by unknown or unauthorized individuals or are missing
- e. Devices or media attached to the computer that are not known or authorized
- f. Unusual programs running, icons, or windows that appear that are not known and are not part of the normal work process
- g. Any other suspicious activity which indicates an attempt to use technology without approval

6.2 Step 2. Notify the appropriate internal and external contacts.

Internal notification – Any District employee who becomes aware of a suspected or actual security breach must notify the immediate supervisor. The immediate supervisor will notify department management who is responsible for further investigation and notification. If the breach involves electronic equipment, the Director of Information Technology should be notified by telephone or in person.

External notification – The District is required to notify affected individuals of actual security breaches. Each suspected breach will be reviewed by the General Manager's office, the department where the breach occurred, law enforcement, and Information Technology, as applicable, to determine the appropriate action that may include some or all of the following:

- a. Notify the affected individuals as soon as practical providing information in general terms about the incident, the type of indentifying information that was subject to the unauthorized access, the actions that the District will take to protect the information from further access, a telephone number that the person may call for further information and assistance, and advice that directs the person to remain vigilant by reviewing account statements and monitoring free credit reports.
- b. Providing affected individuals with information about how to alert credit agencies to potential fraud and identity theft.
- c. Notice to affected individuals may be provided by one or more of the following methods:
 - a. Written notice
 - b. Electronic notice for those individuals for whom the District has a valid email address and who have agreed to receive communications electronically
 - c. Telephonic notice provided the contact is made directly with the affected persons and appropriately documented by the District.
- d. A substitute notice may be given if the District does not have the necessary contact information to notify the individual in any of the aforementioned manners. A substitute notice may include posting a notice on the District's website and notifying major local media.
- e. If a security breach involves more than 1,000 persons, the District will provide written notice of the timing, distribution, and content of the notice to the Consumer Protection Division of the North Carolina Attorney General's Office, as

well as to all consumer reporting agencies that compile and maintain files on consumers on a nationwide basis, as defined in 15 U.S. C. 1681a(p).

- f. Notice may be delayed if law enforcement informs the District that disclosure of the breach would impede a criminal investigation or jeopardize national security. Such request by law enforcement must be documented in writing.

6.3 Step 3. Implement Plan

The General Manager will designate a security breach response team to investigate and handle the breach until such time that the threat has ended and affected individuals and agencies are notified.

Technology Breach Response – The Information Technology department is responsible for the following response upon being notified of a technology security breach by a Department Director or General Manager.

- a. The Information Technology Department will notify computer users that a technology breach has occurred and the breach response plan is being implemented
- b. The Information Technology Department will secure the computer infrastructure as deemed appropriate which may include but is not limited to disconnecting network connections to outside locations, disconnecting servers or any other device on the network until the breach is isolated.
- c. Information Technology Department will preserve evidence that may be needed by law enforcement for investigative purposes

- 6.5 At least annually, the District will review all incidents of potential or actual security breaches and report findings and recommendations to the District Board.

IDENTIFYING INFORMATION USER AGREEMENT

I have read the Security of Identifying Information and Breach Response Plan policy for the Metropolitan Sewerage District of Buncombe County and understand how to properly manage, maintain, store, and dispose of identifying information at the District. I will abide by the policy and will handle identifying information with prudent care in order to ensure proper security of the information.

In the event of a suspected or actual breach of identifying information, I will notify my immediate supervisor without delay and follow the breach response plan.

I understand that negligent handling or inappropriate use of the District identifying information will be subject to disciplinary action up to and including dismissal and may be subject to criminal and or civil prosecution as allowed by law.

I have read, understand, and agree to the conditions above.

Printed Name of Employee: _____

Department/Division: _____

Signature of Employee: _____

Date Signed: _____

IDENTIFYING INFORMATION SERVICE AGREEMENT

I, _____, an authorized representative of _____ (“Company”), hereby acknowledge that I have read and will adhere to the requirements listed below as they apply to the services procured by the Metropolitan Sewerage District of Buncombe County, (“District”).

1. The appointed representative(s) of the Company have read the District’s administrative policy ___ Security of Identifying Information and Breach Response Plan.
2. The Company accepts responsibility for the security of indentifying information in their possession.
3. Data can only be used to complete the service as described by the District for which the Company was engaged to perform.
4. If the Company is providing service that is related to a key function of the District, the Company must assure business continuity in the event of a major disruption, disaster, or failure as provided for by contract.
5. If a security intrusion has been detected, the Company will notify the District immediately. If the Company has placed identifying data on their system and the system has been breached, the Company will allow their system to be thoroughly reviewed at the Company’s expense. This review may be conducted by the District or an appointed representative. In the event the intrusion is related to credit card numbers, the review may be conducted by a Payment Card Industry representative and will validate compliance with Payment Card Industry Security Standards for protecting cardholder data.

Name of Company: _____
Address: _____

Name of Representative: _____
Title: _____
Signature: _____
Date: _____

Metropolitan Sewerage District of Buncombe County

BOARD INFORMATIONAL ITEM

Meeting Date: October 15, 2008
Submitted By: Thomas E. Hartye, PE., General Manager
Prepared By: W. Scott Powell, Director of Finance
Subject: Cash Commitment/Investment Report-Month Ended August 31, 2008

Background

Each month staff presents to the Board an investment report for all monies in bank accounts and specific investment instruments. The total investments as of August 31, 2008 were \$36,918,538. The detailed listing of accounts is available upon request. The average rate of return for all investments is 3.866%. These investments comply with North Carolina General Statutes, Board written investment policies and the District's Bond Order.

The attached investment report represents cash and cash equivalents as of August 31, 2008 does not reflect contractual commitments or encumbrances against said funds. Shown below are the total investments as of August 31, 2008 reduced by contractual commitments, bond funds, and District reserve funds. The balance available for future capital outlay is (\$7,703,361).

Total Cash & Investments as of 08/31/08	36,918,538
Less:	
Budgeted Commitments (Required to pay remaining FY09 budgeted expenditures from unrestricted cash)	
Construction Funds	(17,342,435)
Operations & Maintenance Fund	(11,655,775)
	(28,998,210)
Bond Restricted Funds	
Bond Service (Funds held by trustee):	
Funds in Principal & Interest Accounts	(336,763)
Debt Service Reserve	(5,004,747)
Remaining Principal & Interest Due	(7,129,676)
	(12,471,186)
District Reserve Funds	
Fleet Replacement	(1,055,175)
WWTP Replacement	(720,619)
Maintenance Reserve	(794,868)
	(2,570,662)
Self-Funded Employee Medical	(581,841)
Designated for Capital Outlay	(7,703,361)

Staff Recommendation

None. Information Only.

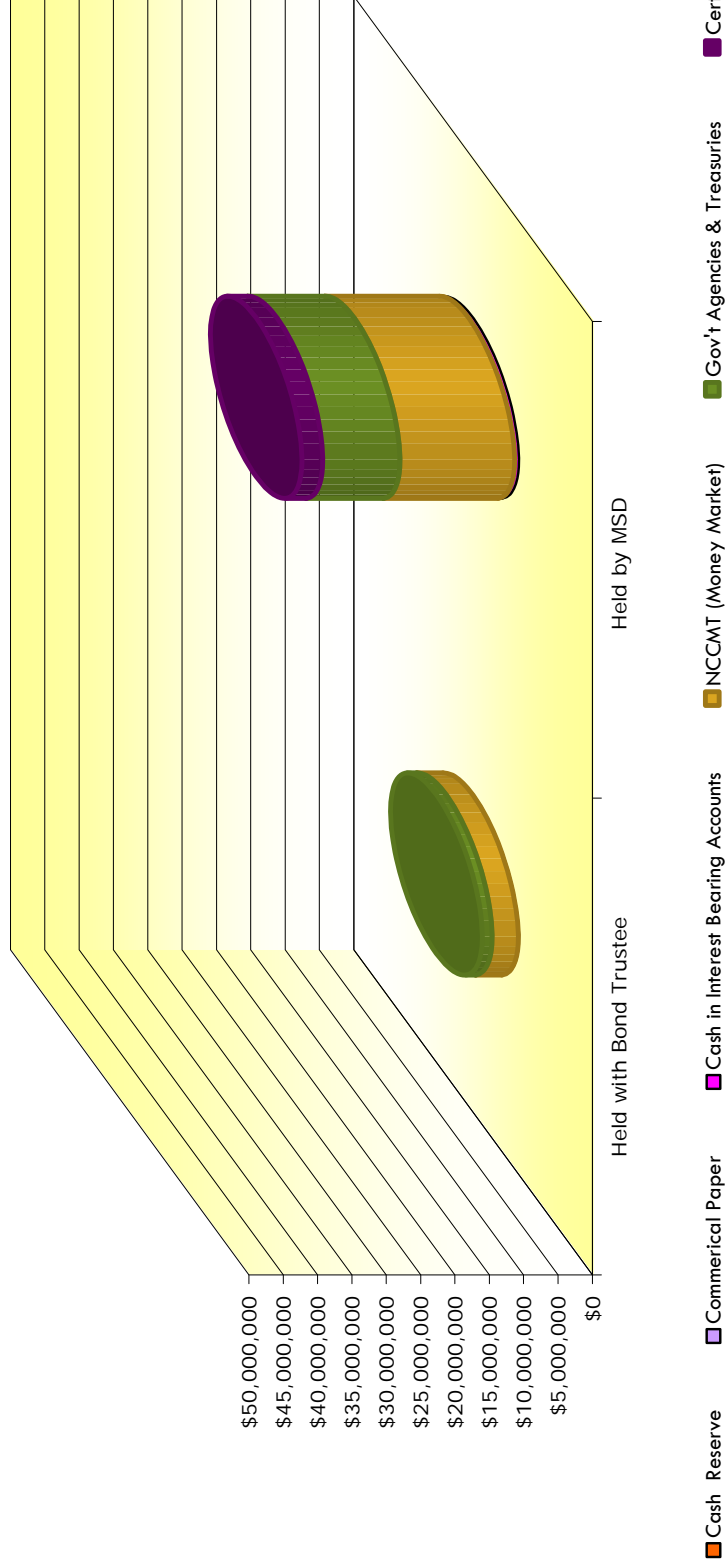
Action Taken

Motion by:	to	Approve Table	Disapprove Send to Committee
Second by:			
Other:			
Follow-up required:			
Person responsible:			Deadline:

Metropolitan Sewerage District of Buncombe County Investment Portfolio

	Cash in Interest Bearing Accounts	NCCMT (Money Market)	Certificate of Deposit	Commercial Paper	Cash Reserve	Gov't Agencies & Treasuries	Total
Held with Bond Trustee	\$ -	\$ 3,836,905		\$	\$ 95,371	\$ 1,409,234	\$ 5,341,510
Held by MSD	641,549	16,688,354	3,000,000	0		11,247,125	31,577,028
	\$ 641,549	\$ 20,525,259	\$ 3,000,000	\$ 0	\$ 95,371	\$ 12,656,359	\$ 36,918,538

**MSD of Buncombe County
Investment Portfolio by Location
As of August 31, 2008**



- Cash Reserve
- Commercial Paper
- Cash in Interest Bearing Accounts
- NCCMT (Money Market)
- Gov't Agencies & Treasuries
- Certificate of Deposit

MSD Investment Managers' Report at August 31, 2008

Summary of Asset Transactions

	Original Cost	Market
Beginning Balance	\$ 29,335,250	\$ 29,396,638
Capital Contributed (Withdrawn)	178,076	178,076
Realized Income	119,550	119,550
Unrealized/Accrued Income	-	(6,382)
Ending Balance	<u>\$ 29,632,876</u>	<u>\$ 29,687,882</u>

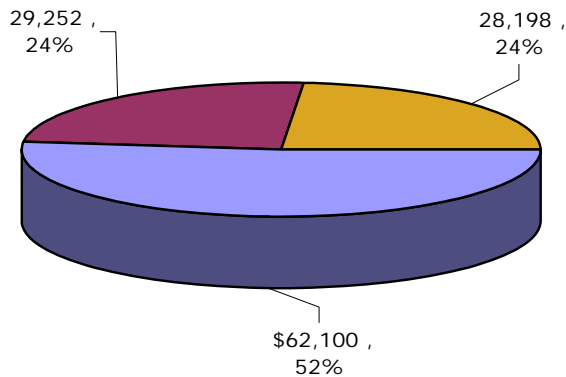
Value and Income by Maturity

	Original Cost	Income
Cash Equivalents <91 Days	\$ 15,392,746	\$ 62,100
Securities 91 to 365 Days	7,250,750	29,252
Securities > 1 Year	6,989,380	28,198
	<u>\$ 29,632,876</u>	<u>\$ 119,550</u>

Month End Portfolio Information

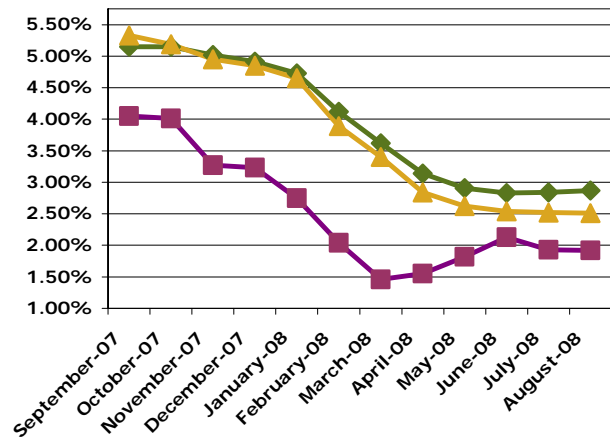
Weighted Average Maturity	235 Days
Yield to Maturity	2.87%
6 Month T-Bill Secondary Market	1.92%
NCCMT Cash Portfolio	2.51%

Metropolitan Sewerage District of Buncombe Co.
Investment Portfolio Income by Maturity
August 31, 2008



■ Cash Equivalents <91 Days
■ Securities 91 to 365 Days
■ Securities > 1 Year

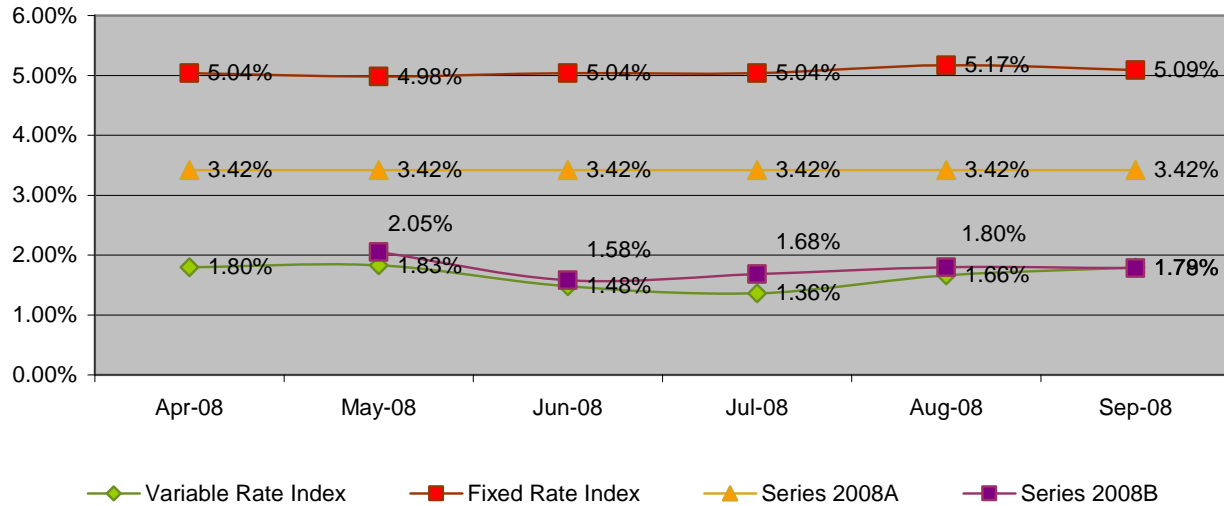
Metropolitan Sewerage District of Buncombe County
Yield Comparison
August 31, 2008



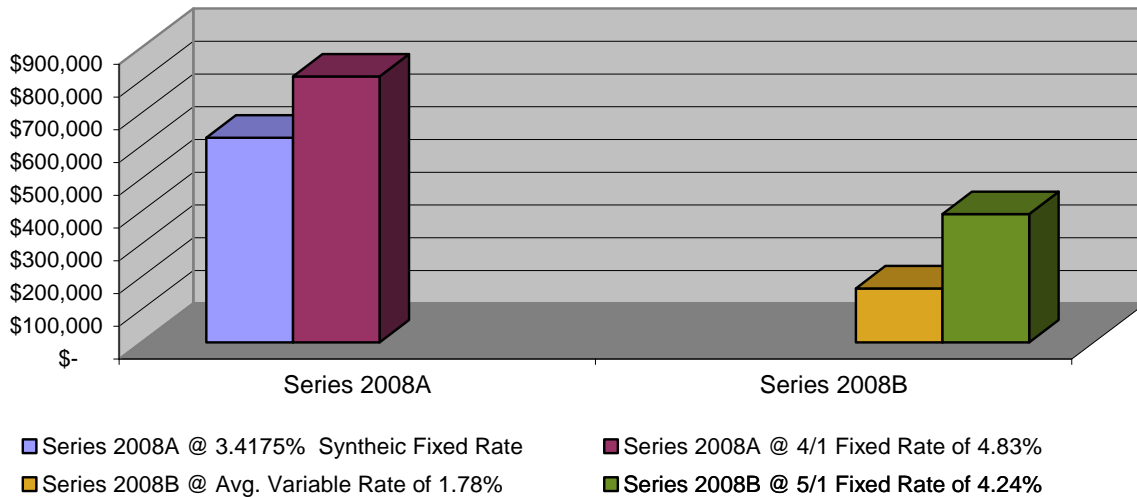
◆ Yield to Maturity
■ 6 Month T-Bill Secondary Market
▲ NCCMT Cash Portfolio

MSD Variable Debt Service Report As of September 31, 2008

Variable & Fixed Rate Market History



Series 2008 A&B Interest Rate Performance



Series 2008A:

Savings to date on the Series 2008A Synthetic Fixed Rate Bonds is \$187,149 as compared to 4/1 fixed rate of 4.83%.

Assuming that the rate on the Series 2008A Bonds continue at the current all-in rate of 3.7175%. MSD will achieve cash savings of \$5,923,374 over the life of the bonds.

MSD would pay \$2,887,286 to terminate the existing Bank of America Swap Agreement.

Series 2008B:

Saving to date on the 2008B Variable Rate Bonds is \$227,192 as compared to 5/1 fixed rate of 4.24%

Since May 1, 2008, the Series 2008B Bonds average variable rate has been 1.78% .

MSD will achieve \$6,319,574 in cash savings over the life of the bonds at the current average variable rate.

MASTER PLAN PRESENTATION

STATUS REPORTS

CAPITAL IMPROVEMENT PROGRAM

STATUS REPORT SUMMARY

Current as of October 8, 2008

PROJECT	AWARD DATE	NOTICE TO PROCEED	*COMPLETION DATE	*CONTRACT AMOUNT	*COMPLETION STATUS (WORK)	COMMENTS
ALTA AVENUE - PRP 34010	8/20/2008	9/4/2008	2/1/2009	\$207,098.00	95%	Mainline and service connections are complete.
DUNWELL AVENUE	5/15/2008	5/29/2008	11/24/2008	\$396,008.00	95%	Mainline construction is complete. Waiting on paving contractor.
EVERGREEN AVENUE	8/20/2008	9/9/2008	1/7/2009	\$18,299.00	0%	Contract was awarded to Terry Brothers Construction Company.
GREELEY STREET	8/20/2008	9/9/2008	1/7/2009	\$44,457.00	0%	Contract was awarded to Terry Brothers Construction Company.
LENOX STREET	8/20/2008	9/4/2008	2/1/2009	\$85,186.00	5%	Clearing has begun.
PENLEY AVENUE	8/20/2008	9/9/2008	1/7/2009	\$31,775.00	0%	Contract was awarded to Terry Brothers Construction Company.
REEMS CREEK INTERCEPTOR	9/17/2008	TBA	TBA	\$3,549,320.00	0%	Contract was awarded to Mendon Pipeline, Inc. Preconstruction meeting is scheduled for October 9, 2008.
REESE ROAD	8/20/2008	9/9/2008	1/7/2009	\$92,892.00	0%	Contract was awarded to Terry Brothers Construction Company.
U.S. 70 @ NEIL PRICE AVENUE PHASE 2 SECTION A	10/3/2008	10/6/2008	10/26/2008	\$42,424.00	40%	This project was bid informally. Terry Brothers Construction Company was awarded the contract. Project has started and is going well.
WRF - GRIT AND GREASE (SCHREIBER REHAB & RETROFIT PROJECT)	3/21/2007	4/1/2007	8/1/2008	\$351,300.00	100%	Project complete and in close out.
WRF - FINAL MICROSCREEN REPLACEMENT PROJECT	9/17/2008	TBA	TBA	TBA	0%	Purchase of AquaDisk system is currently on hold.

*Updated to reflect approved Change Orders and Time Extensions

Planning and Development Projects
Status Report October 7, 2008

Status	Project Name	Project Number	Work Location	Units	LF	Pre-Construction Conference Date	Comments
Complete-Waiting on Final Documents	Ashley Woods Phase 3	1999066	Avery's Creek		2,008	7/14/2005	Complete-Waiting on final documents
	Gene Bradley Subdivision	2004022	Fletcher	9	420	3/3/2005	Complete-Waiting on final documents
	The Ramble Block B Phase 1	2003175	Asheville	380	5,741	1/27/2005	Complete-Pending Board Acceptance
	Craggy View Cottages Phase 3	2004187	Swannanoa	10	193	2/22/2004	Complete-Waiting on final documents
	Franklin Road Sewer Extension	2004020	Swannanoa	1	263	5/26/2005	Complete-Waiting on final documents
	Acton Woods Apartments	2002195	Enka	20	0	1/27/2003	Complete-Waiting on final documents
	Davidson Road Sewer Extension	2004154	Asheville	3	109	12/15/2004	Complete-Waiting on final documents
	Givens Estates	2001143	S. Asheville	116	267	7/16/2003	Complete-Waiting on final documents
	Falconwood Subdivision	2004122	Enka	23	502	12/6/2005	Complete-Waiting on final documents
	Reynolds Mountain Phase IV	1995126	Asheville	37	2,036	7/6/2005	Complete-Waiting on final documents
	Riverbend Urban Village	2004206	Asheville	260	1250	8/29/2006	Complete-Waiting on final documents
	N. Bear Creek Road Subdivision	2005137	Asheville	20	127	7/11/2006	Complete - Waiting on final documents
	Winterberry Subdivision	2005040	Arden	24	847	9/8/2006	Complete - Waiting on final documents
	Woodfin Manor	2003154	Woodfin	60	575	10/11/2006	Complete - Waiting on final documents
	Willowcreek Village Ph.3	2003110	Asheville	26	597	4/21/2006	Complete - Waiting on final documents
	Westmore Subdivision	2003003	West Asheville	92	1163	8/29/2006	Complete - Waiting on final documents
	Rock Hill Road Subdivision	2005153	Asheville	2	277	8/7/2006	Complete - Waiting on final documents
	Ken Higgins	199153	Asheville	-	240	6/15/2007	Complete - Waiting on final documents
	Chapel Park	2007083	Asheville	8	263	10/18/2007	Complete - Waiting on final documents
	Waightstill Mountain Ph-2-A	2003158	Arden	50	5011	10/14/2005	Complete - Waiting on final documents
	Waightstill Mountain Ph.2	2003158	Arden	32	5,011	5/5/2006	Complete - Waiting on final documents
	Waightstill Mountain PH-9	2006026	Arden	80	1878	8/7/2006	Complete - Waiting on final documents
	Jim Beck	2003003	West Asheville	future	75	12/12/2000	Complete - Waiting on final documents
	Lake Julian Trails Ph. 3,4, & 5	2006223	Asheville	74		8/2/2007	Complete - Waiting on final documents
	Hudson Street Cottages	2005147	Asheville	8	141	6/7/2006	Complete- Waiting on final documents
	Reems Creek Townhomes - PH IV	2007279	Weaverville	8	796	12/11/2007	Complete- Waiting on final documents
	Pinebrook Farms	2005169	Weaverville	145	6796	9/8/2006	Complete- Waiting on final documents
	Craven Street Sewer Extension	2007098	Asheville	4	382	12/4/2007	Complete - Waiting on final documents
	Walmart (Airport Rd.)	2006144	Asheville	Comm.	2624	12/4/2007	Complete - Waiting on final documents
	Grandview Phase II	2007036	Asheville	7	352	2/13/2007	Complete - Waiting on final documents
	Biltmore Park Town Square II-1	2007076	Arden	-	967	6/21/2007	Complete - Waiting on final documents
	Biltmore Park Town Square II-3	2007078	Arden	-	527	6/21/2007	Complete - Waiting on final documents
	Montreat-Chapman	2007275	Montreat	5	1096	5/12/2008	Complete - Waiting on final documents
	Holiday Inn	2001068	Asheville	1	474	8/11/2003	Complete - Waiting on final documents
Whitney Heights Off-Site	2006008	Asheville	-	584	2/7/2007	Complete - Waiting on final documents	
Moore Street Sewer Extension	2008047	Weaverville	7	336	4/9/2008	Complete - Waiting on final documents	
Ridgefield Business Park	2004188	Asheville	18	758	2/16/2005	Complete-Waiting on final documents	
			Subtotal	1530	44,686		

Planning and Development Projects
Status Report October 7, 2008

Status	Project Name	Project Number	Work Location	Units	LF	Pre-Construction Conference Date	Comments
Under Construction	Bell Road	2007159	Black Mtn	5	285	11/28/2007	Ready for final inspection
	Crayton Creek Green	2006282	Asheville	10	482	3/15/2007	Ready for final inspection
	Haywood Village	2007172	Asheville	55	749	7/15/2008	testing
	Grove Park Cove Subdivision	2004101	Asheville	14	1122	6/28/2006	Pre-con held ready for construction
	The Settings (6 Acre Outparcel)	2004192	Black Mountain	21	623	3/15/2006	Ready for final inspection
	Northridge Commons	2006198	Weaverville	-	5,826	6/15/2007	testing
	McGinnis Sewer Extension	2004225	Asheville	9	48	5/19/2005	In redesign.
	Falcon Ridge	2004240	Asheville	38	3,279	10/11/2006	testing
	Waightstill Mountain PH-8	2006277	Arden	66	3,387	7/26/2007	testing
	Artisan Park	1998125	West Asheville	133	4,529	4/26/2001	Changed Engineer - work to restart soon
	Byrd Street Condos	2007085	Asheville	14	300	7/31/2007	Ready for final inspection
	Scenic View	2006194	Asheville	48	534	11/15/2006	Ready for final inspection
	Reynolds Road Townhomes	2004178	Asheville	22	564	2/21/2007	Complete
	Asheville Rental Commercial Ctr.	2006286	Asheville	Comm.	331	8/22/2007	Punchlist Pending
	Ingles	2007214	Black Mtn.	Comm.	594	3/4/2008	Ready for final inspection
	Bartram's Walk	2007065	Asheville	100	10,077	7/28/2008	Installing
	New Bridge Commons	2008070	Woodfin	Comm.	192	8/26/2008	testing
	Creekside Village	2007138	Weaverville	295	1,265	8/21/2008	Installing
	Morgan Property	2008007	Candler	10	1,721	8/11/2008	Pre-con held, ready for construction
	Village at Bradley Branch - Ph. III	2008076	Asheville	44	783	8/8/2008	Installing
	Versant Phase I	2007008	Woodfin	64	12,837	2/14/2007	Ready for final inspection
	Canoe Landing	2007137	Woodfin	4	303	5/12/2008	Ready for construction
	Central Valley	2006166	Black Mtn	12	472	8/8/2007	Punchlist pending
	Biltmore Park Town Square II-2	2007077	Arden	-	1,331	6/21/2007	Ready for final inspection
	Bitmore Park Town Square II-4	2007079	Arden	-	481	6/21/2007	Ready for final inspection
	Haw Creek Tract	2006267	Asheville	49	1,817	10/16/2007	Ready for final inspection
	Hominy Valley Center	2005010	Candler	5	433	8/9/2005	Punchlist pending
	Kenilworth Cottages	2008031	Asheville	11	177	5/12/2008	Ready for construction
	CVS-Acton Circle	2005163	Asheville	4	557	5/3/2006	Ready for final inspection
	Hamburg Mountain Phase 3	2004086	Weaverville	13	844	11/10/2005	Ready for final inspection
	UNCA New Science Building	2005039	Asheville	5	538	10/28/2005	Ready for final inspection
	Bostic Place Sewer Relocation	2005102	Asheville	3	88	8/25/2005	Ready for final inspection
	Kyfields	2003100	Weaverville	35	1,118	5/10/2004	Ready for final inspection
Brotherton Co-Housing	1999162	West Asheville	32	152	1/24/2003	Ready for final inspection	
Teems Road Subdivision	2007143	Asheville	40	1,308	5/27/2008	Ready for construction	
Thom's Estate	2006309	Asheville	40	3,422	1/24/2008	testing	
Thom's Estate - Phase II	2008071	Asheville	40	3,701	6/10/2008	Installing	
Carolina Day School	2007090	Asheville	1	1,827	3/10/2008	Pre-con held, ready for construction	
The Cottages on Liberty Green	2007297	Asheville	7	124	5/30/2008	Ready for construction	
MWB Sewer Extension	2008046	Asheville	Comm.	285	5/12/2008	Ready for construction	
Buncombe County Animal Shelter	2007216	Asheville	Comm.	78	5/1/2008	Ready for final inspection	

Planning and Development Projects
Status Report October 7, 2008

Status	Project Name	Project Number	Work Location	Units	LF	Pre-Construction Conference Date	Comments
	Skyland Apartments	2007117	Arden	63	96	4/23/2008	Ready for construction
	Leicester Village Townhomes	2007291	Weaverville	56	427	4/15/2008	Ready for construction
	Reynolds Village Phase V	2006250	Woodfin	Comm.	4,786	4/3/2008	Ready for final inspection
	Baird Mountain Park	2008035	Woodfin	28	1,413	9/12/2008	Permit Issued, ready for pre-con
	Oak Crest Drive	2008138	Asheville	5	290	9/30/2008	Permit Issued, ready for pre-con
	Biltmore Lake Block D2	2006228	Asheville	103	2,600	6/13/2008`	Pre-con held, ready for construction
	Oak Crest Place	2004056	West Asheville	27	791	12/3/2004	Ready for final inspection
	Subtotal			3248	138,569		
	Total Units:			4,778			
	Total LF:				183,255		