

**METROPOLITAN SEWERAGE DISTRICT BOARD****JANUARY 19, 1988****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 p.m. on Tuesday, January 19, 1988. Vice-Chairman Williams called the meeting to order at 2:00 p.m.

Vice-Chairman Williams and the following members were present: Aceto, Boggs, Dent, Dyson, Edwards, Ivey, Pope, and Waddey. Others present were: W. H. Mull, P.E., Engineer-Manager, John Stevens and Walter Currie, General Counsel, Bill Morris, Dean Huber and Dr. Lloyd Robinson, representatives of the Consulting Engineers, and Michael Petelle representing the League of Women Voters.

**2. MINUTES OF DECEMBER 8, 1987:**

Mr. Dent moved that the Board minutes of December 8, 1987 be approved as written. Mrs. Pope seconded the motion, and voice vote was unanimous in favor of the motion.

**3. REPORT OF ENGINEER-MANAGER:****a. Status of Phase III Plant Expansion Contracts:**

Mr. Mull reported that the District received a letter from the State regarding the proposed no-cost change order with King Electric Company. Mr. Mull reviewed the Project Status Report submitted by Hendon Engineering Associates, Inc., for Phase III of the Main Plant Expansion. Both contractors have signed and submitted their contracts and performance and payment bonds for the Board's action. If the contracts are approved, then the State sees no problem in MSD issuing Notices to Proceed to each contractor specifying February 15, 1988, as the beginning date of the two-year construction period. The State has reviewed and approved the Cost Summary and Project Review.

At this time Mr. Mull turned the floor over to Mr. Walter Currie, General Counsel, to discuss with the Board the negotiations the District had with these Contractors. Mr. Currie stated the Contractors, Republic Contracting Corporation and King Electric Company, Inc., have made a claim stating they feel they are entitled to extra compensation due to price changes while the District was waiting for approval from the State to go ahead with the project. Mr. Currie stated there will be two change orders issued. One will be issued now, requesting that the Contractors supply the District with proof of the prices used in making their bid, the price available to the Contractor on December 23, 1987, copper in the case of King, and stainless steel in the case of Republic, and the price the Contractor actually paid for the materials when the time comes to purchase the materials. To the extent the price the Contractor actually pays exceeds the first price, the one used in computing Contractor's bid, the District will pay Contractor additional cost up to but no greater than the lesser of difference between the price used in original bid and the price available on December 23rd or in the case of King Electric the price is approximately \$75,000 and where Republic is concerned approximately \$63,000.

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Mrs. Pope made a motion that the Engineer-Manager be authorized to execute the Letters of Intent in the case of each Contractor, King and Republic. Mr. Waddey seconded. General discussion followed. Roll call vote was unanimous in favor of the motion.

**b. STATUS OF MODIFICATIONS TO SLUDGE LAGOON DIKE:**

Mr. Mull reported that the Original Contract is for \$134,160.00, and the revised contract is \$150,885.55. The date of completion is March 3, 1988. All earth work on raising the dam and berm around the reservoir is completed. Additions to the height of the concrete spillway have been constructed. The concrete slope protection around the spillway and concrete work on the sludge effluent box are scheduled to be constructed the week of January 18, 1988. Approximately 2/3rds of the sludge lines have been installed. Clearing of the back slope of the dam and discharge channel from the spillway has been completed. The revised contract was the result of the State's inspection of the Dam which revealed that trees and brush in the emergency spillway channel must be removed. Mr. Mull stated the District authorized Terry Brothers Construction Company to clear the trees and brush on the face of the dam and in the emergency spillway channel.

**c. Status of Carrier Bridge Pumping Station Modifications:**

Mr. Mull reported that the original contract is for \$567,850.00. The Contract has been executed, and a preconstruction conference and Notice to Proceed is scheduled for February 9, 1988.

The electrical contractor for this job is Brevard Electric Company, with an original contract amount of \$42,490.00. The Contract has been executed and a preconstruction conference has been scheduled for February 9, 1988.

**d. Status of Installation of Hydro Intake Screen Rake:**

Mr. Mull reported that Acme Engineering is on the grounds today installing the trash rake. The original contract is for \$74,490.00. The District has executed a change order reducing this amount by \$4,000.00.

**e. Status of Environmental Protection Agency FONSI:**

Mr. Mull reported that the District received the "Finding Of No Significant Impact" from the Environmental Protection Agency dated December 17, 1987. The only correspondence the District received regarding the FONSI was a letter from the Town of Woodfin requesting that the comment period be postponed. Mr. Mull stated that he received a phone call from the Environmental Protection Agency stating the comment period had been extended until February 9, 1988. Mr. Mull also noted that he has been in contact with Mayor Pro-tem Rice to find out what concerns the Town of Woodfin may have had regarding the incineration facility. General discussion followed. Mr. Michael Petelle contributed comments to the discussion.

**f. Land-of-Sky Fourteenth Annual Dinner Meeting:**

Mr. Mull stated the Fourteenth Annual Dinner Meeting of the Land-of-Sky Regional Council would be held Wednesday, January 27, 1988, at the Hendersonville Country Club with the Reception beginning at 6:30 p.m. and dinner at 7:00 p.m. Mr. Mull encouraged all Board members to attend.

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**g. Proposed Revised MSD Sewer Use Ordinance:**

Mr. Mull turned the floor over to Dr. Lloyd Robinson with Hendon Engineering Associates, Inc., to review the proposed revised Ordinance with the Board. It was suggested by Hendon Engineering that the revised Ordinance be adopted as an entire new Ordinance for printing purposes. There was some discussion about the meaning of "a pipeline dedicated to hazardous waste connected to a public sewer." Mr. Stevens stated he has reviewed the text in question in the EPA guidance manual and suggested that the Board delay action on the Ordinance for one month, so he could call the Environmental Protection Agency to get clarification on one particular section of the manual. The Board agreed to do this.

**h. Proposed Easement Across MSD Property to New Correctional Property:**

Mr. Mull reported that the District has received a request from the North Carolina State Property Office in favor of the State of North Carolina for an easement across property of the MSD. This easement area will be used to install a sanitary sewer to the new prison facility to MSD's intermediate pumping station from the Weaverville Treatment Plant. Several modifications were made to the easement to better protect the Metropolitan Sewerage District. Mr. Mull suggested that the Board enter into this agreement for easement with the State of North Carolina. Mr. Dent moved that the Board approve granting this easement. Mr. Waddey seconded, and roll call vote was unanimous in favor of the motion.

**i. Request for Authorization to Purchase FAX Machine:**

Mr. Mull discussed the proposed purchase of a FAX machine with the Board. The District would like authorization from the Board to get informal bids on a FAX machine, in order to bring a recommendation back to the Board. The price would be in a range of \$3,500.00 to \$4,000.00. Mr. Waddey moved that the District proceed to get informal proposals on a FAX machine and come back to the Board with a recommendation to purchase. Mr. Aceto seconded the motion, and roll call vote was unanimous in favor of the motion.

**5. REPORT OF OFFICERS:**

Vice-Chairman Williams reported that three MSD Board members were up for reappointment to the Board, those being Mr. Charles Dent, Mrs. Jackie Pope, and Mr. E. Charles Dyson. Mr. Dent and Mrs. Pope have been reappointed to the Board, and the District is still waiting to hear from the City of Asheville concerning Mr. Dyson's reappointment.

**6. REPORT OF COMMITTEES:**

**a. Sewer Rate Review Committee - Mr. Edwards**

Mr. Edwards reported the Sewer Rate Review Committee met on January 18, 1988, with representatives from different industries and their Counsel.

**b. Insurance and Personnel Committees - Mr. Edwards/Mr. Ivey**

Mr. Edwards reported the Insurance/Personnel Committees met January 15, 1988, with Mr. Charlie Webb of Webb Insurance to discuss the District's proposed rates for 1988. The Insurance/Personnel Committees recommended the District renew the Blue Cross/Blue Shield Health Insurance for the District, retaining the current coverage and deductible.

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Mr. Edwards stated the Insurance/Personnel Committees recommend that the District consider carrying its' life insurance with Group America. Mr. Ivey moved that the District retain its' current Health insurance coverage and deductible with Blue Cross/Blue Shield, and that the District carry Group America for its' life insurance. Mr. Waddey seconded the motion, and roll call vote carried unanimously in favor of the motion.

**c. Sewer System Consolidation Committee - Mr. Aceto**

Mr. Aceto reported that the members of the Consolidation Committee and Mr. Stevens met with Mr. Jim Stokoe, Land-of-Sky Regional Council, December 23, 1987, to review the report prepared for the City by CH2M HILL on Consolidation. This report is unfavorable to th4e City's participation in Consolidation. The Committee is requesting that Mr. Stokoe formulate a response to this which he has done, and the ball is back in the City's court to respond.

**7. UNFINISHED BUSINESS:**

None.

**8. NEW BUSINESS:**

It was made clear to Mr. Petelle that MSD meetings are customarily opened and that comment from members of the public who attend is always welcomed and encouraged.

**9. DATE OF NEXT REGULAR MEETING - FEBRUARY 16, 1988**

**10. ADJOURNMENT:**

There being no further business, the meeting of the District Board was adjourned at 3:40 p.m.



SECRETARY/TREASURER