

METROPOLITAN SEWERAGE DISTRICT BOARD

FEBRUARY 16, 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, February 16, 1988. Chairman Smith called the meeting to order at 2:00 p.m.

Chairman Smith and the following members were present: Aceto, Boggs, Dent, Edwards, Ivey, Pope, Waddey and Williams. Others present were: W. H. Mull, P.E., Engineer-Manager, John Stevens General Counsel, William Clarke, Attorney, Bill Morris and Dr. Lloyd Robinson, representatives of the Consulting Engineers, Clark Morrison from The Asheville Citizen-Times, and Leah Karpen representing the League of Women Voters.

2. MINUTES OF JANUARY 19, 1988:

Mr. Dent moved that the Board minutes of January 19, 1988 be approved as written. Mr. Waddey 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 all work for Phase I, Sections 1, 1A, 1B and 1C has been completed. For Phase II, Envirex has manufactured and placed in storage 128 RBC units. Full scale field testing has been completed and test reports received. Phase III, Section 1, Contracts have been executed with Republic Contracting Corporation. A preconstruction conference was held February 9, 1988, and Notice to Proceed has been issued for February 20, 1988. Under Section 3A, Contracts have been executed with King Electric, Inc. A preconstruction conference was held February 9, 1988, with Notice to Proceed issued for February 20, 1988.

b. Status Modifications to Sludge Lagoon Dike:

Mr. Mull reported that the original contract of \$134,160.00 has been revised to \$150,885.55, which involves, in addition to the original contract, clearing of the back slope of the dam and discharge channel from the spillway. A change order in the amount of \$9,000.00 is pending for gravel on top of the berm to provide MSD personnel access to the points along the back of the reservoir. Hendon Engineering Associates is recommending a time extension of 59 days to May 1, 1988 for completion of this project, due to unsuitable weather which has hampered concrete work.

c. Status of Carrier Bridge Pumping Station Modifications:

Original Contract has been executed, and a preconstruction conference was held February 10, 1988, with Notice to Proceed issued for February 19, 1988.

d. Status of Installation of Hydro Intake Screen Rake:

Pending change order in the amount of \$4,000.00 for waiver of insurance requirements to insurance carried by Acme Engineering is recommended revising final contract amount to \$70,490.00. Trash rakes have been installed and punch list items corrected.

Mr. Dent moved that the Board approve revision of the contract with Terry Brothers Construction Company from \$134,160.00 to \$160,044.00, and the revision of the Acme Engineering Contract from \$74,490.00 to \$70,490.00. Mr. Edwards seconded the motion and roll call vote carried unanimously in favor of the motion.

e. Status of Environmental Protection Agency FONSI:

Mr. Mull reported he spoke with Mr. Harold Hopkins of the Environmental Protection Agency earlier today, and stated that according to Mr. Hopkins, the EPA is in the process of consolidating comments received during the comment period of the "Finding of No Significant Impact" (FONSI) into 3 categories, and will be preparing responses to letters received during the comment period. At this time, the EPA is of the opinion that a public hearing will probably be scheduled around the end of March.

f. Request for Authorization to Purchase FAX Machine:

Mr. Mull reviewed informal proposals for a FAX machine with the Board. After review, Mr. Williams moved that the Board authorize the purchase of a plain cut-sheet paper Xerox 7021 FAX Machine from Advanced Business Equipment at a price of \$3,685.00. Mr. Waddey seconded the motion. After brief discussion, roll call vote was unanimous in favor of the motion.

g. Telemetry Flow Monitoring Proposed Land Purchase:

Mr. Mull recommended that the Board authorize the purchase of a tract of land located in the bend of Pearson Bridge Road for the purpose of constructing a siphon screening station to remove solid objects from the sewage to prevent clogging of both the existing and proposed sewer siphon lines. Mr. Edwards moved that the Board authorize the Engineer Manager, Representatives of Hendon Engineering and the District's General Counsel to begin negotiations with Mr. Jack Jenkins and Mrs. Vickie Jenkins' attorney concerning the purchase of this tract of land (about .4 acre) not to exceed \$2,500.00, or condemnation of the tract of land. Mrs. Pope seconded the motion and roll call vote was unanimous in favor of the motion.

Mr. Mull reported that the estimated monetary amount to construct a telemetry siphon screening station would be \$75,000.00, and requested that the Board authorize advertising for bids for construction of the telemetry siphon screening station and bar screen. Mr. Boggs moved that the Board authorize the District to advertise for bids for the construction of the telemetry siphon screening station and bar screens. Mr. Dent seconded the motion and roll call vote was unanimous in favor of the motion.

4. Report of Officers:

Chairman Smith announced that the City of Asheville has reappointed Mr. E. Charles Dyson to the MSD Board for another 3-year term, and congratulated Mr. Dyson on his reappointment.

5. Report of Committees:

a. Insurance/Personnel Committees - Mr. Edwards/Mr. Ivey

Mr. Edwards reported the Insurance/Personnel Committees met on February 2, 1988. The Committees recommend that employees who wish to retain their Blue Cross/Blue Shield Health Insurance upon taking an early retirement, must have 5 years of service with the Metropolitan Sewerage District and be at least 55 years of age. If these requirements are met, the District will pay half the employee's health insurance premium (additional coverage for spouse or family must be paid by the employee) and the retired employee will pay the other half of the health insurance premium.

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Mr. Edwards brought a recommendation to the Board from the Insurance/Personnel Committees that the Metropolitan Sewerage District change from the present 2 group category to a 4-tier plan which will allow the employee to pay most of the dependent coverage. Mr. Edwards made this recommendation in the form of a motion and Mr. Waddey seconded. Roll call vote was unanimous in favor of the motion. 1) Employee 2) Emp/Family 3) Emp/Spouse 4) Emp/Child

Mr. Edwards brought a recommendation from the Insurance/Personnel Committees that insured salary continuation coverage be purchased from Connecticut Mutual Life for the Engineer-Manager at a cost of \$3,197.00 per year. Mr. Edwards made this in the form of a motion, and Mr. Aceto seconded. Roll call vote was unanimous in favor of the motion.

b. Sewer System Consolidation Committee - Mr. Aceto

Mr. Aceto reported that the Sewer System Consolidation Committee met today at 1:00 p.m. It was determined by the Committee that February is a critical time to get a meaningful response from the City of Asheville, as it appeared that the only municipality that is not willing to proceed immediately is the City of Asheville. The City's independent Engineering Report recommended that the City not proceed with Consolidation. It has been determined that there are some fundamental flaws in the CH2MHILL Report which need to be brought to the attention of the City of Asheville. The Sewer System Consolidation Committee recommends that the Board authorize Hendon Engineering Associates to examine the alternatives and bring a report back to the Board on partial consolidation at its May meeting and make a decision at that time as to whether to proceed or how to proceed with Consolidation. Mr. Aceto moved that the Board's Engineers be authorized to examine partial consideration of the sewer system without participation of the City of Asheville, including the cost of separate metering and rehabilitation, and the implications for MSD's obligations under the Environmental Protection Agency grants and bond coverage, and that the Engineers assist the Sewer System Consolidation Committee in developing alternatives for presentation at the Board's May meeting. Mr. Dent seconded the motion. Roll call vote was unanimous in favor of the motion.

6. Unfinished Business:

Mr. Mull turned the floor over to William Clarke, attorney for the District to review proposed changes in the Metropolitan Sewerage District Sewer Use Ordinance. Mr. Clarke stated he had contacted the Environmental Protection Agency (EPA) regarding the language on "dedicated pipe lines" and "public sewers" which had caused some confusion at the January meeting. The Environmental Protection Agency agreed with Mr. Clarke, that the language in the Environmental Protection Agency Guidance Manual on the Resource Conservation and Recovery Act (RCRA) was confusing and the Environmental protection Agency suggested that alternative language be developed. The Environmental Protection Agency's main concern was ensuring that hazardous wastes are not discharged directly to the treatment plant.

Mr. Clarke then explained that the changes in the Ordinance were proposed in order to keep MSD from coming under RCRA. Once a POTW comes under RCRA the POTW is subject to substantial civil penalties and can operate only on strict supervision from the Environmental Protection Agency. As long as hazardous waste is mixed with domestic sewage prior to reaching the treatment plant, the District should not be subject to RCRA. By adding these provisions to the Ordinance, the Metropolitan Sewerage District puts its users on notice about this prohibition and also demonstrates to the Environmental Protection Agency a good faith effort to avoid the direct discharge of hazardous waste into the treatment plant.

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The following sections were added to the Ordinance:

Subsection 1.02.14 defining the abbreviation RCRA.

Section 3.01.02 which prohibits the direct discharge of hazardous waste into the system by private waste haulers.

Section 5.01.02 which is a general prohibition against discharging of hazardous waste to the MSD treatment plant.

Section 19.01 and Section 21 are revised to reflect the new dates for adoption of the ordinance.

Mr. Clarke presented to the Board a resolution entitled Declaration of Intent to Adopt a Sewer Use Ordinance. Mr. Aceto moved that the Board adopt the Declaration of Intent to Adopt the Sewer Use Ordinance. Mr. Wadley seconded the motion and voice vote was unanimous in favor of the motion.


7. New Business:

None.

8. DATE OF NEXT REGULAR MEETING - MARCH 15, 1988

9. ADJOURNMENT:

There being no further business, the meeting of the District Board was adjourned at 3:08 p.m.



SECRETARY/TREASURER