

DECEMBER 19, 1989

1. Call to Order and Roll Call:

The regular meeting of the Metropolitan Sewerage District Board was held in the Boardroom of MSD's Administration Building at 2 p.m. on Tuesday, December 19, 1989. Chairman Smith called the meeting to order at 2:00 p.m.

Chairman Smith and the following members were present: Aceto, Dent, Dyson, Edwards, Maas, McDonald, Pope, Waddey, and Williams. Others present were: W.H. Mull, Engineer-Manager, John S. Stevens, General Counsel, Messers Bob Holbrook and Bill Morris, of Hendon Engineering Associates, Debra Price representing CIBO, and Clarke Morrison with the Asheville-Citizen Times.

2. Minutes of Special Board Meeting - November 21, 1989**Minutes of November 28, 1989**

Mr. Waddey moved that the minutes of the Special Board Meeting of November 21, 1989, and the minutes of the Regular Board Meeting of November 28, 1989, be adopted as written. Mr. Dent seconded the motion and voice vote was unanimous in favor of the motion.

3. Audit Report for Fiscal Year 1988-89 - Alan Bolick

The District's Auditor, Mohnkern, Bolick and Company, P.A., was scheduled to make a presentation of the FY 1988-89 Audit for the District, but due the weather, could not be here today.

4. REPORT OF ENGINEER-MANAGER:**e. Proposed Architectural Contract for Expansion of Administration Building;**

Mr. Mull reported that a contract document was received from Danie A. Johnson, AIA/Architect, and forwarded to the District's Attorney, Mr. Walter Currie, for review. Mr. Mull introduced Mr. Danie Johnson and Mr. David Aiton of Danie A. Johnson, Architectural Firm, and reviewed a letter from Danie A. Johnson, AIA/Architect, proposing to furnish architectural and engineering services to the District through the completion of the expansion of the Administration Building, for a total of \$19,500.00. This fee does not include services for reimbursable items such as required surveys and bulk printing costs as defined in the AIA Contract. These expenses are estimated to be about \$2,000.00.

Mr. Mull reviewed a Preliminary Expansion Program sheet with the Board. General discussion followed. Mr. Dent moved that the Board authorize the District to enter into contract with Danie A. Johnson, AIA/Architect to perform the design services on the Administration Building for the District subject to review and approval of the Contract document by the Attorneys for the District. Mr. Dyson seconded the motion, and roll call vote was unanimous in favor of the motion.

a. Status of Phase III Plant Expansion Contracts:

Mr. Mull reported that the project is over 50% complete as of December 8, and 86% of the contract time, including executed time extensions, has passed. The contractor has requested a time extension of 175 days to September 6, 1990, but has not yet submitted documentation for justification of the time extension request. There will be a meeting Wednesday, December 20th, with the contractor.

Mr. Mull stated that a meeting was also held with

Envirex, General Counsel and Consulting Engineers on December 13th, and there will be another meeting January 15, 1990. The replacement screens for an intermediate size screen on the final microscreens originally scheduled to arrive here in February, should arrive any day, and the screens will be installed so the contractor can get into the final clarifier during the month of January and not have to wait until the end of January. Envirex did admit that its' pilot testing shows that the final microscreens, with whatever size media, are not going to pass the flow and remove the solids, and that Envirex will have to provide additional facilities at Envirex's cost.

b. Status Report Re: Communication Equipment;

The Board authorized, at the September meeting, the District to advertise for bids for a new radio system. At this same meeting, there was discussion about the City of Asheville also going out for bids on a radio system. MSD is considering purchasing equipment either through a City of Asheville "Radio Communication System" Contract Proposal or through an independent competitive procurement document. Mr. Currie, Attorney for the District, has looked into this matter for the District, and advised that it may not be in the best interest of the District to purchase radio equipment through the City of Asheville. Mr. Mull reviewed a letter from Sharon Kane dated December 18, 1989, concerning Recommended Acquisition process for Two Way Radio Communication System, Project 927-AD, and stated the District will be advertising for bids for the radios and the system the District needs.

No action was taken on this matter.

c. Proposed Awarding of Contract for Monitoring Wells to Law Engineering;

Mr. Mull stated that in order for the District to put the ash from the incinerator into the lagoon requires State approval and monitoring wells. Initial testing has been done on a spring below the lagoon, and on a well which was drilled to determine the foundation for the sludge building. Both of these test results were positive. Establishing the groundwater monitoring program is a prerequisite to MSD obtaining a permit for ash disposal in the sludge lagoon. General discussion followed. Law Engineering is the only firm the District knows of in this area that is certified by the State that can perform this work. Mr. Waddey moved that the Board enter into contract with Law Engineering at an estimated cost of \$18,027.00. Mr. Edwards seconded. General discussion followed. Roll call vote was unanimous in favor of the motion.

d. Proposed Awarding of Bid for Operator's Truck;

Mr. Mull reported the District advertised for bids and opened bids on December 18, 1989 for a new pick-up truck for the District, and reviewed the specs for the truck. The low bid was with Skyland Oldsmobile, which specified no radio and no full sized spare or wheel, and is therefore non-responsive. Mr. Mull recommended that the Board reject the bid of Skyland Oldsmobile as being non-responsive. Mrs. Pope moved that the District reject the bid of Skyland Oldsmobile as being non-responsive, and Mr. Williams seconded. Mr. Aceto requested that the records reflect that he neither participated in the discussion, passing of this motion or in the voting. Voice vote was as follows: 9 yeas and 1 abstention.

Mr. Mull reported that Macon Dodge Subaru is the apparent lowest responsive responsible bidder, with a total base bid of

\$11,481.54, and recommended that the Board accept the bid of Macon Dodge Subaru. Mr. Williams moved that the District accept the bid of Macon Dodge Subaru at a price of \$11,481.54. Mr. Dent seconded, and roll call vote was as follows: 9 yeas and 1 abstention, that of Mr. Aceto.

f. Authorization to Purchase IBM Personal Typing System.

Mr. Mull reviewed a proposal from the Electronic Office for an IBM Personal Typing System. General discussion followed. Mr. Waddey moved that the Board authorize the Engineer-Manager, to see if there are other lower cost systems compatible with the District's existing equipment and future needs, and, if not, to purchase the IBM System. Mrs. McDonald seconded, and voice vote was unanimous in favor of the motion.

5. Report of Officers

None.

6. Report of Committees:

a. Personnel Committee - Mr. Ivey:

In the absence of Mr. Ivey, Chairman of the Personnel Committee, Mrs. McDonald gave the report of the Personnel Committee.

Mrs. McDonald reported that the Personnel Committee met December 11, 1989, to discuss New Positions Needed by the District toward Consolidation, and reviewed a New Positions Needed list, attached hereto and made a part of these minutes. Mr. Dent recommended that any Engineer hired, if he/she is not a four-year graduate, the position title be changed to either Engineer-Technician or Technician. General discussion followed. Mr. Dyson moved that the Board authorize the Engineer-Manager to advertise for these positions and hire the appropriate personnel listed on the New Positions Needed list, on an as-needed basis, and that the total salaries not exceed the Personnel Total dollar amount on the attached list of New Positions Needed. Mr. Waddey seconded. Roll call vote was unanimous in favor of the motion.

b. Sewer Service Charge - Mrs. Pope:

Mrs. Pope reported that the Sewer Service Charge Committee met December 11, 1989, to discuss an interim rate increase in sewer service charges. The proposed increases to become effective January 1, 1990, are as follows: Domestic - from \$1.10 per CCF to \$1.32 per CCF, and Industrial (flow only) from \$.241 per CCF to \$.331 per CCF. This increase will provide for interim financing of sewer system consolidation and rehabilitation, and will provide additional annual revenues of approximately \$550,000.00.

Mr. Mull reviewed some back-up data for these proposed interim sewer rate increases with the Board. General discussion followed. Mr. Edwards moved that the interim sewer service charge rates be increased as proposed by the Sewer Service Charge Committee: Domestic from \$1.10 per CCF to \$1.32 per CCF, and Industrial (flow only) from \$.241 per CCF, to \$.331 per CCF, effective January 1, 1990. Mr. Dyson seconded and roll call vote was unanimous in favor of the motion.

7. Unfinished Business:

a. U.S. Fish and Wildlife Matter:

Mr. Mull reported that the District had a meeting with the U.S. Fish and Wildlife Service in Raleigh, December 5th. Mr. Ries Collier, whom the District has been working with at the U.S. Fish and Wildlife, is no longer with the Agency. The U.S. Fish and Wildlife Agency seemed to be more responsive to the District's request at this meeting. The Agency actually preferred an option the District has proposed, which is to build some rock berms coming out from the far bank of the French Broad River. This area is across from the flume toward the upper end, which would increase water depth in these areas by semi-damming these areas, and would cost considerably less than improving the Swannanoa River. In addition, the Service seemed willing to accept some reduced flow requirements (over the dam) due to the impact of the "penalty days" in the co-generation contract with Carolina Power & Light Company.

General discussion followed. Mr. Mull stated that the District would be meeting with the Agency again after the first of the year. No action was taken.

b. South French Broad Interceptor - Project 721 - Rock Excavation Refraction Study-Vibra-Tech Engineers, Inc.:

Mr. John Stevens, General Counsel, excused himself from the meeting.

Mr. Mull stated the District has been negotiating on this right-of-way for the South French Broad Interceptor for a long time. The original plans called for a standard sewer paralleling the existing sewer line. It was requested by the Biltmore Company that the District simply rip up the old line and replace it with a bigger, new line. Mr. Mull reviewed a letter from Hendon Engineering Associates concerning the Rock Excavation Refraction Study submitted by Vibra-Tech Engineers, and it is the recommendation of the Consulting Engineers that the Board authorize the \$20,000.00 Phase II completion of this study.

Mr. Mull and Mr. Morris reviewed with the Board, the location of the project, and the Vibra-Tech technique for rock excavation, and the beneficial use of this study to the District. Lengthy discussion followed. Mr. Dent moved that the Board authorize the \$20,000 Phase II completion of the Rock Excavation Refraction Study by Vibra-Tech Engineers. Mr. Edwards seconded the motion, and roll call vote was unanimous in favor of the motion.

8. New Business:

a. Schedule Date for Public Hearing for Adoption of Minority Contractor Participation in Construction Projects:

Mr. Mull reported that the District needs to adopt a new policy for Minority Contractor participation in construction projects. The District has always had it, because Federal Grants and State Grants are involved, but the District will have construction which does not include State or Federal Grant Funds.

Mr. Mull stated the District needs to schedule a Public Hearing at the next Board Meeting in January, for this reason. Mr. Aceto moved that the District set a date of January 16, 1990, for Public Hearing for Adoption of Minority Contractor Participation in Construction Projects. Dr. Maas seconded,

and voice vote was unanimous in favor of the motion.

Chairman Smith reviewed a letter regarding the Capital Improvement Plan Committee (CIP), which has been sent to each Municipality, including the City of Asheville, and Buncombe County, to appoint a designated representative to serve on this Committee, and asked that Mr. Aceto follow-up on this letter to insure that responses are received in a timely manner.

Mr. Dent questioned the Resolution attached to the Special Board Meeting of November 21, 1989, "Resolution Relating to the Assumption of Debt Service on Outstanding Indebtedness of the Enka Candler Water and Sewer District," in that the Resolution does not state that the taxes collected from the Enka Candler Water and Sewer District would be turned over to the District, and requested that this be included in the Resolution.

9. Date of Next Regular Meeting - January 16, 1990

10. Adjournment

There being no further business, the Board Meeting was adjourned at 4:20 p.m.

11. Light Refreshments were served.



Secretary