

BOARD OF THE METROPOLITAN SEWERAGE DISTRICT
June 9, 1992

1. Call to Order and Roll Call:

The regular monthly meeting of the Board of the Metropolitan Sewerage District was held in the Boardroom of MSD's Administration Building at 2:00 p.m. on Tuesday, June 9, 1992. Chairman Smith called the meeting to order at 2:05 p.m. with the following members present: Bryson, Dent, Edwards, Ivey, Maas, Penny, Post, Slosman and Wallace. Those members absent were: Frizzell

Others present were: W. H. Mull, Engineer-Manager, John Stevens, General Counsel, Bill Morris of Hendon Engineering Associates, Inc., Doyle Freeman, Jim Erwin representing Henderson County Utilities, Jack W. Westall, Jr., Diane Crawford and Joe Enderle representing Fred Meyer, Jack Cecil and Ken Vasilik with Biltmore Dairy Farms, Bob Tinkler representing the League of Women Voters, Ann LaVeck, Angel Morris, Sharon Cutshall and Dale Traister MSD.

2. Minutes of the May 19, 1992 Board Meeting:

Mr. Dent moved that the minutes of the May 19, 1992 meeting be adopted as written. Mr. Edwards seconded. Voice vote was unanimous in favor of the motion.

3. Public Hearing: Fiscal Year 1992-93 Operation & Maintenance Budget:

MINUTES OF PUBLIC HEARING

At 2:15 p.m. Chairman Smith declared a Public Hearing open for consideration of a proposed 1992-93 Operation and Maintenance Budget as advertised in the Asheville Citizen-Times on May 22, 1992, which is the same Budget presented to the Board at the May 19, 1992 meeting. Chairman Smith called for any comments from the public, and there being no comments, declared the Public Hearing closed at 2:25 p.m. and reconvened the regular Board meeting.

4. Consideration of Resolution Adopting the Fiscal Year 1992-93 Operation & Maintenance Budget:

Mr. Mull presented the Resolution adopting the Fiscal Year 1992-93 Operation & Maintenance Budget. A discussion followed regarding the Budget Work Session held May 27, 1992. Mr. Slosman reported that the Committee reviewed Budget line items and stated that Administration did an excellent job in preparing the backup information. Mr. Penny expressed his concern with regard to future budgets and the fact that capital items are included in the operating budget. Therefore, Mr. Penny requested that at some future date the Engineer-Manager and Budget Committee consider looking at a way to fund capital items, removing them from the Operating Budget, and including them as a part of the CIP fund. Mr. Dent moved that the Board adopt the Resolution as presented. Mr. Post seconded. Roll call vote was as follows: 10 Ayes; 0 Nays

5. Consideration of Hearing - Mr. Fred Meyers;

Mr. Jack Westall, Jr., Attorney for Mr. Fred Meyer presented a map showing Mr. Meyer's property at 7 Cogswood Road and reported that as a result of the Water Authority's change in plans to replace the existing water line with a 2" line instead of a 6" line, requiring trenching only as opposed to a larger ditch in which the sewer line could be placed, these plans would significantly increase the cost of replacing the sewer line. Mr. Westall stated that Mr. Meyer's recently reported that the sewer line in question was overflowing raw sewerage, which is an indication that the line is severely stopped up or that the line is in such disrepair that it would need to be replaced. Mr. Westall further stated that if the line needs to be replaced, MSD would have a considerable expense in replacement of the line even in the existing location, therefore, Mr. Westall asked the Board to at least consider the expense of replacing the 4" line and work out an arrangement with Mr. Meyer to bring the sewer line around Cogswood Road prior to

repaving at an estimated cost of \$36,000.00. Mr. Westall reported that no borings have been done on the street and that there is the likelihood of a considerable amount of rock in this area, which would increase the cost of replacement. Mr. Westall further reported that in addition to the increased cost of replacing the line, that Mr. Meyer is required to have an engineering study done and submitted to the State for approval before construction can begin. Following a lengthy discussion with regard to whether the District would be setting a policy by agreeing to contribute more than the 25% (\$10,000.00) originally approved, the number of homes connected to the line and whether the easement showed the existence of a sewer line prior to construction of the addition, Mr. Penny moved that MSD engineer the project in-house and split the cost of the surveyor with Mr. Meyer, that the project be coordinated with the Water Authority and that the previous offer of \$10,000.00 stand as approved. Dr. Maas seconded. Roll call vote was as follows: 9 Ayes; 1 Nay

6. Consideration of Hearing - Mr. Jack Cecil, Biltmore Dairy Farms;

Mr. Jack Cecil with Biltmore Dairy Farms presented a map showing the location of approximately 30 acres of property for future development along with two options for the upgrade and rehabilitation of the existing sewer along U.S. Hwy 25. Mr. Cecil reported that in preparation of this project, Biltmore Dairy Farms has proposed the construction of 300 feet of 8" sewer line along U.S. Hwy. 25 to the property in conjunction with the Department of Transportation's highway widening project. Mr. Smith stated that this proposal was presented to the Sewer System Consolidation Committee June 8, 1992 and that under the District's policy of participation with developers and others, the Committee recommended that the District participate up to 25% of the cost of construction of 300 feet of sewer line at an estimated cost of \$15,000.00 with the possibility of connecting other sewer users to this line when construction is complete. Following a brief discussion with regard to easements, Mr. Dent moved that the District participate in the construction of 300 feet of sewer line at an approximate cost of \$15,000.00 to the extent of 25% of the cost not to exceed \$4,000.00 subject to Biltmore Dairy Farms obtaining the necessary rights-of-way to the property with the remaining residuals of 75% to be paid by Biltmore Dairy Farms and/or others. Mr. Post seconded. Roll call vote was as follows: 7 Ayes; 1 Nay

7. Report of Engineer-Manager:

a. Status of Construction Projects:

1. Montreat CIP

Mr. Mull presented a status report on Phase I Sanitary Sewer Line Improvements in the Town of Montreat and reported that construction on this project started March 30, 1992 and to date 1,705 liner feet of pipe has been installed. Mr. Mull further reported that progress on this project has been slow due to conditions encountered while excavating and laying pipe in the Assembly Drive area. Mr. Mull stated that as a result of a request by the Town of Montreat, asking that construction along Assembly Drive stop during the summer months because of heavy traffic, construction crews have pulled away from Assembly Drive and are expected to start work on a portion of Phase II until September.

2. Beaverdam Creek Interceptor

Mr. Mull presented a status report on sanitary sewer line improvements along the Beaverdam Creek Interceptor and stated that a meeting was held with the management of the Country Club of Asheville to discuss the placement and installation of the line and that as a result, surveying will start this month.

b. Consideration of Construction Contract Change Order - Patton Avenue - Asheville CIP;

Mr. Mull presented a proposed change order from Hendon Engineering, Associates for sewer work done as a part of Contract 9 of the City of Asheville's Street and Sidewalk Improvement Program. Mr. Mull reported that the change order included a portion of a 10" sewer line and that most of the increase involved extra quantities of asphalt. Mr. Mull stated that following review of the change order by the Sewer System Consolidation Committee June 1, 1992, the Committee recommended that the change order be approved for a net increase of \$61,443.45. Mr. Post moved that the Board approve the change order as presented. Ms. Bryson seconded. Roll call vote was as follows: 8 Ayes; 0 Nays

c. Consideration of Bids for Annual Asphalt Street Cut Repairs Contract;

Mr. Mull presented a bid tabulation for the Annual Asphalt Street Cut Repairs Contract and reported that the bids were presented to the Sewer System Consolidation Committee June 1, 1992. The results of the May 12, 1992 bid opening are as follows: Asheville Paving Company with a total base bid of \$227,957.00; Paving Enterprises, Inc. with a total base bid of \$178,580.00 and APAC Carolina, Inc. Asheville Division (Apparent Low Bidder) with a total base bid of \$146,460.00. Mr. Mull presented a letter from Mr. Walter L. Currie, Attorney for the District, and Mr. Currie stated that in review of the bids, MBE forms, bid bonds and powers of attorney that the bids of Asheville Paving Company, Inc., Paving Enterprise, Inc. and APAC-Carolina, Inc. are in acceptable form. Mr. Penny pointed out that the difference in cost of the City of Asheville's bid versus the above mentioned bids, was that the City's bid included not only asphalt but concrete work. There being no further discussion, Mr. Post moved upon recommendation of the Sewer System Consolidation Committee that the Board approve the apparent low bid of APAC-Carolina in the amount of \$146,460.00. Dr. Maas seconded. Roll call vote was as follows: 8 Ayes; 0 Nays

8. **Report of Officers**

None

9. **Report of Committees:**

a. **Sewer System Consolidation Committee - 6/1/92 & 6/8/92 - Mr. Dent**

Mr. Dent reported that all of the items of the June 1, 1992 meeting have been previously presented and that the only issue not discussed from the June 8, 1992 meeting was a petition by Biltmore Dairy Farms to include property being developed (The Forest Overlook Development) be included in the Metropolitan Sewerage District. Mr. Smith reported that there is pending legislation to amend the MSD statute to clarify that any unincorporated area coming into the District will be represented by persons on the MSD Board appointed by Buncombe County Commissioners and that legislation has passed the Senate and is in the House Rules Committee. Mr. Dent stated that the Committee agreed that Billy Clarke, Attorney for the District, should respond to a letter from Phil Carson along with a draft Petition advising him that the legislation was pending and that the MSD would have to wait on the legislation.

b. **Right-of-Way Committee - 6/4/92 - Mr. Edwards**

Mr. Edwards reported that the Right-of-Way Committee met June 4, 1992 to discuss the following issues.

a. North Swannanoa Status Report

Mr. Edwards reported that of the 60 total easements needed for the North Swannanoa Interceptor Sewer project 42 have been obtained, 18 are in process and 2 slated for condemnation. Mr. Edwards further reported that to date \$33,477.00 of the \$69,000.00 allocated for easement compensation has been

spent, plus \$75,000.00 was spent for the purchase of parcel #62 and that the project is slated to advertise for bids in August.

b. Archaeological Survey, Phase II

Mr. Edwards reported that phase two of the Archaeological Survey has started and that of the three parcels, field work on two of the parcels is completed and work on the third parcel scheduled to begin on June 15, 1992.

c. File Updates - North Swannanoa

Mr. Edwards reported on the status of the following parcels:

1. Parcel #62 - Closing on the purchase of this property was June 5, 1992 at a contract price of \$75,000.00.
2. Parcel #13 & #6 - An offer of \$7,000.00 for parcel #13 and \$3,500.00 for parcel #6 has been made and are under consideration.
3. Parcels #16, 18, and 63 - Mr. Edwards reported that the Committee agreed to wait for a report from Mr. Slosman after he contacted the owner regarding his feelings on the proposed easement areas. Mr. Slosman reported that he contacted the owner twice but to date the owner has not returned his calls. Mr. Edwards stated that since no word has been received the District should proceed with condemnation.
4. Parcel #59 - Mr. Edwards reported that the Committee recommended that the property owner be approached with an offer of \$6,400.00 for the easement area and the replacement of sheds. Following a brief discussion on the condition and value of the sheds, Mr. Edwards moved that the Board approve the recommendation of the Committee. Ms. Bryson seconded. Roll call vote was as follows: 8 Ayes; 0 Nays

d. Weaverville Sanitary Sewer Improvements/Status

Mr. Edwards reported that of the 69 total easements needed for the Weaverville Sanitary Sewer Improvements, 37 have been obtained and 32 are in process and to date no funds have been spent for compensation.

e. File Updates - Weaverville Sanitary Sewer Improvements

1. Parcel #50 - Mr. Edwards reported that the property owner has requested a waiver of the capacity depletion fee in exchange for signing the easement agreement. Mr. Edwards stated that the committee agreed and recommended that an offer equal to the capacity depletion fee (\$600.00) be made, therefore making a waiver of the fee unnecessary. Mr. Edwards moved that the Board approve the recommendation of the Committee. Dr. Maas seconded. Roll call vote was as follows: 8 Ayes; 0 Nays
2. Parcel #54 - Mr. Edwards reported that redesign possibilities should be explored and requested that Mr. Morris of Hendon Engineering Associates consult with McGill Associates, P.A. regarding realignment projections and report back to the Committee at its next meeting.

f. Montreat Status Report

Mr. Edwards reported that all four easements required in Phase I have been obtained and that the total compensation paid was \$250.00. With regard to Phase

II, Mr. Edwards stated acquisition on the 31 easements is proceeding.

g. File Updates - Montreat

1. Parcel #10 - Mr. Edwards reported that the Town of Montreat requested that the MSD allow them to construct a water line within MSD's 20-foot sewer easement. Mr. Edwards stated that in order to avoid future misunderstanding by the owner as to who's responsibility it is to do repairs on the water line, the Committee felt that the best solution would be for the Town of Montreat to obtain an easement for the water line and the MSD obtain a separate easement for the sewer line and instructed Mr. Morris of Hendon Engineering Associates to contact the Town of Montreat with this suggestion and report back to the Committee.

h. Reconnection of Service Lines

Mr. Edwards reported that following a question by Mr. Morris as to whether a side agreement, separate from the easement agreement, for reconnection of service lines that extend beyond the easement area was necessary, the Committee agreed that a letter signed by the property owners allowing MSD to reconnect the service line would be sufficient.

c. **Plant Operations Committee - 6/5/92 - Dr. Maas**

Dr. Maas reported that the Plant Operations Committee met June 5, 1992 to update the Committee on the status of problems at the plant in meeting its BOD limits. Dr. Maas stated that in testing the treatment system during the last four months, at one-half its capacity, the District has been out of compliance with its total BOD limits and has been reporting to the State carbonaceous BOD instead of Total BOD. In addition to the carbonaceous BOD, Dr. Maas reported that with the way the plant is operating with the RBC's, it is also getting a lot of nitrogenous BOD and that it was unclear as to whether the District could report to the State just carbonaceous BOD and subtract the nitrogenous BOD out, which would result in compliance. Dr. Maas stated the results to date in May indicate that total BOD is an average of 29.9 while carbonaceous BOD is at 19.8 and that the Committee agreed that the District continue with testing, collecting data and working with the State in the possibility of amending the Permit. A brief discussion followed with regard to meeting BOD limits and the State's interpretation of the limit.

10. Unfinished Business:

None

11. New Business

At 4:15 p.m. Mr. Edwards moved that the Board go into Executive Session to discuss Rights-of-Way matters.

At 4:29 p.m., Mr. Edwards moved that the Board reconvene the regular meeting. The motion was approved unanimously.

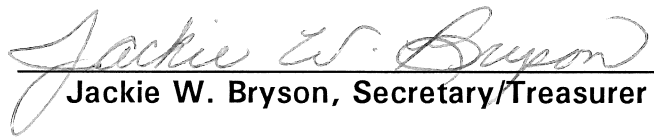
No action was taken.

Chairman Smith then presented a letter from Marc Fender thanking the Board for its support in providing recognition and awards to local and regional participants in the NCAWWA WPCF Science Fair.

12. Date of Next Regular Meeting: July 21, 1992

13. Adjournment:

There being no further business, the meeting adjourned at 4:35 p.m.



Jackie W. Bryson, Secretary/Treasurer

MSD

Metropolitan Sewerage District of Buncombe County, North Carolina

W. H. Mull, P.E., Engineer-Manager
P.O. Box 8969, Asheville, N.C. 28814
Telephone: Area Code 704-254-9646

Telecopier (704) 254-3299

John S. Stevens, General Counsel



Frank S. Smith III, Chairman
George E. Ivey, Vice-Chairman
Jackie W. Bryson
Charles M. Dent
M. Wayne Edwards
Kenneth E. Frizzell
Richard P. Maas
Charles W. Penny
O.R. Post
E. Benson Slosman
Carolyn R. Wallace

CERTIFICATION

I, Jackie W. Bryson, Secretary/Treasurer to the Board of the Metropolitan Sewerage District of Buncombe County, North Carolina, do hereby certify that the attached is a true and correct copy of the Fiscal Year 1992-1993 Budget adopted by the Board of the Metropolitan Sewerage District at its regular meeting held June 9, 1992.

Witness my hand and seal of said District this 9th day of June, 1992.

Jackie W. Bryson, Secretary/Treasurer

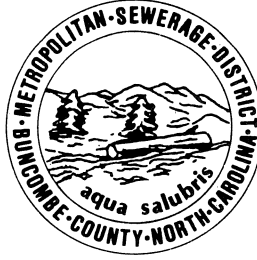
Board of the Metropolitan Sewerage District of
Buncombe County, North Carolina

MSD Metropolitan Sewerage District of Buncombe County, North Carolina

W. H. Mull, P.E., Engineer-Manager
P.O. Box 8969, Asheville, N.C. 28814
Telephone: Area Code 704-254-9646

Telecopier (704) 254-3299

John S. Stevens, General Counsel




Frank S. Smith III, Chairman
George E. Ivey, Vice-Chairman
Jackie W. Bryson
Charles M. Dent
M. Wayne Edwards
Kenneth E. Frizsell
Richard P. Maas
Charles W. Penny
O.R. Post
E. Benson Slosman
Carolyn R. Wallace

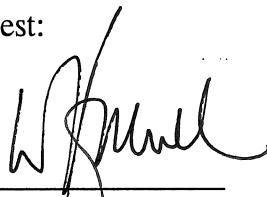
RESOLUTION OF THE METROPOLITAN SEWERAGE DISTRICT BOARD OF BUNCOMBE COUNTY, NORTH CAROLINA

BE IT RESOLVED that the Metropolitan Sewerage District Board of Buncombe County, North Carolina, does hereby adopt the attached Annual Operation and Maintenance Budget for the Fiscal Year 1992-93, this being the same Preliminary Budget which was submitted to the Board and other interested parties by the Engineer-Manager and Budget Officer on May 19, 1992, which Budget has been available for inspection at the District office since May 19, 1992, and which Budget totals \$7,208,061.00 of which the estimated monthly Budget is equal to one-twelfth (1/12) of the Total Budget.

THIS, 9th day of June, 1992.


FRANK S. SMITH, III, CHAIRMAN
Metropolitan Sewerage District Board
of Buncombe County, North Carolina

Attest:


W. H. Mull, P.E.
Engineer-Manager

5/ 6/92

DISBURSEMENTS CONTINUED

RECOMMENDED
1992-93
BUDGET

COLLECTION SYSTEM OPERATIONS
=====

700	SALARIES & WAGES.....	1,477,000
702	INSURANCE.....	313,800
	(HEALTH & LIFE.....133,000)	
	(WORKMANS COMP.....41,400)	
	(VEHICLES.....55,000)	
	(BUILDING.....8,600)	
	(LIABILITY.....75,800)	
704	FICA TAXES @ 7.65%.....	112,991
706	NC RETIREMENT @ 4.99%.....	73,702
710	SAFETY EQUIPMENT.....	30,000
720	TELEPHONE.....	15,000
725	OFFICE SUPPLIES.....	15,000
728	POSTAGE & PETTY CASH.....	1,200
730	POWER & LIGHTS.....	15,000
740	SMALL TOOLS & SUPPLIES.....	30,000
750	WATER & GARBAGE.....	7,000
760	VEHICLE EXPENSE.....	150,000
771	LINE CLEANING SUPPLIES.....	45,000
780	UNIFORM SERVICE.....	22,000
791	SCHOOLS & CONFERENCES.....	15,000
795	DUES & SUBSCRIPTIONS.....	750
800	MAINTENANCE BLDG. & GROUNDS.	25,000
810	MAINTENANCE PIPELINE.....	350,000
820	MAINTENANCE EQUIPMENT.....	20,000
830	CAPITAL OUTLAY--NEW.....	86,600
840	PERMITS AND FEES (CNT.MAINT)	6,000
850	PUMP MAINTENANCE.....	35,000
860	EQUIPMENT RENTAL.....	10,000
870	CONTRACTED SERVICES.....	200,000
880	CONTINGENCY.....	56,766
	TOTAL COLLECTION SYSTEM OPERATIONS ...	3,112,809
	TOTAL EXPENDITURES.....	7,208,061

5/ 6/92

METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY, NORTH CAROLINA
OPERATION AND MAINTENANCE FUND--STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS
BUDGET LINE ITEMS FOR FY 92/93
=====

<u>GENERAL ADMINISTRATION</u>		1992-93 BUDGET
200	SALARIES.....	374,950
210	BILLING & COLLECTIONS.....	300,000
220	TELEPHONE.....	12,000
230	TRAVEL & CONFERENCES.....	12,000
240	OFFICE SUPPLIES.....	18,000
251	POWER & WATER.....	11,000
260	DIRECTORS' EXPENSES.....	14,000
270	INSURANCE.....	65,400
	(HEALTH & LIFE.....20,000)	
	(WORKMANS COMP.....1,000)	
	(VEHICLES.....1,200)	
	(BUILDING.....3,400)	
	(LIABILITY.....7,800)	
	(5M-UMBRELLA.....32,000)	
280	DUES & SUBSCRIPTIONS.....	4,000
290	ACCOUNTING @ 1% OF PAYROLL..	
300	CONSULTING ENGINEERS.....	25,000
310	LEGAL FEES & EXPENSES.....	25,000
320	TRUSTEE FEES.....	12,000
330	AUDIT FEES.....	12,000
340	POSTAGE & PETTY CASH.....	7,500
350	OFFICE EQUIPMENT REPAIRS....	2,500
360	FICA TAXES @ 7.65%	28,684
370	NC RETIREMENT @ 4.99%.....	18,710
380	VEHICLE EXPENSE.....	6,400
390	CAPITAL OUTLAY (EQUIPMENT)..	20,000
400	CONTINGENCY.....	48,457
TOTAL GENERAL ADMINISTRATION		1,017,601

5/ 6/92

DISBURSEMENTS CONTINUED

RECOMMENDED
1992-93
BUDGET

PLANT OPERATIONS

500	SALARIES & WAGES.....	1,447,000
502	INSURANCE.....	260,200
	(HEALTH & LIFE.....122,500)	
	(WORKMANS COMP.....41,300)	
	(VEHICLES.....18,000)	
	(BUILDING.....66,800)	
	(LIABILITY.....11,600)	
504	FICA TAXES @ 7.65%	110,696
506	NC RETIREMENT @ 4.99%.....	72,205
510	CHEMICALS.....	225,000
520	TELEPHONE.....	9,500
525	OFFICE SUPPLIES.....	5,000
530	POWER & LIGHTS.....	300,000
540	SMALL TOOLS & SUPPLIES.....	30,000
550	WATER & GARBAGE.....	30,000
560	VEHICLE EXPENSE.....	40,000
571	LABORATORY SUPPLIES.....	19,000
580	UNIFORM SERVICE.....	30,000
591	SCHOOLS & CONFERENCES.....	10,000
600	MAINTENANCE BLDG. & GROUNDS.	55,000
610	PERMITS AND FEES.....	2,500
620	MAINTENANCE EQUIPMENT.....	200,000
630	CAPITAL OUTLAY--NEW.....	50,000
640	EQUIPMENT REPLACEMENT.....	125,000
650	CONTINGENCY.....	56,550
	TOTAL PLANT OPERATIONS	<u>3,077,651</u>

5/ 6/92

SCHEDULE 4

METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY, NORTH CAROLINA
OPERATION AND MAINTENANCE FUND--STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS

1992-93 BUDGET

=====

	1992-93 BUDGET	CURRENT MONTH	PERIOD ENDING	PRIOR MONTH	PERIOD ENDING
	-----	-----	-----	-----	-----
TOTAL GENERAL ADMINISTRATION.....	1,017,601				
TOTAL PLANT OPERATIONS.....	3,077,651				
TOTAL COLLECTION SYSTEM OPERATIONS....	3,112,809				
TOTAL EXPENDITURES.....	7,208,061	-----	-----	-----	-----
INTEREST TRANSFERRED TO REVENUE ACCT.....		-----	-----	-----	-----
TOTAL DISBURSEMENTS.....		-----	-----	-----	-----
TRANSFERRED FROM REVENUE FUND.....		-----	-----	-----	-----
OTHER RECEIPTS.....		-----	-----	-----	-----
TOTAL RECEIPTS.....		-----	-----	-----	-----
EXCESS OF RECEIPTS OVER DISBURSEMENTS.....		-----	-----	-----	-----
(DISBURSEMENTS OVER RECEIPTS).....		-----	-----	-----	-----
BEGINNING CASH BALANCE.....		-----	-----	-----	-----
ENDING CASH BALANCE.....		-----	-----	-----	-----

THE CURRENT EXPENSES FOR EACH MONTH ARE ESTIMATED TO BE ONE-TWELFTH (1/12) OF THE ANNUAL BUDGET.
ESTIMATED REVENUE TO BE COLLECTED FROM SEWER SERVICE CHARGES FOR THIS FUND EQUAL \$7,208,061.