

BOARD OF THE METROPOLITAN SEWERAGE DISTRICT
August 18, 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, August 18, 1992. Chairman Smith called the meeting to order at 2:05 p.m. with the following members present: Bryson, Dent, Edwards, Frizzell, Ivey, Maas, Post, Slosman and Wallace. Those members absent were: Penny.

Others present were: W. H. Mull, Engineer-Manager, John Stevens, General Counsel, Dean Huber, Bill Morris and Bill Conner of Hendon Engineering Associates, Inc., Gary Davis of McGill & Associates, Michael Baker of Hall & Baker Archaeological Associates, Bob Tinkler representing the League of Women Voters, Stan Boyd, Angel Morris, and Bob Ensley of the MSD.

2. Minutes of the July 21, 1992 Board Meeting:

Mr. Slosman moved that the minutes of the July 21, 1992 meeting be adopted as written. Mr. Dent seconded. Voice vote was unanimous in favor of the motion.

3. Report of Engineer-Manager

a. Status Report on Construction Projects:

1. Montreat CIP Phase I

Mr. Mull reported that 42% of Phase I Montreat CIP is complete with 110% of the contract time passed. Mr. Mull further reported that the 120-day construction time expired on July 21, 1992 and because of a request by the Town of Montreat to suspend construction on Assembly Drive during the months of June, July and August, the contractor's completion date and contract time will need to be extended. Mr. Mull stated that a meeting is tentatively scheduled during the first week of September to review and evaluate the amount of time required to complete the project.

2. Phase IV Sludge Handling Facilities

Mr. Mull presented a status report on construction of Phase IV, Sludge Handling Facility and reported that 87% of the contract is complete with 82% of the revised contract time passed and that subcontractors work for the Sludge Handling Facility is slightly ahead of schedule. A discussion followed with regard to the expected completion date of January 2, 1992. Mr. Mull stated that the 87% represents work on the current sludge facility, digester improvements, gas collection system, power generation, dewatering equipment, the incinerator and the building itself, but that the Chemical Stabilization Facility will go out for bid in approximately one month.

3. Asheville Street/Sidewalks Sewer Rehab

Mr. Mull reported that all work associated with the original rehabilitation (Contract 9 - Section II Patton Avenue) has been complete and accepted with additional work for relocating a sewer line around a Southern Bell manhole authorized and performed June 25th through July 6th and the installation of a sewer line for the new Federal Building performed July 6th through July 15th. Mr. Mull further reported that Contract 11 is underway and is approximately 10% complete and Contract 6, 2.4% complete.

b. Consideration of Proposal for Construction Project Services - Asheville CIP - Street/Sidewalk Sewer Rehabilitation (Hendon Engineering Associates);

Mr. Mull presented a proposal from Hendon Engineering Associates for Construction Project Services in connection with the Asheville CIP Street/Sidewalk Sewer Rehabilitation. Mr. Mull reported that the Contract Amendment is to establish a budget

ceiling based on providing engineering services during construction and 24 manmonths of inspection for construction contracts 6, 9, 11 and 13 beginning September 1, 1992 at a cost not to exceed \$235,100.00. Mr. Mull further reported that the proposal was presented to the Sewer System Consolidation Committee August 10, 1992 and the Committee recommended adoption of the proposal. Following a discussion as to the location of Contract 12 and reasons why it will not be complete, Mr. Dent moved that the Board adopt the recommendation of the Sewer System Consolidation Committee and approve the Amendment Proposal as presented. Mr. Frizzell seconded. Roll call vote was as follows: 10 Ayes; 0 Nays

c. Consideration of Evaluation of Fish Habitat Structure - RMC Environmental Services, Inc.

Mr. Mull presented a proposal from RMC Environmental Services, Inc. to perform an evaluation survey to determine substrate (silt, sand, and gravel) changes associated with the three (3) habitat enhancement structures placed in the bypassed reach of the French Broad River below the Craggy Dam. In addition, Mr. Mull presented documentation from the North Carolina Wildlife Resources Commission and U.S. Department of Interior dated July, 1990 listing the terms and conditions as requirements for the Craggy Dam Hydroelectric Project. Mr. Mull stated that two of the conditions included the building of dams in the French Broad River between August & October, 1990, and two years later in October-November 1992, perform a substrate evaluation study. Mr. Mull reported that the cost to perform the study is as follows: Personnel costs \$40,770.00, Direct costs \$7,030.00 and Surveyor assistance, \$4,000.00 for a total cost of \$51,800.00. A lengthy discussion followed regarding the cost of the study and whether or not other companies were given the opportunity to bid on the project. Dr. Maas reported that in review bids on a project in Macon County, North Carolina firms bidding on the project came in at a cost less than that of RMC Environmental Services, Inc. There being no further discussion, Dr. Maas moved that a list of North Carolina firms be provided to the Engineer-Manager and that MSD staff prepare and submit Request for Proposals for this project. Mr. Ivey seconded. Voice vote was unanimous in favor of the motion.

d. Status of Archaeological Survey and Assessment - North Swannanoa Interceptor Sewer Replacement - (Hall & Baker Archaeological Consultants);;

Mr. Michael Baker of Hall & Baker Archaeological Consultants presented a status report on the initial archaeological survey for Phase I of the North Swannanoa Interceptor Sewer Replacement along with samples of artifacts found at the sites tested. Mr. Baker briefly described various documents in the report and stated that in response to the initial survey report submitted to the North Carolina Department of Cultural Resources, that preliminary findings support the original recommendation that the three (3) sites tested are potentially eligible for listing on the National Register of Historic Places. Mr. Baker reported that the final report when finished will be submitted to various State agencies for review and from that report the State will prepare a scope of work which will define the basic questions outlined. Mr. Baker stated that the report will also determine whether, or to what extent, mitigation will be required for this project, which will be the final phase of work on this project. Mr. Baker further stated that the project has gone very smooth because Hendon Engineering Associates included them early in the process. A discussion followed on the negative impact, if any, of the construction of a sewer line and the possibility of finding skeletal remains on the sites tested.

e. Consideration of Bids for Vehicles;

Mr. Mull presented the following vehicle bids which were reviewed by the Sewer System Consolidation Committee August 10, 1992.

1. 1993 3/4 Ton Pick-up - Replacement Mechanics Truck

The results of the July 29, 1992 bid opening are as follows: Parkway Chevrolet (Asheville), (Apparent Low Bidder) with a total base bid of \$16,467.05

bid for a 1993 3/4 Ton Pick-up (waiving full sized spare wheel & tire and skid plate); Parkway Chevrolet (Alternative) with a total base bid of \$16,981.56 for a 1992 3/4 Ton Pick-up and Matthews Ford (Asheville) with a total base bid of \$16,897.00 for a 1992 or 1993 3/4 Ton Pickup (F250).

Mr. Mull reported that in a letter received from Walter L. Currie, Attorney for the District that the bid of Parkway Chevrolet for the 1993 truck is the low bid and if the bid of Parkway Chevrolet is recommended, care should be taken to make sure that the bid on the 1993 truck is recommended since Parkway also submitted a bid on a 1992 truck at a price higher than the Matthews Ford bid.

Mr. Mull stated that the mechanics truck is a 1983 one-half ton pick-up and although the mileage is only a total of 36,800 miles the truck is 10 years old and falling apart. Mr. Ivey moved that the Board approve the apparent low bid of Parkway Chevrolet in the amount of \$16,467.05. Ms. Wallace seconded. Roll call vote was as follows: 10 Ayes; 0 Nays

2. Compact Car (Right-of-Way Agent)

The results of the July 29, 1992 bid opening are as follows: Parkway Chevrolet, (Apparent Low Bidder) with a total base bid of \$10,659.10 for a 1993 Corsica (waiving full sized spare wheel & tire, and Skid Plate); Matthews Ford with a total base bid of \$11,497.00 for a 1992 or 1993 Tempo.

Mr. Mull reported that in a letter received from Walter L. Currie, Attorney for the District that neither dealer is supplying the full size spare required by the specifications and that requirement should be waived and the award made to the low bidder, Parkway Chevrolet.

Mr. Slosman moved that the Board approve the apparent low bid of Parkway Chevrolet in the amount of \$10,659.10. Mr. Post seconded. Roll call vote was as follows: 10 Ayes; 0 Nays

3. Compact Pick-Up (Replacement Operators Truck)

The results of the July 29, 1992 bid opening are as follows: Parkway Chevrolet (Apparent Low Bidder) with a total base bid of \$10,494.18 for a 1993 Compact Pick-up (S-10) (waiving full sized spare wheel & Tire, and Skid Plate) and Matthews Ford with a total base bid of \$19,787.00 for a 1992 Compact Pick-up (Ranger).

Mr. Mull reported that in a letter received from Walter L. Currie, Attorney for the District that neither dealer is supplying the specified skid plate and that requirement can be waived and the award made to the low bidder, Parkway Chevrolet.

Mr. Mull stated that the Operators Truck is a 1990 pick-up with 96,000 miles and is basically worn out. Mr. Ivey moved that the Board approve the apparent low bid of Parkway Chevrolet in the amount of \$10,494.18. Ms. Wallace seconded. Roll call vote was as follows: 10 Ayes; 0 Nays.

4. Cargo Mini Van (Electronics Maintenance Crew)

The results of the July 29, 1992 bid opening are as follows: Matthews Ford with a total base bid of \$17,583.00 for a 1992 or 1993 Cargo Mini-Van Aerostar and Parkway Chevrolet (Apparent Low Bidder) with a total base bid of \$14,915.79 for a 1993 Compact Mini-Van Astrovan (waiving full sized spare wheel & tire, and skid plate).

Mr. Mull reported that in a letter received from Walter L. Currie, Attorney for the District that the low bidder is not supplying the full size spare required by the specifications and that requirement should be waived if the award is made to the low bidder, Parkway Chevrolet.

Mr. Post moved that the Board approve the apparent low bid of Parkway Chevrolet in the amount of \$14,915.79. Mr. Edwards seconded. Roll call vote was as follows: 10 Ayes; 0 Nays

5. Two (2) Off-Road Utility Vehicles (Plant)

The results of the July 29, 1992 bid opening are as follows: RCV Turf & Tractor of Weaverville (Apparent Low Bidder) with an original total base bid of \$8,320.00 and a revised bid including sales tax of \$8,819.20 for two (2) AMT 626 John Deere vehicles (waiving full sized spare wheel & tire, and skid plate); Carswell Distributing Company of Winston-Salem with a total base bid of \$10,589.40 for two (2) Mule 450 Kawasaki vehicles; Dal-Kawa Cycle Center of Hendersonville with a total base bid of \$9,227.04 for two (2) Mule 300 Kawasaki and \$10,931.04 for two (2) 450 Kawasaki and \$9,919.04 for two (2) 540 Kawasaki vehicles; Mr. Honda Kawasaki, Yamaha of Asheville with a total base bid of \$10,277.60 for two (2) Mule 450 Kawasaki Off-Road Utility Vehicles and Smith Turf & Irrigation of Charlotte with no bid submitted.

Mr. Mull reported that in a letter received from Walter L. Currie, Attorney for the District that the bid of RCV Turf and Tractor does not include sales tax which may make the bid of Dal-Kawa for the Mule 300 vehicle the low bid. You should determine whether or not the Mule 300 meets the minimum specifications before recommending acceptance of the bid.

Following a brief discussion on the waiver of full sized spare wheel & tire, and skid plate, Ms. Bryson moved that the Board approve the revised low bid of RVC Turf & Tractor for a total of \$8,819.20. Mr. Dent seconded. Roll call vote was as follows: 10 Ayes; 0 Nays

f. Consideration of Bids for Sludge Dewatering;

The results of the August 11, 1992 bid opening for Sludge Dewatering are as follows: Aunti Hydro, Inc. with a total base bid of 52,440.00; Environmental Waste Recycling, Inc. with a total base bid of \$37,000.00; Video Pipe Services, Inc. with a total base bid of \$36,356.00; COM-MAR Ltd. with a total base bid of \$53,440.00 and Mobile Filtration Services, Inc. (Apparent Low Bidder) with a total base bid of \$32,000.00.

Mr. Mull reported that in review of the bids, Mr. Walter L. Currie, Attorney for the District stated that he has determined that the low bidder, Mobile Filtration Services, Inc. was non-responsive due to changes they made in the terms of the contract and the scope of work and see no reason for MSD not to award the contract to the next lowest bidder, Video Pipe Services, Inc., in the amount of \$36,356.00.

Mr. Slosman moved that the Board approve the recommendation of Mr. Walter L. Currie and award the contract to Video Pipe Services, Inc. in the amount of \$36,356.00. Mr. Post seconded. Roll call vote was as follows: 10 Ayes; 0 Nays

g. Consideration of Proposal for Easement Acquisition Services, North Swannanoa Interceptor Sewer Replacement, Phase II - Martin/McGill;

Mr. Mull presented a proposal from Martin/McGill for Easement Acquisition Services, North Swannanoa Interceptor Sewer Replacement, Phase II. Mr. Mull stated that the proposal was presented in the following segments: Segment 1 consisting of 34 parcels of property for a fee not to exceed \$20,600.00, or \$605.00 per parcel; Segment 2 consists of 87 parcels of property for a total not to exceed fee of \$37,500.00, or \$431.00 per parcel and Segment 3 consisting of 80 parcels of property for a total not

to exceed fee of \$35,500.00, or \$443.00 per parcel. Mr. Mull reported that this proposal was presented to the Right-of-Way Committee August 7, 1992 and the Committee recommended approval of the three (3) contract segments. Mr. Post moved that the Board accept the recommendation of the Right-of-Way Committee and approve the proposal as presented. Mr. Frizzell seconded. Roll call vote was as follows: 9 Ayes; 0 Nays.

h. Report on Chemical Stabilization Facility's Conditional Use Permit;

Mr. Mull presented a summary of a meeting held August 10, 1992 at the Woodfin Town Hall regarding the Conditional Use Permit which will allow the District to construct and operate the Chemical Stabilization Facility for sludge. Mr. Mull reported that the Zoning Board issued the Conditional Use Permit subject to the following Conditions:

a. A strip of evergreen trees and shrubs shall be provided along the property line to the southeast of the proposed facility and extending 100 yards north and 100 yards south of the proposed facility. The trees shall be no less than six feet in height when planted and of sufficient density at maturity to block all view of the proposed facility from the adjoining property. The plans for the buffer shall be approved by the Zoning Administrator prior to installation and plant materials shall be guaranteed for the life of the proposed facility. The planting buffer is estimated to cost approximately \$8,000.00.

b. All particles resulting from outside storage of the stabilized sludge at the proposed facility shall be retained on the site. Mr. Mull stated that this report was presented for information purposes only and that no action was necessary at this time.

i. Update on Charles D. Owen matter;

Mr. Mull presented a letter from Billy Clarke, Attorney for District, addressed to Mr. W. Perry Fisher, II of Van Winkle, Buck, Wall, Starnes & Davis, Attorney for Charles D. Owen Manufacturing Company. Mr. Mull stated that staff has recommended that the Chairman of the MSD Board appoint a Hearing Panel and establish a date for a hearing since the District has not been able to resolve with Charles D. Owen Manufacturing Company the matter of the discharge of acid and wastewater into the MSD System and the fines that were assessed. Chairman Smith appointed the following Board members to serve: Dr. Maas, Chairman along with Mr. Edwards and Mr. Dent and stated that a hearing date will need to be set no sooner than one month from today's meeting. A discussion followed with regard to the status of the Pollution Control Equipment to be installed by Charles D. Owen Manufacturing, which would prevent future discharges of this type and the fines assessed at \$1,000.00 per day.

j. Consideration of Proposed Easement Agreement (CP&L);

Mr. Stan Boyd presented an Easement Agreement between CP&L and the MSD granting a 10 foot easement for underground electric to the steam generator being constructed under the Phase IV contract. Mr. Boyd stated that this agreement has been reviewed by MSD legal counsel and recommended that it be brought before the Board for approval. Mr. Dent moved that the Board approve the Easement Agreement as presented. Dr. Maas seconded. Voice vote was unanimous in favor of the motion.

4. Report of Officers

None

5. Report of Committees:

a. **Right-of-Way Committee - 8/7/92 - Mr. Edwards**

1. North Swannanoa Sanitary Sewer Interceptor - Phase I Status

Mr. Edwards reported that of the 62 total easements, 49 have been signed, 2 condemnations are being filed and 11 are open. Mr. Edwards further reported that to date, \$36,977.50 has been spent for easement compensation and \$75,000.00 has been spent for the purchase of one parcel for a total of \$111,977.50.

2. Parcel 13

Mr. Edwards reported that an appraisal was received from Doug Thrash in the amount of \$5,000.00 and since there has been no response from the owner, the Committee recommended that the Board approve proceeding with condemnation. Mr. Edwards moved on the recommendation of the Committee. Ms. Wallace seconded. Voice vote was unanimous in favor of the motion.

3. Parcels 16, 18 and 63

Mr. Edwards reported that parcels 16, 18 and 63 have appraised for \$26,000.00, however the owner is asking for \$175,000.00 and to date an agreement has not been made. Mr. Edwards stated that the Committee recommends condemnation if an agreement is not reached by September 1, 1992. Mr. Edwards moved on the recommendation of the Committee. Ms. Wallace seconded. Voice vote was unanimous in favor of the motion.

4. Parcels 37 and 39, Buncombe County

Mr. Edwards presented a letter dated July 22, 1992 from Buncombe County Commissioner, Bill Stanley regarding negotiations on sewer easements in the replacement of an existing sewer line which crosses the Buncombe County Golf Course and Buncombe County Recreation Park. In addition, Mr. Edwards presented a proposed letter from the MSD Board to the Buncombe County Board of Commissioners expressing MSD's willingness to abide by an agreement reached March 12, 1992 between representatives of the MSD Board and County Commissioners and stating that if the County Commissioners are not willing to abide by the agreement reached that the MSD Board requests a joint meeting with the County Commissioners to resolve the matter so that construction can proceed on the project. Following a brief discussion, Mr. Edwards moved that the Board approve and send the letter as drafted. Ms. Wallace seconded. Voice vote was unanimous in favor of the motion.

5. Parcel 40

Mr. Edwards reported that the owner has signed the documents and sent to the tenants for approval and that the tenants have offered \$16,500.00, which is approximately .09/square foot of total easement area. Mr. Edwards further reported that because the new alignment will affect a neighboring owner, the Committee recommends that the neighboring owner be contacted to see if she would sign a new easement agreement and if she responds favorably, proceed with the new alignment, have an appraisal for damages prepared on the owners parcel and offer indicated damages to the owner. In addition, the Committee further agreed to recommend condemnation if an agreement cannot be reached by September 15, 1992. Edwards moved on the recommendation of the Committee. Ms. Bryson seconded. Voice vote was unanimous in favor of the motion.

6. Parcel 58

Mr. Edwards reported that the Owner made an offer of \$6,500.00 and the Committee recommended a counter offer in the amount of \$1,750.00 based on the .25/square foot damage value indicated in the appraisal of C.A. Young. Mr. Edwards further reported that following this offer the owner came back with and countered with an offer of \$3,950.00. In order to avoid condemnation proceedings, the Committee recommended that the Board approve an offer of \$3,950.00. Mr. Edwards moved on the recommendation of the Committee. Mr. Dent seconded. Voice vote was unanimous in favor of the motion.

7. Parcel 59

Mr. Edwards reported that an original offer in the amount of \$6,400.00 was made to the owner but the owner countered with an offer of \$8,600.00. Mr. Edwards further reported that following an appraisal of damages and estimates to demolish the sheds, staff made an offer in the amount of \$4,349.00, and the owner came back and said he would accept the original offer of \$6,400.00 and the responsibility for any and all expenses incurred in removing the sheds. Mr. Edwards moved that the Board approve the offer of \$6,400.00. Dr. Maas seconded. Voice vote was unanimous in favor of the motion.

8. Parcel 67

Ms. Morris presented a map showing the location of the property and stated that Mr. Young has agreed to sign an easement agreement in exchange for granting him access across MSD's property to property he is planning to build a subdivision on. Mr. Morris stated that considering the damages that are being done to MSD's property, by placing a sewer line on it, the Committee discussed the possibility of reappraising MSD's property, deducting the damages indicated for Mr. Young's property from the new appraised value and offering to sell the property to Mr. Young for the difference. Following a discussion on the value of MSD's property and the cost of an appraisal, Mr. Edwards moved that the Board approve the Committee's recommendation and if an agreement cannot be reached by September 15, 1992, proceed with condemnation. Mr. Ivey seconded. Voice vote was unanimous in favor of the motion.

II. Weaverville Sanitary Sewer Improvements:

a. Status

Mr. Edwards reported that of the 77 easements, 56 have been signed and 21 are open and to date, \$600.00 has been paid for easement compensation and completion is projected for September 15, 1992.

b. Parcel 48

Mr. Edwards stated that the owner has agreed to sign an easement if MSD will construct the line in ductile iron instead of PVC pipe. Mr. Edwards reported that given the location of the parcel and that future development was probable, the Committee agreed and recommended that ductile iron be used for the portion of the line crossing this property. Mr. Edwards moved on the recommendation of the Committee. Dr. Maas seconded. Voice vote was unanimous in favor of the motion.

III. Engineering Assistance for Easement Acquisition:

Mr. Edwards reported that because the approved 10% limit for Engineering Assistance for Easement Acquisitions has already been exceeded, Mr. Gary Davis of McGill Associates is present to explain the process. Mr. Davis reported that the first thing that is done is to locate all property owners and hand carry letters to

owners informing them that at some time surveying will be done for the replacement of a sewer line. Mr. Davis further reported that while doing work in the field, they will be called upon to address any concerns of property owners and following design, answer any questions regarding location of the lines and easement agreements. Mr. Davis gave several examples of additional costs associated with different properties because of the cost of redesign. Following a discussion, Stan Boyd stated that the Committee felt that once the project is complete (within 45 days) a total of the engineering costs be obtained and compared and report back to the Board what was expended and amend the contract at that time.

IV. Right-of-Way Checking Account

Mr. Edwards reported that the Board previously approved a limit of \$5,000.00 for a Right-of-Way Checking Account but because property owner compensation has ranged from \$250.00 to \$13,700.00 and it take from 10 to 12 days to process and receive a check, the Committee recommended a dollar limit of \$25,000.00 be submitted to the Board for approval. Following a discussion with regard to the amount of days it takes to process and receive a check from the bank located in Winston-Salem, Mr. Edwards moved that the Board approve to increase the limit of the Right-of-Way checking account from \$5,000.00 to \$25,000.00. Dr. Maas seconded. Voice vote was unanimous in favor of the motion.

c. Sewer System Consolidation Committee - 8/10/92 - Mr. Dent

Mr. Dent reported that the Sewer System Consolidation Committee met August 10, 1992 and in addition to the issues previously discussed in the Engineer-Managers report, the Committee discussed a signage agreement from the Department of Transportation (DOT) to erect and maintain the necessary signage to detour traffic around NC 81 during construction of the North Swannanoa Interceptor Sewer line for an up front fee of \$12,000.00. Mr. Dent further reported that the Committee recommended approval of the contract with the DOT for the signs along NC 81, but that the money not be paid until the contract was bid and that the signage be included in the construction bid documents. Mr. Dent moved on the recommendation of the Committee. Mr. Ivey seconded. Roll call vote was as follows: 9 Ayes; 0 Nays; 1 Absent (Mr. Frizsell)

d. Out of District Policy Committee - 7/11/92 - Dr. Maas

Dr. Maas reported that the Out of District Policy Committee met July 11, 1992 to consider requests for service from three (3) areas outside the District. Dr. Maas stated that for a long time the MSD did not take Out of District people into the system because it would require additional seats on the Board but recently the Legislature passed a bill allowing the MSD to add other incorporated areas into the District and that those areas would be represented by members of the Board from Buncombe County. Dr. Maas further stated that the MSD had about 100 agreements with users outside the District and the agreements that were written as part of consolidation and that a question existed whether these agreements were binding on subsequent owners. However, Dr. Maas stated that it was his opinion that the MSD could take Out of District connections if a document was developed that made it very clear that all the MSD is doing is allowing them to tie into the MSD system. Dr. Maas further stated he felt that the MSD can only take new people into the District if they are contiguous with the District and that the biggest issue the MSD's is facing is a decision on whether or not there will be a policy in taking Out of District connections and the effect this policy will have on future growth of the County. Dr. Maas reported that the Committee is inclined to grant the three (3) applicants connection and recommends that staff to draw up a model agreement that can be attached to individual property deeds. Following a discussion with regard to such an agreement, water conservation devices and advantages of new connections to the MSD in the future, Mr. Slosman moved that the Board approve the allocations of Mr. Winkler for a 48 unit mobile home park and Mr. King for a 12 lot subdivision contingent on the development of a legal agreement that can be attached to the property deed and

excluding the Biltmore Dairy Farm request until a later date. Mr. Post seconded. Voice vote was as follows: 7 Ayes; 2 Nays

6. Unfinished Business:

Mr. Mull stated that because there has been discussion in the past regarding procedures in the selection of professional services, a seminar has been tentatively scheduled to discuss these procedures, legal requirements and to accept recommendations as to the selection process. Following a brief discussion it was decided that a meeting date will be set for September.

In other business Mr. Mull reported that the MSD softball team won the Championship and that a co-ed team has been formed and are playing now. Mr. Mull further reported that if Board members would like their spouses registered for the WEF Conference in New Orleans, please let Sondra Honeycutt know today.

Mr. Mull presented a letter from a local resident address to Carolyn Wallace requesting the release of call records to fight a claim that was denied when sewage backed up in her basement. Following a brief discussion, it was agreed to release all all records.

7. New Business: Personnel Matters

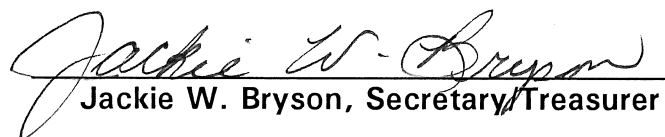
At 5:00 p.m. Ms. Wallace moved that the Board go into Executive Session to discuss Personnel matters.

At 5:05 p.m., Ms. Bryson moved that the Board reconvene the regular meeting. Voice vote was unanimous in favor of the motion.

8. Date of Next Regular Meeting: September 15, 1992

9. Adjournment:

There being no further business, the meeting was adjourned at 5:07 p.m.


Jackie W. Bryson, Secretary/Treasurer