

BOARD OF THE METROPOLITAN SEWERAGE DISTRICT

October 20, 1993

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 Wednesday, October 20, 1993. Chairman Post presided with the following members present: Casper, Dent, Frizzell, Joyner, Kelly, Penny, Post, Selby, and Slosman. Those members absent were: Bryson and Wallace

Others Present were: W. H. Mull, Engineer-Manager, John S. Stevens, General Counsel, Doyle Freeman of Henderson County, Alan Bolick of Bolick & Associates, Dale Pennell of McGill Associates, Bill Morris and Bill Conner of Hendon Engineering Associates, Inc., Ben Morgan of Ruby-Collins, Inc., Paul Duncan of Rockdale Pipeline, Inc., Bob Tinkler, representing the League of Women Voters, Patty Beaver of CIBO, Sharon Walk and Linda Dickson, MSD.

2. Approval of the Minutes of the September 15, 1993, and August 27-28, 1993 Retreat;

Mr. Slosman moved that the minutes of the August 27-28, 1993 Board Retreat be approved as presented. Mr. Dent seconded the motion. Voice vote was unanimous in favor of the motion. Mr. Dent moved that the minutes of the September 15, 1993 meeting be approved as presented. Mr. Casper seconded the motion. Voice vote was unanimous in favor of the motion.

3. Consideration of Request by Rockdale Pipeline, Inc. to do subcontract work on the North Swannanoa Interceptor Sewer - Mr. Duncan

Mr. Duncan requested that the Board give approval to Ruby-Collins, Inc. to sub-contract portions of the North Swannanoa Interceptor Sewer project to Rockdale Pipeline, Inc. Mr. Duncan stated that although there was an unintentional mistake in the bid of Rockdale Pipeline, Inc. and the Board approved withdrawal of its bid, by law the Board can give Rockdale Pipeline, Inc. approval to perform sub-contract work and by doing so, there would no any additional cost to the District. A lengthy discussion followed regarding the amount of work to be done; the unit costs involved; and whether the Board is being consistent with State Statutes in this matter. There being no further discussion, Mr. Frizzell moved that the Board reconsider its decision of September 15, 1993 and allow Rockdale Pipeline, Inc. to do sub-contract work on the project. Mr. Joyner seconded the motion. By a show of hands, the motion was defeated.

4. Audit Report - Bolick & Associates - Alan Bolick

Mr. Bolick presented the audit for fiscal year 1992-93 and reported that because the District received less than \$25,000.00 in State and Federal funds during the period a single audit was not required. Mr. Bolick commended the District and remarked that his was a "clean opinion". Several questions were asked regarding increase in revenues from customers; increase in interest paid on bonds; current interest rates; and if any action has been taken on the matter of unbilled sewer service charges by the various municipalities. Mr. Bolick suggested that the District request from its member districts a copy of audits and management letters for review. with regard to the "Notes to the General Purpose Financial Statements", Mr. Bolick reported that the District did not adopt a General Fund Budget at June 30, 1992 for the fiscal year ending June 30, 1993. However, on November 24, 1992, the District approved the "User Charge Report" which includes a General Fund Budget accepted by the Local Government Commission. A discussion followed regarding the unaudited meters in use by the various municipalities and whether the District's audit reports are available on its computer system. There being no further discussion, Mr. Dent moved that the Board adopt the audit as presented. Mr. Slosman seconded the motion. Voice vote was unanimous in favor of the motion.

5. Engineer-Manager Report - Personnel Committee Items

1. Personnel Policy Manual

Mr. Mull reported that following review of the Personnel Policy Manual, the Committee recommended that the Board adopt the Policy with suggested changes. Mr. Mull further reported that although additional changes are needed regarding annual and sick leave abuse, requested that the Board adopt the policy with these changes to be made at a later date. Mr. Joyner expressed his concern that the policy has no provisions for employees who wish to make a grievance and referenced the section on dismissal. Mr. Kelly stated that the amount of annual and sick leave provided to employees with eleven (11) or more years service seems excessive and asked whether this amount is consistent with that of other municipalities. There being no further discussion, the Board agreed that the Personnel Committee will need to meet again to further review the Policy prior to approval.

2. Job Qualifications - Director of Administration

In review of the job qualifications for the Director of Administration, Mr. Mull reported that the Personnel Committee recommended approval of the job qualifications and to proceed with advertisement of the position. A discussion followed with regard to salary range and work experience. Mr. Casper stated that he felt the major focus of the qualifications should emphasize a financial background rather than public administration. The Board agreed that the advertisement should include the following wording, "salary commensurate with experience and that a MBA/MPA is preferred with five (5) years of progressive management experience." There being no further discussion, the Board approved proceeding with advertisement of the position.

3. Archaeological Survey and Mitigation Process

Mr. Mull reported that in review of the Archaeological Survey and Mitigation Process on Phase I and II of the North Swannanoa Interceptor Sewer project, the Right-of-Way Committee recommended that this information be presented to the Board to verify concurrence with a draft letter to be sent to the North Carolina Department of Cultural Resources and subsequent procedures. Mr. Mull presented a letter drafted by staff stating the District's intent to perform an archaeological survey on Phase II of the North Swannanoa Interceptor Sewer only in permitted areas and the one known site across from Warren Wilson College, citing the Corp of Engineer's recommendation and further stating that the District will not go through the mitigation process for the two (2) archaeological sites identified on Phase I; again citing the Corp's criteria related to permitted areas only. If there is no response to the letter, the District will proceed without approval from the Advisory Council. Mr. Mull further reported that Appalachian State University has advised the District that it will withdraw its contract with the District for an archaeological survey, but have requested reimbursement for travel expenses and mapping done to date. In addition, there may be some cost involved in work performed to date by Hall & Bakers on the mitigation process. At the request of Mr. Slosman, Mr. Connor of Hendon Engineering Associates, Inc. gave a brief background on the archaeological survey and mitigation process for Phase I that began in 1990. Mr. Conner stated that an archaeological survey on Phase II may not be necessary, or at least not to the extent necessary for Phase I. There being no further discussion, the Board approved the letter as drafted and directed the Engineer-

Manager to proceed with mailing.

6. Report of Officers:

None

7. Report of Committees:

a. Right-of-Way Committee - September 28, 1993 - Mr. Slosman

1. Consideration of Relocation Around House on Cogswood Road - Myers

Mr. Slosman reported that Mr. Mull had previously made clear to Mr. Myers the District's intent to contribute not more than \$10,000.00 toward the relocation of a sewer line around his home located on Cogswood Road. A discussion followed regarding the possibility of Mr. Myers paying his share of the cost of the project out of proceeds from the sale of his home. Mr. Slosman stated that the Committee did not consider this method of payment since it might set a precedent for others in a similar situation. Mr. Penny suggested that the District consider placing a lien on the property to ensure that the line is built according to District standards. There being no further discussion, Mr. Post suggested that the concept of liening property be discussed at the next meeting of the Sewer System Consolidation Committee.

8. Unfinished Business:

Mr. Post reported that a meeting will be held at the District Tuesday, October 19, 1993 to discuss design specifications. Mr. Post encouraged members to attend.

As a matter of information, Mr. Post reported that due to the City of Asheville's recent restrictions on water use, the District's maintenance personnel are aware of the problem and will be filling its trucks from non-potable water at the treatment plant. Mr. Penny stated that because of the restrictions, the City of Asheville will be looking for locations along the French Broad river where non-potable water can be drawn to assist in projects that are creating dust and requested assistance from the District in the locating of these areas.

Mr. Mull presented his recommendations addressing those of Municipal Advisors, Inc. from the recent Management Study and asked for the Board's input. In review of the recommendations, the Board suggested that a decision on the following items be deferred for further discussion:

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| Item #7 | Conduct Customer Satisfaction Survey (Public Relations). |
| Item #10 | Reallocate Assistant Collection System Superintendent to Safety Coordinator. |
| Item #11 | Reallocate Technical Operations Supervisor to Purchasing Officer. |
| Item #18 | Hire Part-time Secretary for Engineering. |
| Item #22 | Eliminate new Right-of-Way Field Agent |
| Items 27,28 and 29. | Eliminate Liquids Process Supervisor, Solids Process Supervisor and Four Operations Staff Positions. |

9. Old Business:

Mr. Post reported that the Sewer System Consolidation meeting will be held Monday October 25, 1993. A brief discussion following regarding the new Committee structure and status reports on the construction of the Incinerator and Alkaline Stabilization facilities.

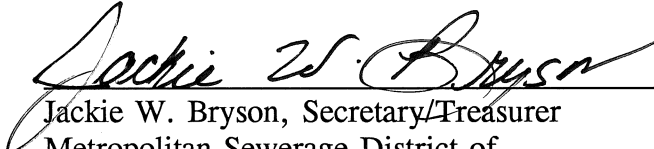
Mr. Mull requested that the Board authorize the expense for Board members and staff to attend the State AWWA/WPCA Convention in Raleigh. Mr. Penny moved that the Board approve the expense to attend this meeting. Mr. Slosman seconded the motion. Roll call vote was as follows: 9 Ayes; 0 Nays.

10. New Business

None

11. Adjournment:

There being no further business, the meeting was adjourned at 5:25 p.m.



Jackie W. Bryson, Secretary/Treasurer
Metropolitan Sewerage District of
Buncombe County, North Carolina