

BOARD OF THE METROPOLITAN SEWERAGE DISTRICT

April 20, 1994

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, April 20, 1994. Chairman Post presided with the following members present: Bryson, Casper, Holcombe, Joyner, Selby, Slosman, Sobol and Wallace. Those members absent were: Dent and Kelly

Others Present were: W. H. Mull, Engineer-Manager, John S. Stevens, General Counsel, Jim Fatland, Director of Administration, Bob Holbrook of Hendon Engineering Associates, Inc., Larry New of Vaughn & Melton, Scott Payne of Gerber Products, Dale Pennell of McGill Associates, P.A., Susan Burnham of Anvil Knitwear, Joe Hamlin of Milkco, Inc., Doyle Freeman of Henderson County, Craig Justus, Attorney representing Hunter's Trace Subdivision, Paul Clark with the Asheville Citizen-Times, Bob Tinkler, representing the League of Women Voters, Patty Beaver of Cibo, Alan Jacobsen, Sondra Honeycutt and Linda Mazingo, MSD.

2. Approval of the Minutes of the March 16, 1994 meeting;

Mr. Slosman moved that the minutes of the March 16, 1994 meeting be approved as presented. Mr. Casper seconded the motion. Voice vote was unanimous in favor of the motion.

3. Introduction of Director of Administration and New Board Member:

Mr. Mull introduced and welcomed Mr. Jim Fatland, Director of Administration.

Mr. Post introduced and welcomed Mr. Michael L. Holcombe with the City of Asheville and appointed Mr. Holcombe to serve as a member of the Personnel and Finance Committees, replacing Charles Penny, and appointed Mr. Sobol as Chairman of the Personnel Committee.

4. Annual Inspection Report - Bob Holbrook, Hendon Engineering Associates, Inc.

Mr. Holbrook presented Hendon Engineering Associate's Annual Inspection Report performed March 30 and 31, 1994, as required by Article V, Section 504 of the Bond Order, which addresses whether the sewerage system has been maintained in good repair, working order and condition. Mr. Holbrook reported that three (3) monthly violations occurred during the year; one having to do with the percentage of BOD removal and Fecal Coliform bacteria counts that exceeded monthly NPDES Permit standards twice, and weekly standards five (5) times. However, plans are under way to provide dechlorination facilities to eliminate this problem. Mr. Holbrook further reported that the Incineration facility is behind schedule, due to dewatering equipment not meeting specifications and the Alkaline Stabilization facility is progressing rapidly, but due to a change order, completion has been delayed until the second week of May. With regard to staffing, OSHA requirements for Confined space entry will generate the need for additional staff to perform a variety of routine functions. Hendon Engineering Associates, Inc. is recommending an Energy Management Study, which would include a general energy audit and a hydroelectric study, and to further maximize the use of in-house generating capacity, recommends that Public Service Gas Company of North Carolina be contacted to seek a special negotiated rate for the use of natural gas. In addition, the District's insurance coverage through McLean Insurance Agency is consistent with recommendations made by the Consulting Engineers and the Agency. The Capital Improvement Projects (CIP) list is currently being updated by staff and a Master Plan for major interceptor improvements is being development along with a reevaluation of user rates in conjunction with the O&M Budget preparations for FY-94-95. In order to give the Board additional time to review this report, Mr. Post requested that it be added to the May agenda under Old Business for further discussion.

Also, Mr. Slosman requested that an updated report on the Ultra Press be provided.

5. Engineer-Managers Report:

FINANCE COMMITTEE ITEMS: April 13, 1994

a. Consideration of Request to Reallocate Funds in Capital Outlay-New Line Item for Engineering and Right-of-Way Budget:

Mr. Mull reported that following discussions regarding additional office space to house the CIP Project Engineer and Inspections staff, the Department of Transportation (DOT) has consented to let the District use its building, located behind Craggy Prison, for a period of approximately two (2) years at no cost to the District, other than minor modifications to the building. Mr. Mull presented a budget of costs as follows: Building Modifications at \$7,000.00; Furnishings at \$4,300.00; Phone System at \$1,000.00 and Miscellaneous expenses at \$1,600.00. A brief discussion followed as to past use and if the building is adequate in size to serve the District's needs. Mr. Mull further reported that because only a portion of funds from the Engineering and Right-of-Way Budget for Capital Outlay-New has been expended, the Finance Committee recommended that the Board approve the use of \$13,900.00 from this fund to refurbish the DOT building. With no discussion, Mr. Slosman moved that the Board adopt the recommendation of the Finance Committee and to consider the DOT building for future expansion. Mr. Casper seconded the motion. Roll call vote was as follows: 7 Ayes; 0 Nays; Absent; 2 (Mr. Holcombe and Mr. Selby.)

b. Consideration of Administrative Secretary for the Director of Administration:

Mr. Mull reported that the Finance Committee reviewed a memorandum from Jim Fatland recommending that the Board approve hiring an Administrative Secretary at a pay grade of 13. Mr. Mull further reported that a secretarial position was approved in the budget at a pay grade of 8, but was not filled pending the hiring of the Director of Administration. The Committee recommended that the Board approve the Administrative Secretary position at a pay grade of 13 and to authorize external recruitment if no internal applicant is selected. There being no discussion, Mr. Casper moved that the Board adopt the recommendation of the Finance Committee. Ms. Bryson seconded the motion. Roll call vote was as follows: 7 Ayes; 0 Nays; 2 Absent (Mr. Holcombe and Mr. Selby.)

PLANNING COMMITTEE ITEMS: March 25, 1994

a. Consideration of Proposal for Engineering Services - Sulphur Springs Creek Rehabilitation - Vaughn & Melton

Mr. Mull reported that following review of a proposal from Vaughn & Melton for Engineering Services for the Sulphur Springs Creek Sewer Rehabilitation project, the Planning Committee recommended awarding the Contract to Vaughn & Melton Consulting Engineers for a total fee of \$171,700.00, subject to review by the District's Attorney. As discussed in the meeting, Mr. Post asked if the project schedule had been reduced from 21 months to 12-13 months. Mr. Mull stated that although Vaughn & Melton is aware of the request, they have not indicated such a change to staff. A discussion followed regarding the budgeted amount for Engineering Services and the process used in the selection of Vaughn & Melton. Mr. Mull reported that the project was moved up one year on the CIP list at a total cost of \$900,000.00, which includes the cost for Engineering Services. With regard to the selection of Vaughn and

Melton, staff evaluated the qualifications of three (3) firms and concluded that the following factors were considered in the selection process: Vaughn & Melton had the necessary experience in this type of work; the fee schedule submitted and the fact that they could proceed immediately. Following a brief discussion regarding the increase in Milkco Inc.'s employment, as a result of this line, Mr. Slosman moved that the Board adopt the recommendation of the Planning Committee. Mr. Sobol seconded the motion. Roll call vote was as follows: 8 Ayes; 0 Nays; 1 Absent (Mr. Holcombe.)

b. Consideration for a Contract for Construction Contract Administration - South French Broad Relief Interceptor Sewer - Hendon Engineering Associates, Inc.

Mr. Mull reported that the Committee reviewed a proposal from Hendon Engineering Associates, Inc. for Construction Contract Administration for the South French Broad Relief Interceptor Sewer in a not to exceed amount of \$181,400.00, (on a reimbursable basis) and that plans are being prepared for advertisement within the next few weeks. The Committee recommended approval of the proposal from Hendon Engineering in an amount not to exceed \$181,400.00. Mr. Mull further reported that when the District's CIP Project Engineer is hired, he/she will be working on these projects in order reduce the amount of funds expended. With no discussion, Ms. Bryson moved that the Board adopt the recommendation of the Planning Committee. Mr. Slosman seconded the motion. Roll call vote was as follows: 8 Ayes; 0 Nays; 1 Abstention.

c. Consideration of G.I.S. System Proposals

Mr. Mull reported that two (2) proposals were received March 4, 1994 for the G.I.S. Computer System for the Engineering Division; The Electronic Office in the amount of \$35,347.75 and New Era Computers in the amount of \$27,607.74. Mr. Jacobsen explained that New Era Computers will build the system in Asheville from components equal to and/or superior to the five (5) name brands specified, with additional documentation provided for customer support, therefore, staff feels there is adequate justification to award the bid to New Era Computers. Mr. Post asked if the District's Attorney approved the low bid. Mr. Jacobsen reported that the Attorney verbally indicated that both bids were in acceptable order. A lengthy discussion followed as to New Era's experience in this field; if they are a local company; how long they have been in business; local references supplied and the differences in equipment. Mr. Jacobsen further reported that he and Mr. Fatland met with both firms to discuss the proposals and agreed on the proposal from New Era Computers, since they were the only local recognized representative for the G.I.S. software, Autocad and Design Software, which is run on their equipment daily. Following a brief discussion regarding support and training, Mr. Slosman moved that the Board approve the proposal of New Era Computers at a cost of \$27,607.74. Mr. Selby seconded the motion. Roll call vote was as follows: 9 Ayes; 0 Nays

In addition to the proposals, Mr. Jacobsen presented a list of non-bid items related to the G.I.S. System and requested that the Board approve the additional cost of \$6,160.00 for software and hardware purchases, previously budgeted for. With no discussion, Mr. Sobol moved that the Board approve \$6,160.00 for additional items needed for the G.I.S. System. Ms. Wallace seconded the motion. Roll call vote was as follows: 9 Ayes; 0 Nays.

d. Report on Hunter's Trace, Phase II Subdivision (Out of District)

The Committee reviewed a request by Mr. Craig Justus, Attorney for the Developer of Hunter's Trace Subdivision, for the inclusion of Phase II by the

District. Mr. Mull reported that Phase I of the project was constructed prior to consolidation and was maintained by Buncombe County, but later transferred to the District. Since that time, the District received an allocation request for Phase II and the Developer was advised that since Phase II was outside the District, he would be responsible for maintaining the sewer. Mr. Mull further reported that Hunter's Trace, through Mr. Justus, is in the process of developing a petition to become a part of the District. Mr. Justus requested that the Board approve conditional acceptance of the sewer lines upon being built to District standards and that the incorporation process go through as per the statutes in order that the Developer can proceed with construction. Mr. Stevens reported that the statute states that the Board acts to recommend inclusion of a new area in response to a resolution from at least 51% of the qualified voters. Mr. Justus stated that although 51% of the residents have agreed to sign a petition, a formal petition has not been submitted to the District Board, but will be available next month in order to start the actual incorporation process. Mr. Slosman moved that the Board approve the inclusion of Hunter's Trace Subdivision, Phase II into the District subject to review by the District's Attorney, Mr. Sobol seconded the motion. Following a brief discussion, Mr. Stevens recommended that the Board delay approval until a formal resolution is presented to the Board, therefore the motion and second were withdrawn. Mr. Justus asked whether the developer can proceed with construction after the resolution is approved, or will he be required to wait until the incorporation process is complete. Mr. Stevens stated that the Board will only need a resolution representing 51% of the residents, subject to the conditions previously mentioned.

e. Report on Avery's Creek Sanitary District Allocation Request.

Mr. Mull reported that The Hills of Avery's Creek; a proposed retirement community, has requested an allocation of 75,000 gallons per day upon completion of the project, (in approximately 7 years) which will use up to 40% of the Avery's Creek Pump Station capacity. Mr. Mull further reported that a letter has been addressed to the Avery's Creek Sanitary Water and Sewer Commission requesting that they attend the next meeting of the Planning Committee scheduled for April 28, 1994 to assess long range plans and projections for the Avery Creek District, how it is set up and how the request for allocation will affect the MSD. A brief discussion followed regarding the location of the Avery's Creek pump station; the history of its creation; how Avery's Creek would fit into any Regional Water and Sewer program and the District's Sewer Extension Policy.

f. Report on City of Asheville Sewer Service Charges.

Mr. Mull presented a letter from Mayor, Russ Martin concerning sewer service charges, and in response, a letter from Mr. Stevens to Chairman, Post. Mr. Post reported that prior to this correspondence, the issue was discussed on several occasions and that two (2) meetings have been held with the Mayor, City Manager, Interim City Manager and City Attorney to explain the District's position. A lengthy discussion followed regarding the extent of the issue (when the other municipalities started paying sewer service charges) and if it was spelled out in the original Consolidation Agreement that the municipalities would pay. Mr. Mull reported that in the initial agreements established in the 1960's the District, by the City of Asheville and Buncombe County, it was verbally agreed that the District would never pay more than \$.15 per bill to include the sewer service charge on the City's water bill. In exchange, the City agreed to pay for office space, furniture, utilities and office supplies in lieu of paying a sewer service charge, however this agreement was never put in writing. Following a brief

discussion regarding the total amount owed by the City, Mr. Holcombe asked if the real issue was compliance with the 1985 Bond Order, and if so, did the Board fear that a bond holder may sue. Mr. Post stated that it was not so much a matter of fear, but a matter of being consistent and fair to those municipalities that are paying. Mr. Joyner stated that other municipalities are questioning why the City of Asheville and the Town of Black Mountain are not paying and that they should be made to do so.

Mr. Casper questioned the legal basis for filing a suit. Mr. Stevens stated that if the District Board wishes to pursue its options, he would prepare an outline of the options and how to proceed. Mr. Stevens further stated that he sees no legal basis that would say municipalities are not obligated to pay, and referred to the Sewer Use Ordinance, which has a provision addressing this matter. With no further discussion, Mr. Slosman moved that Counsel give a report at the next meeting on the District's options and the end results of what those options would be. Mr. Joyner seconded the motion. Voice vote was unanimous in favor of the motion.

A lengthy discussion followed regarding the need for further correspondence on this issue. Ms. Wallace moved that a formal letter, (under the signature of the Chairman of the District Board) be addressed to all Board Members, the current City Council, Managers and Mayor's of The City of Asheville and the Town of Black Mountain stating that the District Board has once again asked its Counsel to review the background of municipalities paying sewer service charges, along with a copy of the letter from the District Counsel to Mr. Post. Mr. Selby seconded the motion. Voice vote was unanimous in favor of the motion.

RIGHT OF WAY COMMITTEE ITEMS: March 25,1994

a. U.S. Highway 74 Sewer Rehabilitation

Mr. Mull reported that the Right-of-Way Committee review a proposal from Martin/McGill, Inc. for Acquisition Services for the U.S. Highway 74 Sewer Rehabilitation project and recommended approval of the contract for a maximum not to exceed cost of \$15,600.00, (26 parcels at \$600.00 per parcel). A brief discussion followed with regard to whether the District has a standard contract document. Mr. Mull stated that Mr. Fatland will review several contract documents and develop a standard contract to be used by the District. With no further discussion, Mr. Selby moved that the Board adopt the recommendation of the Right-of-Way Committee subject to review and approval of the District's Attorney. Mr. Casper seconded the motion. Roll call vote was as follows: 9 Ayes; 0 Nays.

b. Sulphur Springs Creek Rehabilitation

Mr. Mull reported that following review of proposals from Vaughn and Melton to provide Easement Plats and Engineering Assistance for the Sulphur Springs Creek Rehabilitation project, the Committee recommended approval of the proposed contract for Easement Plat preparation for a fee of \$17,600.00 (unit cost of \$550.00 per parcel) and a maximum not to exceed cost of \$7,000.00 for Engineering Assistance during easement acquisition. In answer to a question regarding the length of the contract, Mr. New reported that the estimated time of completion is October, 1995, but the scheduled completion can be moved up to August 1, 1995, and that in order to save time, easement plats will be sent to the Attorney as they are prepared. Mr. Slosman moved that the Board adopt the recommendation of the Right-of-Way Committee subject to review and approval

of the District Attorney. Ms. Bryson seconded the motion. A lengthy discussion followed regarding the difference in providing easement acquisition services and providing assistance during easement acquisition and if property owners are given confirmation of where a sewer line will be located. Mr. New stated that during easement acquisition, property owners may ask for special concessions, all of which go into the contract documents and are placed on the plats. With no further discussion, Roll call vote was as follows: 9 Ayes; 0 Nays.

c. Consideration of a Resolution for Dale Traister:

Mr. Mull presented a resolution for consideration, recognizing the significant contribution to the District by Dale Traister in acquiring easements for various projects during his employment as Field Agent for the District. With no discussion, Mr. Slosman moved that the Board adopt the resolution as presented. Ms. Wallace seconded the motion. Voice vote was unanimous in favor of the motion.

d. Haw Creek Mews:

Mr. Mull reported that the Final Document Audit and Resolution for acceptance of the Haw Creek Mews System by the District was reviewed by the Right-of-Way Committee and because all criteria for acceptance has been met, the Committee recommended its acceptance by the District. With no discussion, Ms. Wallace moved that the Board adopt the recommendation of the Right-of-Way Committee. Mr. Holcombe seconded the motion. Roll call vote was as follows: 9 Ayes; 0 Nays.

6. Report of Officers

None

7. Report of Committees:

Finance Committee - April 13, 1994 - Mr. Casper

Mr. Casper reported that the Committee met to review the six-month Audit to December 31, 1993 and year end projections, which showed that the District expended a total of 87.35% of budget. In discussions, the Committee recommended that explanations be presented to the Committee at its next scheduled meeting for any items 25% under or 120% over budget. Mr. Casper further reported that the Committee will be reviewing the preliminary budget for 1994-95, in conjunction with the actual numbers for this year, to come up with a proposed allocation between industrial and domestic customers in the event a rate increase is necessary. Mr. Casper stated that although the O&M, CIP and Capital Expenditures were under budget, next year's budget will need to be taken into consideration since many of the CIP projects will be done in the coming year.

With regard to rate increases, the Committee agreed that any increase should be effective July 1 of each year in order to alleviate the need for surcharges. Mr. Casper further stated that the Committee felt that budget projections and revenue neutral suggestions become the work of the District rather than the Consulting Engineer, and that Mr. Fatland will be revising the District's monthly cash flow statements to a quarterly basis in order that the District can take remedial action in areas that are having problems. Capital and CIP budgets will also be looked at on a quarterly basis for amounts expended and for reasons why there may be differences in major categories. The Committee agreed to meet again on May 2 at 2:00 p.m. and May 9, 1994, at a time to be set, to review the total budget, budget projections, and rate structure. Mr. Post stated that because the preliminary budget will be presented to the Board at its May 11th

meeting, he encouraged members to attend the scheduled Finance Committee meetings.

Capital Improvement Plan Committee - March 30, 1994:

Mr. Mull reported that the Committee met March 30, 1994 to discuss the following items:

1. **Consideration of Project Substitution for City of Asheville**

Mr. Mull reported that the Committee reviewed a request by Asheville City Council to substitute the Oakley Ball Field Project for a portion of the District's 35% contribution, (\$67,200.00 plus the \$10,500.00 already committed to by the District) to the Carter Cove Road sewer project in Beavertown. The Committee recommended substitution of the Oakley Ball Field for the Carter Cove Road Project in an amount not to exceed \$25,386.00, (this is all that remains of the District's 35% contribution to the Beavertown Annexation project) and that a letter be sent to the City stating that the Carter Cove Road project be closed to further MSD participation. Following a brief discussion on the substitution of projects; the District's cost share of 35%; and whether the City is planning to proceed with the Carter Cove Road project, Mr. Sobol moved that the Board adopt the recommendation of the Capital Improvement Plan Committee. Mr. Selby seconded the motion. Roll call vote was as follows: 9 Ayes; 0 Nays.

2. **Consideration of Sulphur Springs Creek Sewer Rehabilitation**

Mr. Mull reported that the Sulphur Springs Creek Sewer Rehabilitation project was originally on the City of Asheville's Master Plan list, and that the City has agreed to move this project up on its priority list and to proceed with construction. Mr. Mull further reported that the Committee recommended approval of the Sulphur Springs Creek Rehabilitation project in the amount of \$900,000.00, and that the City of Asheville be informed in writing of the fund balance of \$600,000.00 and to notify all Board members with this information. A lengthy discussion followed regarding under estimations of the \$1.5 million funding for the City's CIP projects and whether the District is liable to complete projects based on those estimations. Mr. Holcombe stated that the \$1.5 million estimation is reasonable, based on the Consolidation Agreement, and since the District owns the sewer lines, it's a question of prioritization of funds available. There being no further discussion, Ms. Wallace moved that the Board adopt the recommendation of the Capital Improvement Plan Committee. Mr. Slosman seconded the motion. Roll call vote was as follows: 9 Ayes; 0 Nays.

In other business, the Committee discussed the policies of other municipalities with regard to billing adjustments for swimming pool fill-ups and lawn watering and it was the consensus of the Committee that lawn watering adjustments not be given. Mr. Holcombe reported that the City of Asheville makes adjustments on MSD sewer billing revenues for filling a swimming pool or leaks when it is clear that the water consumed does not go into the collector system.

Mr. Selby questioned the Committee's discussion with regard to the District pursuing delegation of sewer permitting from the State of North Carolina. Mr. Mull briefly explained the process for state approval of plans and specifications, which may take several months, however, the State will give designation to review certain plans and specifications at the local level, which will cut down approval time dramatically, therefore, the District will be applying for that authorization.

Planning Committee - March 25, 1994 - Mr. Slosman:

Mr. Slosman reported that in addition to the items discussed in the Engineer-Manager's report the Committee discussed the District's Public Relations effort on the North Swannanoa Interceptor Sewer and a presentation by Edward Norfleet of Bio-Gro regarding a Market Survey to be presented to the Board at a later date.

8. Unfinished Business
None

9. Old Business

Mr. Post reported that it was not possible to come up with a firm date for a Board Retreat in May, but that staff will try to schedule a time in June, when information regarding the incinerator will be available.

10. New Business

Mr. Post recognized Mr. Holcombe for a report on a joint meeting held today between The Asheville City Council, Buncombe County Commissioners, Henderson County Commissioners, the Asheville-Buncombe Water Authority, representatives from Hendersonville City Council and several representatives from the Metropolitan Sewerage District. Mr. Holcombe reported that a resolution was presented with regard to directing staffs from the various entities to investigate the feasibility of a joint Regional Water and Sewer Authority to serve Henderson and Buncombe Counties, who will meet to layout a structure and identify obstacles and problems toward this end. Mr. Holcombe further reported that with the exception of the Hendersonville City Council and the District Board, the Resolution passed unanimously.

Mr. Slosman stated that other counties, (Transylvania, where the head waters start and Madison, where the waters flow) should be included in these conversations and that this type of planning should be regional, rather than involving only two (2) counties, that may have individual needs. Mr. Joyner expressed his concern regarding the speed at which the meeting was developed and the resolution adopted. Mr. Selby stated that the intention was to keep the momentum going while there was a spirit of cooperation and that the District was invited to participate, but felt that it was too early to add additional counties. A brief discussion followed regarding the benefits of adding other counties. Mr. Holcombe stated that although the meeting was scheduled on short notice, it was not done with the intention of leaving anyone out. He was not sure whether Madison County was invited to participate but agreed that they should be included, however, Transylvania County was notified of the meeting. Mr. Joyner stated that because the whole French Broad River Basin is involved, you can't take pieces of it and try to solve a problem without causing problems elsewhere.

Mr. Stevens stated there is a procedure within the statute for the creation and operation of multi county water and sewer districts, but whether the same statute, or applicable law states that the MSD can merge with a Regional Authority, or convey its assets, would take further analysis and review. In addition, the District would need to make arrangements for its existing indebtedness and decide how it will deal with other municipalities that are currently part of the MSD. A lengthy discussion followed regarding the various municipalities; future capacity needs; the City of Hendersonville's plans to build a sewerage system and whether approval of the resolution commits the District beyond its support of the concept. Mr. Holcombe stated that if the District adopts the resolution as written, it will direct the Engineer-Manager and designated staff to work with the staffs of other bodies to decide if the concept is feasible and develop

a proposal to be accepted and/or rejected by each individual Board. Mr. Slosman requested that when meeting, each representative staff person have with them at least one neutral Board member. Mr. Mull stated that the overall concept is good, but requested that the various municipalities have an adequate input into the planning process. There being no further discussion, Mr. Slosman moved that the Board approve the Resolution of intent to study the concept of a Regional Water and Sewer Authority as presented. Mr. Sobol seconded the motion. Ms. Wallace questioned the Board's feeling on the issue of the French Broad River Basin question and suggested that a formal letter be sent to all the bodies involved and the press, stating that the District endorses the resolution, and that the French Broad River Basin be looked at as a whole with the inclusion of Transylvania and Madison Counties. It was the consensus of the Board that Ms. Wallace's statement be added to the motion as a recommendation, but not as part of the resolution. A lengthy discussion followed regarding the need for a new water source; whether this need was the catalyst in the creation of a Regional Water and Sewer Authority and the need to define the meaning of "regional." There being no further discussion, Roll call vote was as follows: 9 Ayes; 0 Nays.

At 5:15 p.m., Mr. Casper moved that the Board go into Executive Session to consider rights of way matters. Mr. Sobol seconded the motion. Voice vote was unanimous in favor of the motion.

At 5:30 p.m., Mr. Slosman moved that the Board reconvene the regular meeting. Mr. Selby seconded the motion. Voice vote was unanimous in favor of the motion.

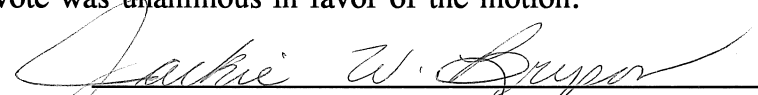
Mr. Slosman moved that the Board approve a consolidated motion endorsing the Right-of-Way Committee's actions. Mr. Selby seconded the motion. Roll call vote was as follows: 8 Ayes; 0 Nays; 1 Absent (Ms. Bryson).

11. Date of Next Regular Meeting:

Mr. Post reported that the date of the next regular meeting is May 11, 1994.

12. Adjournment:

At 5:35 p.m., Mr. Selby moved that the meeting be adjourned. Ms Wallace seconded the motion. Voice vote was unanimous in favor of the motion.



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