

BOARD OF THE METROPOLITAN SEWERAGE DISTRICT

June 14, 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 Tuesday, June 14, 1994. Chairman Post presided with the following members present: Bryson, Dent, Casper, Holcombe, Joyner, Kelly, Selby, Slosman, Sobol and Wallace.

Others Present were: W. H. Mull, Engineer-Manager, John S. Stevens, General Counsel, Jim Fatland, Director of Administration, Bob Holbrook, Bob Endress, and Sharon Kane of Hendon Engineering Associates, Inc., Gary McGill and Danny Bridges of McGill Associates, P.A., Susan Burnham of Anvil Knitwear, Craig Justus, Attorney representing Hunter's Trace Subdivision, Lynnette James of WWNC Radio, Sondra Honeycutt and Linda Mazingo, MSD.

2. Approval of the Minutes of the May 11, 18, 26, and June 3, 1994 meetings;

Mr. Dent moved that the minutes of the May 11, 18, 26 and June 3, 1994 meetings be approved as presented. Mr. Holcombe seconded the motion. Voice vote was unanimous in favor of the motion.

3. Budget Hearing:

MINUTES OF PUBLIC HEARING

At 2:05 p.m., Chairman Post declared a Public Hearing open for consideration of the District's Fiscal Year 1994-95 Operation & Maintenance Budget, General, Construction II and III Fund Budgets, Equipment Replacement Fund Budget, and Sewer User Charge. Mr. Post called for any comments from the public. There being no comments, Mr. Post declared the Public Hearing closed at 2:08 p.m.

Mr. Mull presented resolutions adopting the Operations & Maintenance Budget totaling \$9,317,835.00; General Fund and Construction II and III Fund Budgets totaling \$26,851,000.00; Equipment Replacement Fund Budget totaling \$233,000.00, and the resolution adopting the Sewer User Charge for the coming year. With no discussion, the resolutions were adopted as follows:

Operation & Maintenance Budget:

Mr. Joyner moved that the Board adopt the Fiscal Year 1994-95 Operation & Maintenance Budget in the amount of \$9,317,835.00 as presented. Mr. Casper seconded the motion. Mr. Kelly restated his previous concern that the District not increase its Operation & Maintenance budget by approximately \$300,000.00, in order to give salary increases; given the fact that 1,100 people in South Buncombe have lost jobs this year. In addition, spending approximately \$12,000.00 to hire a Public Relations Consultant to write approximately four letters per year. Mr. Sobol stated that he felt writing letters was only a small part of this effort, that educating the public was the main purpose. There being no further discussion, roll call vote was as follows: 6 Ayes; 2 Nays, (Mr. Holcombe and Mr. Kelly).

General Fund, Construction II and III Fund Budgets:

Mr. Dent moved that the Board adopt the Fiscal Year 1994-95 General Fund and Construction II and III Fund Budgets as presented. Mr. Sobol seconded the motion. Roll call vote was as follows: 10 Ayes; 0 Nays.

Annual Equipment Replacement Fund Budget:

Ms. Bryson moved that the Board adopt the Fiscal Year 1994-95 Equipment Replacement Fund Budget as presented. Roll call vote was as follows: 10 Ayes; 0 Nays.

Sewer User Charge:

Mr. Mull presented a revised Rate Calculations Chart for 1994-95, and explained the difference between the Alternate 6 Rate, previously adopted by the Board, and the Alternate 6 Rate with 100 MG/L minimum on BOD and Suspended Solids (SS) for industrial users, and Alternate 6A - (Revenue Neutral) rate. Mr. Mull reported that the Finance Committee at its June 9, 1994 meeting, recommended that the District adopt Alternate 6 rate without the 100 mg/L minimum BOD and SS and that a further study be made to look at a Revenue Neutral rate. Mr. Casper moved that the Board adopt the Sewer User Charge as previously approved. Mr. Sobol seconded the motion. Mr. Joyner referred to a memorandum from the District's General Counsel in the final budget recommendations with regard to Federal Guidelines, which states that the Clean Water Act requires the District to adopt a system of charges to assure that each recipient of Waste Water Treatment Services will pay its proportionate share of the costs of operation and maintenance, including replacement.

Mr. Joyner reminded the Board that at the end of last year it was necessary to surcharge industry \$372,848.00, while domestic customers paid an excess of \$425,000.00, and that although a serious effort was made to determine actual costs of treatment, which resulted in estimates that raised industrial rates significantly, while not increasing domestic rates at all, the District is being asked to raise domestic rates 3.5% and industrial rates 7%, in an effort to take some of the financial burden off industrial users. Therefore, by raising the rates as suggested in the recommendations, Mr. Joyner felt that the District will be out of compliance with EPA and Clean Water Act regulations. Mr. Joyner stated that he is hopeful that in the future, the District will be able to set rates in a fair and equitable manner. Mr. Selby questioned whether the District is complying with these regulations. Mr. Stevens reported that although he has advised the Board on what he feels the law to be, he suggested that an additional analysis be prepared by the District's Accountant or Finance Manager, in order to determine if the new rate schedule did, in fact, comply with the regulations parameters. Mr. Casper stated that the question is not whether the District is complying, but whether it is allocating costs fairly. Following a lengthy discussion regarding the allocations between domestic and industrial users, and if the methodology used is justifiable, roll call vote was as follows: 7 Ayes; 4 Nays, (Mr. Dent, Mr. Holcombe, Mr. Joyner and Mr. Kelly.)

4. Engineer-Managers Report:

Planning Committee Items

a. Consideration of Revised Sewer Use Ordinance:

Mr. Mull reported that the District adopted a Sewer Use Ordinance in 1984 and adopted a revised ordinance in 1989. As a result of amendments to pretreatment regulations in 1991, and revisions to the North Carolina General Statutes, the EPA issued a model Sewer Use Ordinance in June of 1992. In addition, the State Pretreatment Office required Publicly-Owner Treatment Works (POTWs) to submit revised ordinances by January of 1994, but the District obtained an extension of time and submitted its revised ordinance in March of 1994. Mr. Mull further reported that the District is required to pass a Declaration of Intent to adopt an ordinance or

amendments, which then must be submitted to all political entities and to any industry that is affected, for review and comment. Mr. Mull presented a summary of revisions, prepared by the District's Attorney, and stated that pending final approval, the Ordinance will be resubmitted to the Board for final approval.

In answer to a question regarding the time frame for approval, Mr. Stevens reported that the District retains the ultimate right to adopt the ordinance 60 days after the documents have been submitted to the various units of government. With no further discussion, Mr. Dent moved that the Board adopt the Declaration of Intent as presented. Mr. Slosman seconded the motion. With regard to Section 5.04.02 on Pollutant limitations, Mr. Joyner questioned whether the penciled in names of Gerber, Milkco and Restaurants was an indication that they were discharging unusual amounts into the system. Mr. Mull reported that permits for these industries authorize a discharge above the limit the District sets as an average. Mr. Sobol asked if the budget would be further impacted by the revisions. Mr. Mull reported that only one other staff person has been added, (for pretreatment) but is included in this year's budget. With no further discussion, voice vote was unanimous in favor of the motion.

b. Consideration of Proposal for Engineering Services - Abandonment of Pump Station with Gravity Sewer - (Lake Julian Pump Station #2) - McGill Assoc.:

Mr. Mull presented a budget for the Lake Julian Pump Station #2 project, along with a project data sheet, developed as a reporting tool for projects that will come before the Board. Mr. Mull reported that following consideration of the proposal, the Planning Committee recommended awarding the contract to McGill Associates, P.A. for Design Engineering in the amount of \$11,345.00 and Construction Contract Administration in the amount of \$19,830.00, totaling \$31,175.00. Mr. Dent moved that the Board adopt the recommendation of the Planning Committee. Mr. Holcombe seconded the motion. A brief discussion followed with regard to whether the proposal involves abandoning a line in the ground and replacing a new line elsewhere and the costs per foot. Mr. Stevens reported that because the last few contracts adopted by the Board were approved subject to review by legal counsel, staff has developed a form document, however, since the document is not ready for this proposal, Mr. Stevens recommended that the motion be adopted subject to approval of legal counsel and/or form contract. With no further discussion, roll call vote was as follows: 10 Ayes; 0 Nays.

c. Consideration of Selection of Engineering Firm for Ventilation System Improvements:

Mr. Mull reported that as a result of OSHA regulations, that require the District to provide ventilation of confined spaces, (Carrier Bridge Pump Station; Weaverville Commonuter Structure; Pearson Bridge Syphon Screening Station and Square D Syphon Screening Station) staff contacted Mr. Gus Sims, of Sims Consulting Engineering, formerly employed by Vaughn & Melton, Consulting Engineers, requesting that his firm submit a proposal. Following review of the proposal, the Planning Committee recommend approve of the contract in the amount of \$7,420.00. With no discussion, Mr. Slosman moved that the Board adopt the recommendation of Planning Committee, subject to review by Counsel. Mr. Holcombe seconded the motion. Roll call vote was as follows: 10 Ayes; 0 Nays.

d. Report on 7 Cogswood Road Sewer:

Deferred to Executive Session

e. Report on South French Broad Relief Sewer Project:

Mr. Mull reported that as a result of concerns regarding the size of the South French Broad Interceptor Sewer line, the Planning Committee agreed to postpone receipt of bids and bid opening for construction until review by the Board. Mr. Mull further reported that staff has asked Hendon Engineering Associates, Inc. to further review flow information and pipe sizing to re-confirm that the lines are adequate for a reasonable planning period. Mr. Mull stated that there is adequate capacity in the proposed line to handle future growth in Buncombe County and the Cane Creek Basin in Henderson County. However, if the Mud Creek Basin, (within the City of Hendersonville and a large portion of Henderson County) is brought into the District, the line size would need to be looked at in order to handle the additional flow. A discussion followed as to whether the line can accommodate the Biltmore Dairy Farm's project; what impact the delay will have on his project, and the expected life and capacity of the line. Mr. Post suggested that this item be placed on the agenda for the District's Retreat, scheduled for July 9-10, 1994.

Mr. Holbrook reported that the basis of line design was for average daily flow and peak daily flow to the year 2020, with consideration of full growth and development of the current District boundary, sewer and unsewered. However, if Hendersonville and Henderson County are added to the line flow would increase by approximately 10/mgd, which would require replacement of the line to Cane Creek and an extension to Mud Creek. In addition, the cost to increase the line by one size, and the capacity by 5 or 6/mgd, is approximately \$250,000.00 to \$300,000.00, and would require the construction of a treatment plant upstream along the French Broad River. A lengthy discussion followed regarding the location of lines that will need to be increased in the event the City of Hendersonville and Henderson County are added to the line; who will pay for the cost of increasing the line size, and the length of time the bid will be delayed.

RIGHT OF WAY COMMITTEE ITEMS

a. Consideration of Contract Amendment - North Swannanoa Interceptor Phase II - Hendon Engineering Associates, Inc.:

Mr. Mull reported that Hendon Engineering Associates, Inc. has requested a contract amendment to increase the budget ceiling for easement surveys and plats from \$134,000.00 to \$144,000.00, and that partial work has been done on some 238 parcels. Mr. Mull further reported that following review of the contract, the Right-of-Way Committee recommended approval of the contract amendment. With no discussion, Mr. Joyner moved that the Board adopt the recommendation of the Right-of-Way Committee. Mr. Dent seconded the motion. Roll call vote was as follows: 11 Ayes; 0 Nays.

CONSOLIDATED AGENDA

- a. Consideration of Proposals for Easement Services - Lake Julian Pump Station No. 1 Rehabilitation for a Maximum Not to Exceed Cost of \$3,700.00 - McGill Associates, P.A.
- b. Consideration of Proposals for Easement Services - Lake Julian Pump Station No. 2 Rehabilitation for a Maximum Not to Exceed Cost of \$8,420.00 - McGill Associates, P.A.
- c. Consideration of Proposals for Easement Services - Sweeten Creek Industrial Park Sewer Rehabilitation for a Maximum Not to Exceed Cost of \$7,870.00 - McGill Associates, P.A.

With no discussion, Mr. Selby moved that the Board adopt the recommendations of the Right-of-Way Committee with regard to the consolidated agenda as presented. Mr. Joyner seconded the motion. Roll call vote was as follows: 11 Ayes; 0 Nays.

5. Report of Officers

None

6. Report of Committees:

Finance Committee - June 9, 1994 - Mr. Casper

No additional report.

Planning Committee - May 26, 1994 - Mr. Slosman:

No additional report.

Right-of-Way Committee - May 26, 1994 - Mr. Selby

Mr. Selby stated that in addition to the issues previously discussed, the Committee reviewed the revised the Right-of-Way Committee schedule for 1994.

Blue Ribbon Committee - June 9, 1994 - Mr. Casper

Mr. Casper reported that the Blue Ribbon Committee, on Extensions, met June 9, 1994 and requested that staff prepare cost estimates on extending lines along with paybacks considered appropriate for the District. Also, the Committee discussed public health extensions and tentatively scheduled the next Committee meeting for July 22. Mr. Selby added that the Committee discussed the District's extension policy as a part of the consolidation agreement, in that the political entities wanted to deal with extensions themselves, and because the District is not a political entity, it does not do extensions. The Committee agreed that the Mills Gap area that leads into Cane Creek is outside the District's boundry. In addition, the Committee discussed the creation of a scenario that would address the health issues of those users on septic tanks, by installing a line, and that Buncombe County might request that this happen. Mr. Selby stated that he would like to see the Blue Ribbon Committee accommodate this scenario; at least discuss it, and inform the entities that the Committee is considering it. A brief discussion followed regarding the difference between a line replacement and an extension.

7. Unfinished Business

None

8. Old Business

Mr. Post reported that in order to set an agenda for the Retreat, he appointed Ms. Wallace to chair a Committee for this purpose, with Mr. Selby, Mr. Joyner and Mr. Slosman volunteering to serve as members. Mr. Post further reported that among the items to be discussed is the Extension Policy; the remainder of the recommendations by Municipal Advisors, Inc. that have not been implemented and the Master Plan. Mr. Post requested that staff notify Henderson County, Transylvania County and Madison County Commissioners of the retreat; inviting them to attend, and that they will be given an opportunity to make a presentation on any concerns they may have. In addition, that a letter be addressed to the City of Hendersonville, Laurel Park and the Town of Fletcher encouraging their attendance and informing them that whatever decisions are made may

affect them directly. Also, those participants wishing to make a presentation, may want to invite their engineers. A brief discussion followed as to whether the Boardroom can accommodate such a large group; if outside representatives should RSVP, and if a facilitator will be involved.

Mr. Mull presented a sample of the District's dewatered sludge and the resulting end product produced at the Alkaline Stabilization Facility and reported that the product is a 2 to 1 dry mix, (two parts additive and one part sludge). Mr. Holbrook explained that lime kiln dust has a higher ph and felt that the product is a class "A" material. A brief discussion followed regarding the commercial value of the product; the marketability and the cost to produce the product.

9. New Business: - Consideration of Inclusion of an Unincorporated area (Hunter's Trace) into the District:

Mr. Stevens reported that the law states that if 51% of the qualified voters of an unincorporated area petitions the District for inclusion, and the District is in favor, the District then notifies the County Commissioners and the Department of Environmental Management, and that the unincorporated area must then prove that it is appropriate for them to come in by preparing a report and map showing the location, and including a statement from the District Board saying it does favor the inclusion of the area into the District.

Mr. Justus presented a packet of information that included the following: A Petition, which sets out the facts; Exhibit A-1, Petition for Inclusion or Annexation of the area into the District; Exhibit B, legal description of the tracts involved; Exhibit C1, Table of Petitioners; Exhibit D, Lunsford Deed of Reconveyance and Exhibit E, a Detailed Report for all Parcels on Pinmap 964419. Mr. Justus reported that 64.7% of the residents signed the petition and that Phase I is served by lines approved by Buncombe County and later transferred to the District in consolidation. A lengthy discussion followed regarding the size of the line, whether the lines were built to District standards, and if tap fees and capacity depletion fees are involved. Mr. Stevens stated that there was one other time the District included an area using this method, (Enka-Candler). With no further discussion, Mr. Slosman moved that the Board favor the inclusion of Hunter's Trace Subdivision into the District according to the petition presented. Mr. Joyner seconded the motion. Voice vote was unanimous in favor of the motion.

Mr. Post reported that the proposed Regional Water and Sewer Authority staff meeting was held, June 13, 1994, and that among several items discussed, staff members recommended that they be allowed to review the meeting minutes before they are turned over to the public, since they are not considered a public Board.

At 3:25 p.m., Mr. Slosman moved that the Board go into Executive Session to consider legal and rights of way matters. Ms. Wallace seconded the motion. Voice vote was unanimous in favor of the motion.

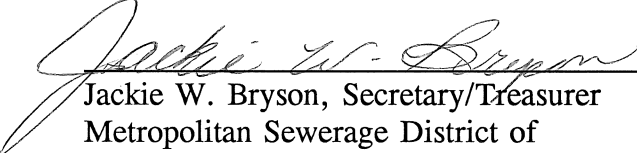
At 5:25 p.m., Mr. Casper moved that the Board reconvene the regular meeting. Ms. Wallace seconded the motion. Voice vote was unanimous in favor of the motion.

Mr. Kelly moved that the Board adopt the recommendation of the Right-of-Way Committee, with regard to the Beaver Creek Partnership, and proceed with the appraisal. Mr. Slosman seconded the motion. Voice vote was unanimous in favor of the motion.

Mr. Selby moved that the Board adopt the Easement Compensation Chart for U.S. Highway 74 Sewer Rehabilitation. Ms. Wallace seconded the motion. Roll call vote was as follows: 11 Ayes; 0 Nays.

10. Adjournment:

At 5:35 p.m., Mr. Kelly moved for adjournment. Mr. Holcombe 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

STATE OF NORTH CAROLINA

COUNTY OF BUNCOMBE

RESOLUTION

Whereas, Charles W. Penny served as member of the Board of the Metropolitan Sewerage District of Buncombe County, North Carolina representing the City of Asheville from February 6, 1991, until his resignation from the Board effective March 16, 1994; and

Whereas, Charles W. Penny contributed significantly in a variety of committee positions on the Metropolitan Sewerage District Board having been a member of the following committees: Personnel as its chair, Finance, Insurance and Sewer Consolidation; and

Whereas, Charles W. Penny as a professionally trained municipal executive and as a member of the District Board occupied a most unique position and perspective both with respect to the obligations and responsibilities of the District to its constituent entities and on the routine, day to day activity of management for a large municipal corporation; and

Whereas, Charles W. Penny's knowledge and experience as a City executive gave him particular insight into staff and personnel issues of the District and this was of significant benefit to the District especially during a period of employee growth occasioned by Sewer Consolidation; and

Whereas, Charles W. Penny was able to fill the sometime difficult role as a City executive with responsibilities to the City of Asheville and as a Board member with responsibilities to the District in a balanced, responsible and proficient manner; and


Whereas, Charles W. Penny's dedication, intelligence, perseverance and sense of humor will be greatly missed by his colleagues on the Board and by the Staff of the District;

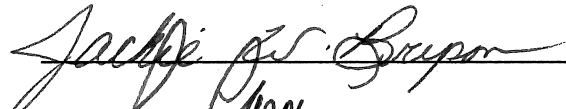
Now, Therefore, Be It Resolved:

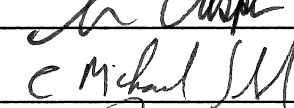
One: That the Board of the Metropolitan Sewerage District express their sincere appreciation to Charles W. Penny for his conscientious work and significant contributions to the District, the City of Asheville and the people of Buncombe County during his term as a Board member and as chairman of the Personnel Committee, and member of the Finance, Insurance and Sewer Consolidation Committees.


Two: That this Resolution be placed in the permanent records of the Board and copies transmitted to Charles W. Penny, Council members of the City of Asheville, and the Commissioners of Buncombe County.

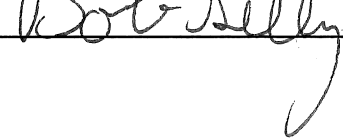
Duly adopted this 14th day of June, 1994.

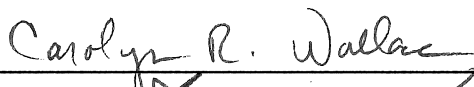





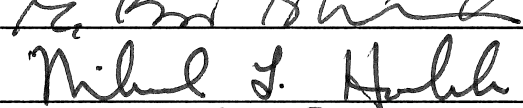





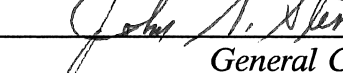




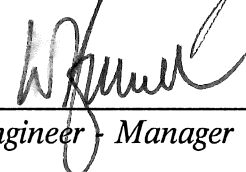








John A. Stevens
General Counsel



Engineer - Manager

SPECIAL MEETING
BOARD OF THE METROPOLITAN SEWERAGE DISTRICT
June 3, 1994

1. Call to Order and Roll Call:

A special meeting of the Board of the Metropolitan Sewerage District was held in the Boardroom of MSD's Administration Building at 9:00 a.m. on Friday, June 3, 1994. Chairman Post presided with the following members present: Bryson, Casper, Dent, Joyner, Kelly, Slosman, Sobol, Wallace. Those members absent were: Holcombe, Selby.

Others present were: W. H. Mull, Engineer-Manager, John Stevens, General Counsel, Gary McGill and Danny Bridges of McGill Associates, P.A., Teresa Gilbert and Linda Mazingo, MSD.

2. Consideration of Bids for Construction of Biltmore Forest CIP:
Raul Branch and Brown Branch

Mr. Mull presented the Board with an brief explanation regarding the hand-out of the budgeted amount and the bid/contract amount on the Biltmore Forest CIP Project. He explained that the total budgeted amount of \$1,425,000.00 is the budgeted amount for this coming year, which has been inflated 4% over the current fiscal year budget amount.

This project was originally advertised April 3, 1994. Three bids were received and opened on April 26, 1994, after which one of the bidders was found to have used the wrong bid bond form. Since three acceptable bids are required on the first advertisement, the bids were rejected, by the Board at its May 11, 1994 meeting, and the project was readvertised May 15, 1994. Two bids were received and opened on May 24, 1994, and found to be acceptable. Terry Brothers was apparent low bidder both times, but his second bid was approximately \$100,000.00 higher than the first bid. Since there were no changes in the project, the Board, at its May 26, 1994 meeting, directed Gary McGill to negotiate with Terry Brothers to reduce this difference.

Mr. McGill presented the Board with a letter from Terry Brothers stating their reasons for the increase in their 2nd bid. In talking with Terry Brothers, they said had we not opened the bids the first time exposing the pricing of the other bidders, their price would have been the same as the first time, because they would have felt they had no reason to re-look at things. Due to the fact that pricing was disclosed, they realized their bid was significantly lower than the 2nd bidder and their bonding company questioned why they were so low compared to the 2nd bidder. They decided to go back to the job site and get a more thorough review of the project. Terry Brothers also stated that, without a doubt, knowing the 1st bids (Huntley in particular) weighed heavily on their pricing decision.

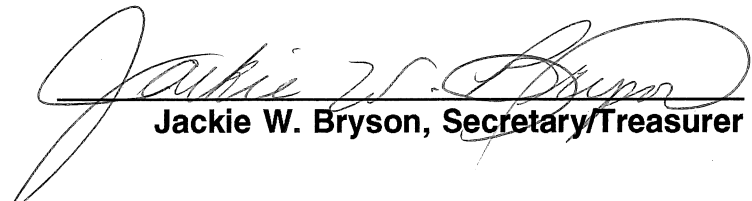
Mr. McGill also emphasized the importance of coordinating our sewer line improvements with the Biltmore Forest Country Club's golf course reconstruction in order to alleviate additional costs to MSD.

In an attempt to avoid this problem in the future, the District has instituted a two-envelope bid procedure whereby, the documents will be reviewed prior to opening the pricing envelope.

Following a brief discussion, Mr. Dent moved that the Board award the contract based on the bid of \$1,148,000.00 to Terry Brothers. Mr. Sobol seconded the motion. With no further discussion, a roll call vote was made with: 9 Ayes; 2 Absent (Mr. Holcombe and Mr. Selby).

3. Adjournment:

There being no further business the meeting was adjourned at 9:35 a.m.

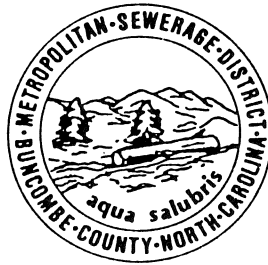

Jackie W. Bryson, Secretary/Treasurer

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



O. R. Post, Chairman
E. Benson Slosman, Vice-Chairman
Jackie W. Bryson
Larry Casper
Charles M. Dent
Joe Joyner
E. Glenn Kelly
Charles W. Penny
Bob Selby
C. Michael Sobol
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 1994-95, 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 11, 1994, which Budget has been available for inspection at the District office since May 11, 1994, and which Budget totals \$9,317,835.00 dollars of which the estimated monthly Budget is equal to one-twelfth (1/12) of the Total Budget.

THIS, 14th day of June, 1994.

O.R. POST, III, CHAIRMAN
Metropolitan Sewerage District Board
of Buncombe County, North Carolina

Attest:

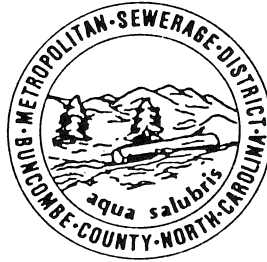
W. H. Mull, P.E.
Engineer-Manager

MSD Metropolitan Sewerage District of Buncombe County, North Carolina

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John S. Stevens, General Counsel



O. R. Post; Chairman
E. Benson Slosman, Vice-Chairman
Jackie W. Bryson
Larry Casper
Charles M. Dent
Kenneth E. Frizsell
Joe Joyner
E. Glenn Kelly
Charles W. Penny
Bob Selby
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 Resolution adopting the OPERATIONS AND MAINTENANCE BUDGET FOR THE FISCAL YEAR 1994-95.

This 14th day of June, 1994.

Jackie W. Bryson,

Secretary/Treasurer

Board of the Metropolitan Sewerage District

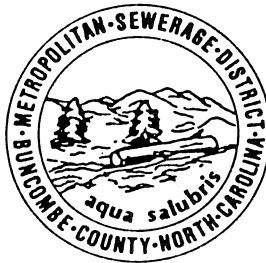
of Buncombe County, North Carolina

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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 General Fund and Construction II and III Fund Budgets for the Fiscal Year 1994-95, these being the same Preliminary Budgets which were submitted to the Board and other interested parties by the Engineer-Manager and Budget Officer on May 11, 1994, which Budgets have been available for inspection at the District office since May 11, 1994, and which Budgets totals \$26,851,000.00 dollars.

THIS, 14th day of June, 1994.

O.R. POST, III, CHAIRMAN
Metropolitan Sewerage District Board
of Buncombe County, North Carolina

Attest:

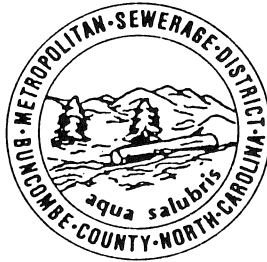
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John S. Stevens, General Counsel



O. R. Post, Chairman
E. Benson Slosman, Vice-Chairman
Jackie W. Bryson
Larry Casper
Charles M. Dent
Kenneth E. Frizsell
Joe Joyner
E. Glenn Kelly
Charles W. Penny
Bob Selby
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 Resolution adopting the GENERAL FUND AND CONSTRUCTION II AND III FUND BUDGETS FOR FISCAL YEAR 1994-95.

This 14th day of June, 1994.

Jackie W. Bryson,

Secretary/Treasurer

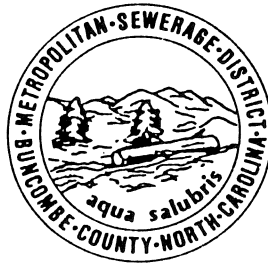
Board of the Metropolitan Sewerage District
of Buncombe County, North Carolina

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



O. R. Post, Chairman
E. Benson Slosman, Vice-Chairman
Jackie W. Bryson
Larry Casper
Charles M. Dent
Joe Joyner
E. Glenn Kelly
Charles W. Penny
Bob Selby
C. Michael Sobol
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 Equipment Replacement Budget for the Fiscal Year 1994-95, 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 11, 1994, which Budget has been available for inspection at the District office since May 11, 1994, and which Budget totals \$233,000.00 dollars.

THIS, 14th day of June, 1994.

O.R. POST, III, CHAIRMAN
Metropolitan Sewerage District Board
of Buncombe County, North Carolina

Attest:

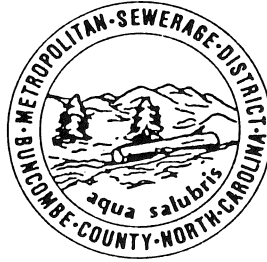
W. H. Mull, P.E.
Engineer-Manager

MSD Metropolitan Sewerage District of Buncombe County, North Carolina

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O. R. Post; Chairman
E. Benson Slosman, Vice-Chairman
Jackie W. Bryson
Larry Casper
Charles M. Dent
Kenneth E. Frizsell
Joe Joyner
E. Glenn Kelly
Charles W. Penny
Bob Selby
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 Resolution adopting the EQUIPMENT REPLACEMENT FUND BUDGET FOR FISCAL YEAR 1994-95.

This 14th day of June, 1994.

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

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Joe Joyner
E. Glenn Kelly
Charles W. Penny
Bob Selby
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 Resolution adopting the USER CHARGE RATES FOR FISCAL YEAR 1994-95.

This 14th day of June, 1994.

Jackie W. Bryson, Secretary/Treasurer

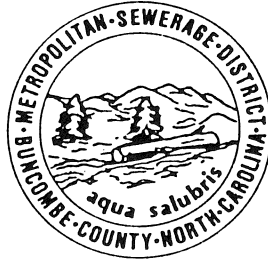
Board of the Metropolitan Sewerage District of
Buncombe County, North Carolina

MSD Metropolitan Sewerage District of Buncombe County, North Carolina

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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, hereby adopts the User Charge Rates for the Fiscal Year 1994-95, which was submitted to the Board and other interested parties by the Engineer-Manager on June 14, 1994, as set forth below.

DOMESTIC USER CHARGE PER CCF:

(Treatment System)

\$1.33

(Transport System)

\$1.13

BILLING FEE

\$1.30 (Per Month)

BASE METER CHARGE

Size	Fee
5/8"	\$ 4.10/month
3/4"	5.90
1"	10.50
1-1/2"	24.00
2"	42.00
3"	94.00
4"	168.00
6"	380.00
8"	670.00
10"	1,050.00

INDUSTRIAL USER CHARGE:

(Treatment System)

Flow (Per CCF) - \$.274

BOD (Per Lb.) - \$.373

S S (Per Lb.) - \$.200

(Transport System Per CCF)

\$.304

BILLING FEE

\$1.30 (Per Month)

BASE METER CHARGE

Size	Fee
5/8"	\$ 4.10/month
3/4"	5.90
1"	10.50
1-1/2"	24.00
2"	42.00
3"	94.00
4"	168.00
6"	380.00
8"	670.00
10"	1,050.00

This the 14th Day of June, 1994.



O.R. Post, III, CHAIRMAN
Metropolitan Sewerage District Board
of Buncombe County, North Carolina

ATTEST:



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