

BOARD OF THE METROPOLITAN SEWERAGE DISTRICT

January 18, 1995

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, January 18, 1995. Chairman Post presided with the following members present: Bryson, Casper, Dent, Joyner, Kelly, Selby, Slosman, Sobol and Wallace. Those Members absent were: Holcombe.

Others Present were: W. H. Mull, Engineer-Manager, John S. Stevens, General Counsel, Danny Bridges and Gary McGill of McGill Associates, P.A., Bob Holbrook and Ed Byas of Hendon Engineering Associates, Inc., Karen Craignolin representing the Tree and Greenway Commission, Jim Fatland, Stan Boyd, Linda Mazingo, Wayne Watkins, Ann Sutton, Angel Craven and Sondra Honeycutt, MSD.

2. Approval of the Minutes of the December 21, 1994 and January 12, 1995 meetings;

With regard to the roll call vote on page four (4), paragraph three (3) of the December 21 meeting, Mr. Joyner requested that the "No" vote be corrected to read "Nay instead of Aye". With no further additions or corrections, Ms. Bryson moved that the Board adopt the minutes as amended. Mr. Dent seconded the motion. Voice vote was unanimous in favor of the motion.

3. Approval of Schedule of Annual Meeting Dates:

With no objections to the Annual Meeting Schedule, it was adopted as presented.

4. Engineer-Manager's Report

Mr. Mull presented memorandums from staff regarding the impact of the flood. In addition, Mr. Watkins, Ms. Craven and Ms. Sutton gave a brief summary of the effects of the flood on sewer projects; property owner complaints; creek crossing losses, and overtime worked. A brief discussion followed as to the District's financial responsibility, if any, to the contractor for losses; whether the District would receive aid or assistance if the area was declared a federal disaster, and if the District is covered by flood insurance. Mr. Mull gave a brief report on the impact of the flood on the treatment facility.

CONSOLIDATED MOTION AGENDA

Mr. Mull reported that the following Consolidated Motion items were brought before the Personnel, Planning and Right of Way Committee's. With regard to Item b.3, (Consideration of Hiring an Accounting Manager) Mr. Kelly asked who was currently performing the job. Mr. Fatland reported Ms. Mazingo is serving as both Personnel and Accounting Manager, but in review of the organization and because of the increase in employment, management recommended transferring Ms. Mazingo to Personnel on a full time basis in order to provide a quality Personnel Department and to hiring a full time Accounting Manager. Mr. Fatland further reported that in addition to overseeing the Accounting Department, the Accounting Manager will be responsible for the design and implementation of new computer software and provide better accounting information. Following a request to pull items b.6, (Authorization to Retain a Consultant to Update the District's Personnel Pay Plan); e.2.a. (Lake Julian Pump Station No. 1) and, e.11.4.a., (Consideration of Licensing Form), Ms. Wallace moved that the Board adopt the Consolidated Motion, and vote separately on those items pulled for discussion. Mr. Sobol seconded the motion. Roll call vote was as follows: 10 Ayes; 0 Nays.

The Consolidated Motion Items not in question are as follows:

Personnel Committee Items:

b.2 Authorize the Hiring of Two (2) CIP Construction Inspectors:

The Committee recommended approval of staff's recommendations to hire two (2) CIP Construction Inspectors, with savings to be reflected in each project budget.

b.3 Authorize the Hiring of an Accounting Manager:

The Committee recommended approval of staff's recommendation to hire an Accounting Manager at a paygrade of 29, (\$31,634.96 to \$44,289.16).

b.4 Authorize the Retention of Computer Consultant to Review GIS, Accounting and Maintenance Software Programs:

The Committee recommended approval of staff's recommendation to retain a Computer Consultant to review the District's current software needs and to investigate the possibility of sharing GIS data with the GIS Consortium. In addition, that staff prepare a cost estimate for a Computer Consultant to review the following: present GIS System; Proposed Accounting Software; Proposed Maintenance Scheduling Software for the Plant and Collections, and review the GIS System with the GIS Consortium, (Asheville-Buncombe Water Authority, County of Buncombe, MSD, Public Gas, Southern Bell, Henderson County and City of Hendersonville).

b.5 Authorize use of GIS Technician Temporary Personnel Services:

The Committee recommended approval to retain the use of temporary personnel services to assist the GIS System with data entry.

Planning Committee Items:

d.4 Consideration of MSD Participation in Rehabilitation of Devil's Hollow Collector Sewer to serve the proposed Evangeline Nursing Home - Arden:

The Committee recommended that the Board approve the Developer's contract with the understanding that the District may not fund any of the improvements, and that the developer be advised that any reimbursement would be made after July 1, 1995.

d.6 Consideration of Acceptance of Ridgefield Sewer System:

The Committee recommended acceptance of the Ridgefield Sewer System for ownership and maintenance contingent upon obtaining the appropriate right of way documents.

d.7 Consideration of Close Out Change Order - Beaverdam North Fork:

The Committee recommended approval of Change Order #2 in the amount of \$71,732.03, and approval of close-out of Contract for final amount of \$662,987.03.

Right of Way Committee Items:

e.11.4.b - Earl Capps Hollow:

The Committee recommended approval of the Engineering and Right of Way Acquisition necessary to proceed with slip lining.

Avery Creek Sanitary Sewer District stating that MSD will be reluctant to approve further allocations unless a contract is negotiated between the Avery Creek Sanitary Sewer District and the MSD. Mr. Dent moved that the Board adopt the recommendation of the Planning Committee. Ms. Wallace seconded the motion. Following a clarification on the District's public sewer standards, voice vote was unanimous in favor of the motion.

5. Report of Officers

None

6. Report of Committees:

a. Finance Committee - (None)

b. **Personnel Committee - January 11, 1995 - Mr. Sobol:**

1. Consideration of Annual Evaluation of Engineer-Manager:

Mr. Sobol reported that in evaluation of the Engineer-Manager the Personnel Committee recommended a cost of living increase of 5.8%. However, the Committee agreed to delay its decision on a merit increase until Griffith/Archer updates the District's Pay Plan. With no discussion, Mr. Slosman moved that the Board adopt the recommendation of the Personnel Committee. Mr. Sobol seconded the motion. Roll call vote was as follows: 10 Ayes; 0 Nays.

c. CIP Committee - (None)

d. **Planning Committee - January 5, 1995 - Mr. Slosman:**

Mr. Slosman reported that because the Hills of Avery's Creek did not comply with the restriction, (that the property would never be subdivided) as it had represented to the District Board, the Planning Committee recommended that a special Board meeting be arranged between the District, the Hills of Avery's Creek and Avery Creek Sanitary Sewer District to resolve the matter. Mr. Joyner stated that he felt the District was misled to believe the project would be owned by one person and never subdivided, but prior to August 17, 1994 Board Meeting, the owners had already sold one of the units. In addition, the Planning Committee was made aware that plans were underway to sell off those buildings under construction to the drip line.

As a matter of information, Mr. Selby summarized the sequence of events that lead up to the Board's decision to approve the Hills of Avery's Creek's request to build a private system in accordance with State standards, (6" inch instead of 8" lines). Mr. Selby reported that the contract signed November 22, 1994 has words to the effect that purchaser's of individual lots or residential units in the Hills of Avery's Creek shall apply, which makes reference to many aspects of conveying real property. Therefore, if it was the intention of the District Board that the property would never be subdivided, the contract is in direct violation to that intention. Mr. Stevens reported that the contract does contemplate the sale of property, and that before any sale it must be made clear to the purchaser that they are bound by the Sewer Use Ordinance and understand that the Hills of Avery's Creek is a private system and does not conform to District Standards and will never be accepted for ownership by the District. He further reported that although the minutes of the August 17, 1994 Board meeting reflect Mr. Sneed's and Mr. Penland's, statements that the intention of the developer is to not split the ownership, the actual motion made no reference to that statement. Mr. Stevens stated that based on representations made to the Board, the District could consider notifying the Hills of Avery's Creek immediately informing them that the Board will not recognize any such sales and if any sales take place, the District will void the Agreement. Following a brief

The following items were pulled from the Consolidated Motion for discussion and individual vote:

b.6 Authorize Retention of Consultant to Update Personnel Pay Plan:

Mr. Casper suggested that any update to the District's Personnel Pay Plan be done in-house, since it was only a matter of gathering information from other municipalities and private businesses. Mr. Post pointed out that Griffith/Archer did the District's Pay Plan with the understanding it would be reviewed and updated every so often. He further stated that it was the feeling of the Personnel Committee that the Pay Plan be updated now, and that salary recommendations should not be decided by staff. Mr. Mull reported that staff is in the process of updating job descriptions, to be reevaluated by Griffith/Archer at a cost of \$50.00 per position. Other costs quoted by Griffith/Archer to update the Pay Plan are as follows: Original job descriptions at \$60.00 each; Modified descriptions at \$30.00; \$2,600.00 to modify pay ranges for all positions, and approximately 15 percent of the total cost of \$5,300.00 for out-of-pocket expenses. Following a brief discussion with regard to other sources of survey information, i.e., Water Environment Federation, Mr. Casper moved that the Board not continue to retain a consultant to update the Personnel Pay Plan, but instead do it internally. Mr. Selby seconded the motion. A lengthy discussion followed regarding the matter of confidentiality; the cost of updating the plan in-house compared to retaining a consultant; whether the survey of municipalities should be limited to the southeast region, and investigating the use of information from other sources. With no further discussion, Mr. Slosman called for the question. By a show of hands, the motion was defeated. Mr. Slosman moved that the Board adopt the recommendation of the Personnel Committee to approve the retention of Griffith/Archer to update the Personnel Pay Plan at a cost of \$5,300.00. Mr. Joyner seconded the motion. Roll call vote was as follows: 8 Ayes; 2 Nays (Mr. Casper, Mr. Kelly).

e.2.a Lake Julian Pump Station No. 1:

Deferred to closed session.

e.11.4.a - Approval of Licensing Form:

Mr. Joyner expressed his concern about keeping track of licenses if the Licensing Form is approved. Mr. Mull reported that the Licensing Form was developed as a result of a recent issue involving an encroachment over MSD's right of way, which has occurred on one other occasion. A lengthy discussion followed regarding the District's current policy on encroachments; whether the draft Licensing Form should be used as a tool for the right-of-way staff, or if encroachment's should be reviewed by the Right of Way Committee on a case by case basis. It was the consensus of the Board that a Licensing Form is not necessary since the District's policy is that it does not allow an encroachment on it's rights-of-way.

REGULAR AGENDA

Planning Committee Items:

d.1 Consideration of Allocation for Park South Subdivision - Out of District - Avery Creek:

Mr. Mull reported that the proposed development consists of a 20 unit, three bedroom, single family resident subdivision being developed by Mr. Lloyd King. He further reported that in review of the developer's request, the Planning Committee recommended that the allocation be issued subject to the following: 1. The Developer agreeing that all sewerage improvements will be constructed in accordance with the District's public sewer standards; 2. That Avery Creek Sanitary Sewer District agree to accept the sewer line for ownership and maintenance; and 3. That a letter be sent to

discussion, Mr. Stevens gave a brief history on the creation of the Avery Creek Sanitary Water & Sewer District and reported that if Avery Creek is annexed into the District, it would have a seat on the Board since it is constituted as a municipal corporation. Therefore, now is a good time to ask that the statute, be modified to enable Avery's Creek to become a part of the District without gaining a seat on the Board. A lengthy discussion followed regarding the possibility of the District refusing to accept the discharge from the Hills of Avery's Creek. Mr. Joyner referenced page five (5), item seven (7) of the Agreement regarding new connections and stated that if the District does nothing else, it should inform the Hills of Avery's Creek that the it was mislead. Ms. Wallace moved that the Board instruct Counsel to proceed with efforts to modify the Statute with regard to Avery Creek Sanitary Water & Sewer District. Mr. Kelly seconded the motion. Voice vote was unanimous in favor of the motion.

Mr. Slosman moved that a letter be drafted by Counsel to the Hills of Avery's Creek notifying them that the contract between the District, the Hills of Avery's Creek, and Avery Creek Sanitary Water & Sewer District is not in accordance with the Agreement approved by the District Board, and that the contract be changed to include wording that the Hills of Avery's Creek development cannot be subdivided, and that a copy of the minutes of the August 17, 1994 meeting be included. Mr. Dent seconded the motion. Following a lengthy discussion, voice vote was unanimous in favor of the motion.

Mr. Slosman moved that a Special Board Meeting be scheduled with Avery Creek Sanitary Water & Sewer District to discuss a contract with the MSD. Mr. Joyner seconded the motion. Voice vote was unanimous in favor of the motion.

e. Right of Way Committee - January 5, 1995 - Mr. Selby:

II.4.C Beaverdam Creek Interceptor Project/Beaver Creek Partnership Property - Review of Counsel's Opinion Regarding Transfer of "Proposed Easements" by Public Dedication of Plat:

Mr. Mull presented a letter from William Clarke, MSD Attorney, to Angel Craven on his opinion regarding the transfer of a "proposed" easement by public dedication. Mr. Selby reported that a letter to Committee Members, from the Architect, (Mr. Mark Sinskey) indicated they had negotiated with the intention of being compensated by the District. He further reported when the plat was recorded, clearly identifying the easement for the sewer line with the word "proposed", the Beaver Creek Partnership thought they would receive the negotiated sum. Ms. Craven reported that discussions regarding compensation for restoration took place in 1993, but no discussion on compensation for an easement took place until August, 1994, which was based on the appraisal. In addition, the District had no knowledge of a recorded plat until one of the lots was sold. Ms. Craven stated that by virtue of the dedication and in Mr. Clarke's opinion, the District has a 20 foot wide permanent easement, but no temporary construction easement, and based on figures in the appraisal, the District offered the appraised amount for a temporary easement. Ms. Craven further stated that in the opinion of staff and the Right of Way Committee it would set a poor precedent for the District to pay \$19,000.00 for a permanent easement that one year prior to negotiations had been dedicated to the District. A lengthy discussion followed regarding the amount of compensation offered for the temporary construction easement and whether the District is morally bound by it's commitment for the permanent easement after it was discovered that the easement had previously been dedicated. Further discussion on this matter was deferred to closed session.

f. Blue Ribbon Committee (None)

7. Unfinished Business:

None

8. Old Business:

a. Report on Marketing Study for Alkaline Stabilized Product - Danny Bridges - McGill Associates:

Mr. Bridges reported that to date potential users of the Alkaline Stabilized product have been contacted for a follow-up meeting, but until final numbers on N-Viro's royalty fees; costs associated with ash disposal, and the amount of tons available on an annual basis is finalized, they do not feel comfortable proceeding. However, an appointment is scheduled with the Patent Attorney to discuss royalty fees, which will result in a more detailed report. A discussion followed regarding whether the District would receive marketing assistance in return for paying royalty fees, and why McGill is reluctant to find out from potential users the amount of tonnage they are willing to take and how much they will pay. Mr. McGill stated that they see no problem in going forward as long as the District understands the risk associated with proceeding before the final numbers are in place, since there is a difference between general conversation and commitments in the implementation of the program. Mr. McGill asked for direction from the Board in order that they don't imply something that may not take place. Ms. Wallace suggested that McGill also investigate what the market will bear. With regard to the list of companies provided by Mr. Holbrook that sell a similar product, Mr. Sobol suggested that McGill investigate how much product these companies are selling, and if they are using the N-Viro process.

Mr. Bridges reported that the following potential users have agreed to take the product: Warren Wilson College, 400-450/tons for a demonstration plot; the Biltmore Company, 65/tons to be used on a test plot, and a farmer who is leasing a thousand acres from the Biltmore Company. A brief discussion followed regarding the amount of tons produced daily; the consistency of the product, and what action the Board needs to take in order to distribute the product now. He further reported that as a result of written estimates from three (3) different contractors, the cost to haul and spread the product is approximately \$16.00/ton. Mr. McGill asked for an opinion from Counsel regarding the need of obtaining a waiver releasing the District from any liability during the hauling and spreading of the product. Mr. Stevens stated that he would check into the matter, but reminded the Board that he is the Attorney for Warren Wilson College and the Biltmore Company, two of the proposed sites, and had a potential conflict. Mr. Mull recommended that the Board authorize up to \$16.00/ton to proceed with the demonstration plot at Warren Wilson College subject to approval by Counsel. Following a brief discussion, Mr. Kelly moved that the Board authorize up to \$7,200.00 to haul and spread the product at Warren Wilson College. Mr. Slosman seconded the motion. Roll call vote was as follows: 10 Ayes; 0 Nays.

Mr. McGill reported that based on the direction of the Board, a detailed report on long term information will be available within the next few days.

9. New Business:

1. Consideration of Resolution Authorizing Contract with Nations Bank for Automatic Deposit for Employees Payroll Checks:

Mr. Mull presented a proposed resolution developed by Mr. Fatland for the automatic deposit of employee payroll checks. Mr. Mull reported that in order to implement the program, the District needs to purchase a software program from Nations Bank at an estimated cost of \$450.00. Mr. Fatland stated that the program is strictly voluntary and briefly explained how it will work. With no further discussion, Ms. Wallace moved that the Board adopt the Resolution as presented. Ms. Bryson seconded the motion. Roll call vote was as follows: 10 Ayes; 0 Nays.

2. Consideration of a Request From Henderson County:

Mr. Mull presented a letter from Mr. William Lapsley, P.E. of Henderson County requesting that the District respond to the following questions with regard to the proposed construction of a major manufacturing company being considered for Henderson County: (1.) Can MSD make a commitment to accept the proposed discharge; (2.) What will the estimated monthly user fees be, based on the information provided, and (3.) Will the MSD contribute any funds toward the cost of a sewer lift station and force main to cross the French Board River. Mr. Mull reported the company will require a discharge of 150-175,000 gpd with pretreated effluent limits for (BOD) at 540; (TSS) at 820 and Oil and Grease at 870. He further reported that although limits for (BOD) and (TSS) are high, the District could handle it, but pretreatment for Oil & Grease will be required to bring these within MSD limits. In addition, he stated that the District has adequate capacity to accept the discharge, but suggested that the area be annexed into the Cane Creek Water & Sewer District. Regarding Item #3, Mr. Mull recommended that the District not participate in the cost. With no further discussion, Ms. Wallace moved that the Board approve accepting the proposed discharge subject to MSD conditions; that a fee be calculated; that the District not contribute funds toward the cost of a lift station and force main, and that the proposed area be annexed into the Cane Creek Sanitary Sewer District and be bound by the conditions of that agreement. Mr. Joyner seconded the motion. A brief discussion followed on whether the District would be responsible to maintain the force main and if the line will be built to District Standards. With no further discussion, voice vote was unanimous in favor of the motion.

At 4:46 p.m. Mr. Dent moved that the Board move into a closed session to consider a potential claim against Enviroquip; a potential dispute with Envirex concerning the sludge disposal system, and the price and other material terms of a proposed contract for the acquisition of real property, specifically a right of way easement. Mr. Sobol seconded the motion. Voice vote was unanimous in favor of the motion.

At 5:33 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 adopt the Right of Way Committee's recommendation with regard to the Lake Julian Pump Station #1 as follows: Negotiate with the church then CP&L, and if necessary, approve compensation in the amount of \$14,909.00 for the Young/BP parcel, based on the District's current compensation formula. Mr. Sobol seconded the motion. Roll call vote was as follows: 9 Ayes; 0 Nays. Ms. Bryson was absent during the vote.

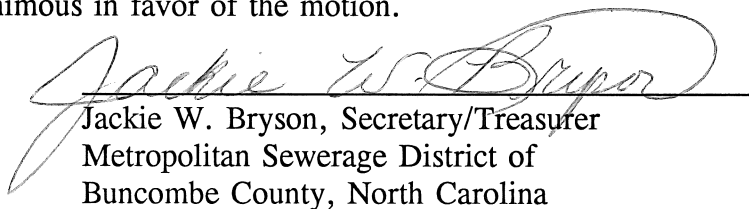
Mr. Casper moved that the Board instruct Counsel to negotiate with the Beaver Creek Partnership's Attorney to work out an applicable solution, and approve up to \$2,000.00 to negotiate a compensation amount for the permanent and temporary construction easements. If a solution cannot be reached, proceed with condemnation. Ms. Wallace seconded the motion. Roll call vote was as follows: 6 Ayes; 2 Nays; (Mr. Slosman and Mr. Sobol). Ms. Bryson was absent during the vote.

Ms. Wallace requested that in order to proceed with the marketing study on the alkaline stabilized product, that pertinent information be made available to McGill Associates, P.A. from other consultants, within the District's budgetary limits. Mr. Mull stated that cost estimates would be provided to the Planning Committee.

10. **Date of Next Regular Meeting, February 15, 1995**

11. Adjournment:

At 5:38 p.m. Mr. Slosman moved for adjournment. Mr. Kelly 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

RESOLUTION FOR AUTOMATIC DEPOSIT
OF EMPLOYEE PAYROLL CHECKS

WHEREAS, MSD processes employees payroll checks on a bi-weekly basis; and

WHEREAS, MSD transfers monies from it's Operating Fund to it's Payroll Revolving Fund with Nations Bank; and

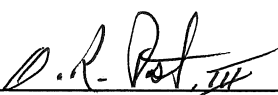
WHEREAS, MSD has surveyed it's employees on automatic deposit and sufficient response supports an automatic deposit of employee payroll checks; and

WHEREAS, Nations Bank has met with MSD staff to explain the advantages on automatic deposit; and

NOW, THEREFORE BE IT RESOLVED:

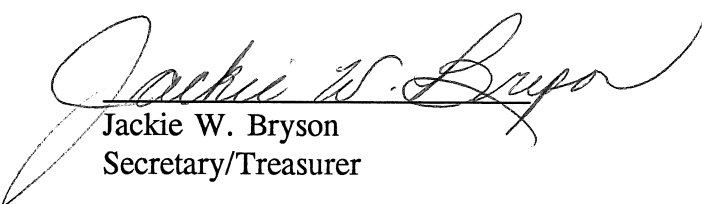
- 1) That the Board of Directors of the Metropolitan Sewerage District of Buncombe County North Carolina approve automatic deposit of payroll checks for it's employees.
- 2) That the Engineer-Manager be authorized to execute an agreement with Nations Bank.

ADOPTED THIS 18th day of January, 1995.



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

ATTEST:


Jackie W. Bryson
Secretary/Treasurer

**RESOLUTION APPROVING THE ACQUISITION
OF THE SEWERAGE SYSTEM FACILITIES
OF THE RIDGEFIELD BUSINESS CENTER**

WHEREAS, the Metropolitan Sewerage District ("District") has been asked to acquire the sewerage system facilities constructed to serve the Ridgefield Business Center located on Ridgefield Boulevard off Brevard Road (aka N. C. Hwy. No. 191) in Asheville, Buncombe County, and more particularly described on a plat dated June 8, 1994, revised on September 26, 1994 made by Webb A. Morgan & Associates, P.A. and as described in an Easement Agreement recorded in the Office of the Register of Deeds for Buncombe County, in Deed Book 1839, at Page 755;

WHEREAS, the District Board is bound by certain covenants in its Bond Order and cannot acquire additional sewerage system facilities unless such provisions are satisfied;

WHEREAS, the District Board has determined the Ridgefield Business Center sewerage system facilities are not subject to any lien or other encumbrance which is materially adverse;

WHEREAS, the District Board has determined the acquisition of the Ridgefield Business Center sewerage system and the responsibility to operate and maintain it will preserve and maintain the public health and welfare within the District;

WHEREAS, Ridgefield Business Center Property Owners Association, Inc. and others have tendered appropriate instruments transferring complete ownership of the system to the District and delegating to the District the responsibility for operation and maintenance;

WHEREAS, the appropriate instruments that are prepared and executed by Ridgefield Business Center Property Owners Association, Inc. and others are in such form that they may be duly recorded;

WHEREAS, the District has determined that it has reasonable access to and over related public rights of way and easements necessary to operate and maintain the system;

WHEREAS, the District Board has determined that adequate funding will be available for the acquisition and for the operation and maintenance of the system and that the District Board will have the authority to determine the need and priority for the operation and maintenance, improvement and reconstruction of the additional sewerage system facilities.

BE IT NOW HEREBY RESOLVED: The District Board of the Metropolitan Sewerage District hereby accepts the Ridgefield Business Center Sewerage System together with all easements therefor, said sewerage system being more particularly described on a plat map dated June 8, 1994, revised September 26, 1994 prepared by Webb A. Morgan & Associates, P. A., Easement Agreement recorded in Deed Book 1839, at Page 755, Buncombe County Registry.

This the 18th day of January, 1995.

METROPOLITAN SEWERAGE DISTRICT OF
BUNCOMBE COUNTY, NORTH CAROLINA

By: *C. R. Veltz*
Chairman

ATTEST:

Patrick W. Bryson
Secretary

SPECIAL MEETING
OF
BOARD OF THE METROPOLITAN SEWERAGE DISTRICT

January 12, 1995

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 1:00 P.M., on Thursday, January 12, 1995. Chairman Post presided with the following members present Bryson, Dent, Holcombe, Joyner, Kelly, Selby, Slosman, Sobol and Wallace. Those members absent are as follows: Mr. Casper.

Others Present were: W. H. Mull, Engineer-Manager, Walter L. Currie, MSD Attorney, Jim Brewer, Ed Byas and Bob Endress of Hendon Engineering Associates, Inc., Danny Bridges and Gary McGill of McGill Associates, P.A., Jim Fatland, R.L. Cunningham, Marc Fender, and Sondra Honeycutt, MSD.

2. Report on Holiday Inn Golf Course Sewer Rehabilitation Project.

Mr. Mull reported staff has contacted the North Carolina Department of Transportation (DOT) with regard to the route for the I-26 Connector and was advised that the route has not been selected and that the schedule for construction would be after the year 2000. In addition, one route under consideration by the DOT is a corridor to the east of the Holiday Inn buildings through the golf course, however the proposed sewer rehabilitation is north of the Inn buildings and would not be within the proposed corridor. Mr. Mull further reported that staff recommends proceeding with the construction provided that the contractor can complete the construction within the time constraints imposed by the golf course. Following a brief discussion as to whether Mr. Winkler is being asked to contribute any addition money for the project, Mr. Holcombe moved that the Board adopt the recommendation of staff. Mr. Kelly seconded the motion. Roll call vote was as follows: 10 Ayes; 0 Nays.

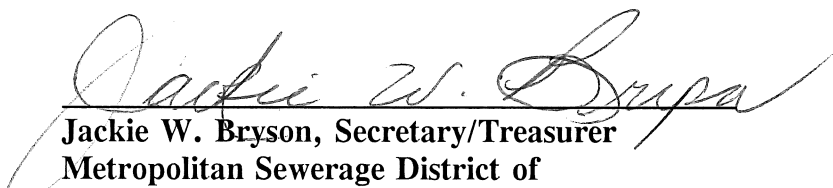
3. Status Report on Incinerator and Chemical Stabilization Facilities:

At 1:20 p.m., Ms. Wallace moved that the Board go into closed session to consider a potential claim against Enviroquip and a potential dispute with Envirex. Mr. Holcombe seconded the motion. Voice vote was unanimous in favor of the motion.

At 3:10 p.m., Mr. Slosman moved that the Board reconvene the regular meeting. Mr. Holcombe seconded the motion. Voice vote was unanimous in favor of the motion.

4. Adjournment:

With no further discussion, Mr. Kelly moved for adjournment. Mr. Slosman 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