

BOARD OF THE METROPOLITAN SEWERAGE DISTRICT

May 10, 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, May 10, 1995. Chairman Post presided with the following members present: Bryson, Casper, Holcombe, Joyner, Kelly, Pace, Selby, Slosman, Sobol and Wallace.

Others present were: W. H. Mull, Engineer-Manager, John S. Stevens, General Counsel, Walter L. Currie, MSD Attorney, Danny Bridges and Gary McGill of McGill Associates, P.A., Jim Brewer, H. Singh Kahlon, and Sharon Kane of Hendon Engineering Associates, Inc., Diane Delafield, Marketing Consultant/McGill Associates, Inc., Clarke Morrison, with the Asheville Citizen Times, Jim Fatland, Jim Eckert, Stan Boyd, Linda Mazingo, Wayne Watkins, Ann Sutton, Randy Hintz, Alan Jacobson, Angel Craven, Sharon Walk, Teresa Gilbert and Sondra Honeycutt, MSD.

2. Approval of the Minutes of the April 19, 1995 meeting;

With regard to page five (5), paragraph 1, Ms. Wallace requested that the wording be changed to read "salary range" and that Item 10 (date of next regular meeting be changed to read May 10, 1995. In addition, that the wording on page four (4), paragraph 1 be changed to read "he asked the Engineer-Manager." With no further additions or corrections, Mr. Pace moved that the minutes of the April 19, 1995 meeting be approved as amended. Mr. Holcombe seconded the motion. Voice vote was unanimous in favor of the motion.

At 2:20 p.m., Mr. Slosman moved that the Board go into closed session to consult with the MSD Attorney regarding possible litigation between Lee Construction Company and Enviroquip. Ms. Wallace seconded the motion. Voice vote was unanimous in favor of the motion.

At 2:27 p.m., Mr. Casper moved that the Board reconvened the regular meeting. Mr. Holcombe seconded the motion. Voice vote was unanimous in favor of the motion.

3. Annual Budget: Consideration of Preliminary Budget Resolutions for Fiscal Year 1995-96 - Mr. Casper

a. Operation & Maintenance Budget (O&M):

Mr. Casper reported that the original proposed O&M budget of \$10,511,000.00, (prior to allocation of other funds) was reviewed by the Finance Committee, May 5, 1995, and after considerable discussion the Committee agreed to keep the budget at the 1994-1995 level of \$9,039,000.00. As a result, the revised budget was presented to the Finance Committee today, and the Committee recommended that the Board adopt the Preliminary O&M Budget of \$9,039,000.00 for Fiscal Year 1995-96, which calls for Salary and Benefits of \$5,460,000.00, and Materials, Supplies & Services of \$3,579,000.00, subject to staff review. Mr. Casper further reported that the budget reflects a \$1,007,000.00 increase over actual expenditures for FY 1994-1995, with \$871,000.00 of that amount earmarked for personnel related issues and the balance of line items within Materials, Supplies & Services. In addition, that \$65,000.00 is available because of a reduction in insurance. With no further report, Mr. Casper moved that the Board adopt the recommendation of the Finance Committee. Mr. Holcombe seconded the motion. Mr. Kelly suggested that vote on the budget be delayed until a legal opinion from Counsel is received with regard to whether or not interest earned from the CIP budget is spendable. Mr. Mull pointed out that as a requirement of the Bond Order the District must adopt a preliminary budget at this meeting, with final approval by June 15, 1995. A discussion followed regarding whether Cost of Living and Merit increases were included in the budget.

Mr. Joyner read a statement concerning his feelings regarding opposition by Committee Members to include Cost of Living and Merit Increases for MSD employees

in the 1995-1996 budget, in order to reduce costs and the Committee's decision not to increase rates to industry. Mr. Kelly stated that the Committee's recommendation to increase spending by \$1,000,000.00 over actual spending last year, does not appear to be a hardship. Mr. Casper stated that because Mr. Joyner's statement was written prior to today's meeting of the Finance Committee, he requested that the record show that all recommendation's of the Personnel Committee, (Cost of Living, Merit Increases, and Griffith Associates Pay Plan Update) have been approved. In addition, industry rates were not increased because they have been substantially surcharged over the last three or four years and have only received one rebate. Therefore, in his opinion, the budget recommendation was put together with the best interest of current employees, which was the basis behind the Finance Committee's recommendations, rather than expanding the bureaucratic and administrative function of the MSD. A lengthy discussion followed regarding whether the District is planning to raise user rates; if the Equipment and WWTP Replacement fund budgets are fully funded, and the difference between the proposed budget presented at the Finance Committee today, and the budget proposed by staff at the May 5, 1995 meeting. Mr. Casper reported that the budget recommended by the Finance Committee today does not include the eight (8) new positions proposed in the budget previously presented. Ms. Wallace stated that the Personnel Committee looked long and hard at the proposed new positions, and although there may have been a question on whether to hire a Public Information Officer, she did not recall any disagreement regarding the new positions, therefore, she requested a full discussion as to the reasons for not funding these positions. In addition to a discussion regarding the new positions, Mr. Pace requested an explanation as to why positions funded in last year's budget were not filled.

Mr. Mull reported that of the three (3) CIP positions approved in last year's budget, one (1) was filled, with the other positions to be filled as projects came on line. He further reported that at the direction of the Board, the proposed eight new positions for this year's budget were reviewed by staff to see if the District could reduce the overall construction costs on CIP projects by doing consulting work in-house. Mr. Fatland gave a brief presentation on the goals and objectives requested by the Board during fiscal year 1993-94. He reported that this information was gathered from the District's Organizational Analysis and minutes of Board and Committee meetings and divided into categories to show what staff is working on and what has been accomplished during that time. Mr. Fatland reported that a review was made by his office to evaluate the need for new positions. Also, he met with the Director of Engineering and division supervisors to discuss what it would take to get their jobs done and it was found that they are extremely frustrated by the work that is being requested, which they are not able to get done. As a result, seven new engineering positions were recommended. Mr. Mull stated that the positions on the rehabilitation program have not be filled yet, but were included in the original CIP Plan in the Consolidation Agreement. As requested by Ms. Wallace, Board Members expressed their individual opinions regarding the funding of new positions, and the additional space and equipment that would be needed as a result. Mr. Joyner requested that the Board vote on whether or not the District will have a Cost of Living and Merit pay system for it's employees rather than set the Budget and direct the Engineer-Manager to implement it. Following a brief discussion regarding the increases in the CIP budget, Mr. Kelly called for the question. Roll call was as follows: 6 Ayes; 5 Nays, (Ms. Bryson, Mr. Joyner, Mr. Sobol, Ms. Wallace and Mr. Post).

Mr. Joyner moved that the Board instruct the Engineer-Manager to implement a 3.5% cost of living increase; a merit increase range of 0 to 5%, and approval of the Personnel Pay Plan as recommended by Griffith & Associates. Mr. Sobol seconded the motion. By voice vote the motion was adopted. Mr. Kelly voted against.

Mr. Sobol asked for clarification on whether the Personnel Committee should table it's recommendation regarding the eight new positions until the CIP Committee meets. Mr. Post suggested that the Chairman of the CIP Committee consider inviting the Personnel Committee to attend the CIP meeting to express it's opinions regarding this issue. A discussion followed regarding allocations from the O&M Budget to the

CIP Budget.

b. General Construction II & III Fund Budget:

Following a brief discussion, Ms. Wallace moved that the Board adopt the Preliminary General Construction II & III Fund Budget of \$21,008,777.00 for fiscal year 1995-96. Mr. Holcombe seconded the motion. Roll call vote was as follows: 11 Ayes; 0 Nays.

c. Equipment Replacement Fund Budget:

Mr. Fatland briefly explained how the total budget amount of \$212,000.00 was arrived at, but for the purpose of adopting the preliminary budget, he recommended that the Board adopt the Equipment Replacement Fund Budget for fiscal year 1995-96 in the amount of \$233,000.00, subject to amendment by the CIP and Personnel Committees'. With no further discussion, Mr. Sobol moved that the Board adopt the recommendation of staff. Mr. Slosman seconded the motion. Roll call vote was as follows: 11 Ayes; 0 Nays.

d. Wastewater Treatment Plant Replacement Fund Budget:

Mr. Fatland reported that for the current year, the District budgeted \$200,000.00 in the O&M budget for Stationary Equipment Maintenance, of which \$88,000.00 has been spent to date. He recommended that the District take the unexpended amount from the \$200,000.00 budgeted amount and open up a fund for the plant in the amount of \$112,000.00. Following a brief discussion with regard to whether funds can be taken from the Maintenance Reserve Account to replace equipment, Mr. Joyner moved that the Board adopt the Preliminary Wastewater Treatment Plant Replacement Fund Budget for fiscal year 1995-96 in the amount of \$112,000.00. Mr. Holcombe seconded the motion. Roll call vote was as follows: 11 Ayes; 0 Nays.

4. Engineer-Manager's Report

CONSOLIDATED MOTION AGENDA

PERSONNEL COMMITTEE:

Mr. Mull reported that the following three (3) items were previously approved as a part of the O&M budget:

- b.1 Griffith & Associates Personnel Pay Plan in the amount of \$25,040.65.**
- b.2 Proposed Cost of Living Increase of 3.5% effective July 1, 1995 totaling \$150,283.16.**
- b.3. Proposed Merit System with a range of 0% - 5%, not to exceed 3.5% of the budgeted payroll of \$150,283.16.**

Mr. Sobol questioned why the total budgeted payroll amount of \$150,283.16 is different from the totals recommended by the Personnel Committee and shown in the Preliminary O&M Budget. Mr. Mull reported that the \$150,283.16 includes benefits.

PLANNING COMMITTEE:

Mr. Mull reported that the following Consolidated Motion Items were brought before the joint meeting of the Planning and Right of Way Committees' April 13, 1995:

d.1. Consideration of Request by Ken Jackson - Arden Post Office:

The Committee recommended that L.B. Jackson & Company hire a professional engineer to address concerns regarding the proposed construction relative to its impact on the sewer lines; and that District policy be followed wherein the developer is responsible to provide any necessary changes to the utility to accommodate his development.

d.3. Consideration of Change Order - East Street Sewer Rehabilitation - Buckeye Construction Company.

The Committee recommended approval of the change order in the amount of \$30,000.00.

With no discussion, Ms. Wallace moved that the Board adopt the Consolidated Motion Items as presented. Mr. Holcombe seconded the motion. Roll call vote was as follows: 11 Ayes; 0 Nays.

RIGHT OF WAY COMMITTEE

Mr. Mull presented the following Consolidated Motion Items brought before the joint meeting of the Planning and Right-of-Way Committees' April 13, 1995:

e.II.2.A. Consideration of Addition of Mission Statement for All Projects/Amendment to Right of Way Policy:

The Right of Way Committee recommended adoption of the Mission Statement as drafted by staff to be added as the second sentence of the first paragraph "1.0 Purpose and Definitions." Mr. Mull reported that the Mission Statement will be added to the existing policy, and a paragraph will be added on page three (3), Section 3.1.7, second paragraph on adding a 10% contingency to each project's compensation budget. With no further discussion, Mr. Sobol moved that the Board adopt the recommendation of the Right-of-Way Committee. Mr. Selby seconded the motion. Voice vote was unanimous in favor of the motion.

REGULAR AGENDA

Planning Committee Items:

d.7. Consideration of Waiver of Allocation Fee - Governmental Agencies:

Mr. Mull reported that the District currently has a fee of \$100.00 when someone requests an allocation, which is then credited back toward the facility fee when the project begins. However, in the interest of governmental cooperation, and at the request of the City of Asheville, the Committee recommended waiver of the Allocation Fee for municipalities involved in the Consolidation Agreement, and other municipalities within Buncombe County and their agencies, pursuant to the Resolution presented. With no discussion, Mr. Casper moved that the Board adopt the recommendation of the Planning Committee. Mr. Pace seconded the motion. Voice vote was unanimous in favor of the motion.

Right of Way Committee Items:

e.II.1.A. Beaverdam Creek Interceptor:

Deferred to Closed Session following New Business.

e.II.4.A&B Biltmore Forest Rehabilitation:

Deferred to Closed Session following New Business.

5. Report of Officers:

None

6. Report of Committees:

a. Finance Committee - April 26, and May 5, 1995 - Mr. Casper:

No further report

b. Personnel Committee - May 3, 1995 - Mr. Sobol:

No further report

d. Planning Committee - April 27, 1995 - Mr. Slosman:

No further report

e. Right of Way Committee - April 27, 1995 - Mr. Selby:

No further report

7. Unfinished Business:

None

8. Old Business:

a. Final Report on Sections A&B of the Nutrified Lime Distribution and Marketing Program - Danny Bridges and Diane Delafield:

Following a brief discussion as to whether this report should be given in it's entirety, the Board agreed to hear the highlights of the report with further consideration deferred to the next meeting of the Planning Committee. Mr. Mull stated that in the initial contract with McGill Associates, involving public relations work on the video and brochures, the Board approved some costs with ranges that were not identified, and in order to finish out the contract, these costs need to be approved. Mr. Bridges reported that originally the scope of services covered the following three (3) components: 1. The uses and economic considerations of the alkaline stabilized product; 2. Identification of the users in the Users Acceptance Program, and 3. The Public Acceptance Program, which deals primarily with the brochures and video. Mr. Bridges further reported that the draft report was reviewed by staff and incorporated in the final report, which was put together to develop a marketing and distribution program, and contains the following information: background of the entire project; the process by which wastewater residuals are generated; chemical parameters used to described the characteristics of the product; chemical process; quantities of the product generated both now and in the future; physical and chemical parameters; agriculture properties of the product; potential users; recommended distribution goal plan; the cost of the process from actual production data; annual projected revenues; how the market value of the product is determined, and a recommendation on the retail price for the sale of the product. In addition, he gave a brief report on the critical assumptions and recommendations as a result of the study.

Mr. Bridges stated that because there are two (2) processes, (alkaline stabilization and incinerator) some determination needs to be made on the amount of product that

will be available prior to consideration of a contract with potential bulk users, specifically, Southern States and the North Carolina Department of Transportation (NCDOT). Also, there is a concern regarding the possibility of bagging the product because of its high moisture content, and beneficial use by the general public. Mr. Bridges gave a brief report on the media event that took place May 9, when the product was spread along I-240 at the open cut. A brief discussion followed with regard to how the retail cost was arrived at.

Regarding brochure and video development, Ms. Delafield reported that as a result of several meetings with staff and Mr. Bridges of McGill Associates, the following recommendations were made: that additional research be done on offering and providing the product to the general public; the development of a stance line, "Preserving our Natural Resources" in order build acceptance and customer awareness of what the MSD is about, and naming the product "Nutri-Lime." Ms. Delafield presented examples of newspaper ads and brochures developed to target both the homeowner and agricultural markets, and stated that the eight minute video positions the MSD as preserving its natural resources and clearly states what the product is.

Mr. Bridges presented a summary of the production costs, (totaling \$11,650.00) as outlined by Ms. Delafield, which includes two (2) Nutri-Lime brochures at \$5,500.00; photography and art at \$1,750.00, and the Video at \$4,400.00. As a matter of information, Mr. Bridges presented additional costs considerations, which included Newspaper Advertisement for two (2) one-quarter (1/4) page ads at a \$10,000.00 and Media event for introduction to the General Public at \$1,500.00 for a total of \$11,500.00. Mr. Casper questioned whether approval of the production costs assumes that the District plans to use only one process, (alkaline stabilization). Mr. Bridges stated that they understand there are two (2) processes, but the incineration study will not be complete until July, at which time information on the bottom line figures and issues associated with each process will be presented to staff and the Board. Mr. McGill stated that it is likely that the District will use both processes, but the question is whether the Board is comfortable in proceeding with development of the brochures and video prior to completion of the Incinerator study.

A lengthy discussion followed regarding the public's perception that the District may never use the incinerator process; the development of a video on the treatment plant process; updating the current brochure on the plant; public education regarding the cost of getting rid of the product; if the District should proceed with its marketing efforts prior to knowing exact quantity availability, and the need for a discussion at the Committee level on the economic and environmental impacts of both processes. Mr. McGill agreed that by marketing only one process, the District may put out the wrong perception, but felt that an interim agreement with Southern States and the NCDOT is in order. Ms. Wallace stated that the interim agreement should be for non-food application only. With no further discussion, Mr. Slosman moved that the Board instruct McGill Associates to market the product to the NCDOT and any other entity that uses the product for non-food application at \$5.00/ton. Mr. Pace seconded the motion. Voice vote was unanimous in favor of the motion.

9. New Business:

a. Consideration of Proposal for Study on Environmental Concerns for Inclusion in Economic Analysis of Sludge Handling Methods - McGill Associates:

Following examination of the proposal, Mr. Kelly moved that the Board adopt the proposal of McGill Associates of May 10, 1995 by increasing the current contract amount by \$6,550.00 as recommended by the Planning Committee. Mr. Pace seconded the motion. Ms. Wallace requested that McGill Associates come back to the Board should additional funds be needed to complete the study. Following a lengthy discussion regarding the purpose of the study, roll call vote was as follows: 10 Ayes; 0 Nays. Ms. Bryson was absent during the remainder of the meeting.

b. Consideration of Acceptance of Private Sewer System for The Holt at Biltmore Park:

Mr. Mull reported that all engineering and rights of way documents for acceptance of a private sewer system, (The Holt at Biltmore Park) into the District have been received, and that staff recommends acceptance of this system for ownership and maintenance contingent upon receiving the mylar survey from the engineer. Following a brief discussion as to the location, Mr. Holcombe moved that the Board adopt the recommendation of staff. Mr. Joyner seconded the motion. Voice vote was unanimous in favor of the motion.

c. Consideration of Bids for Construction of Talmadge Street Sanitary Sewer Rehabilitation Project:

Mr. Mull reported that this project was brought to his attention by the Maintenance Division as a constant problem and is on the list of miscellaneous CIP Rehabilitation projects at an estimated cost of \$62,518.69. He further reported that the following bids, accompanied by the appropriate bid bonds and other required documents, were received May 5, 1996: Hobson Construction Company (apparent low bidder) with a total base bid of \$49,798.00, and Terry Brothers Construction Company with a total base bid of \$67,705.00. In addition to approval of the contract amount, Mr. Boyd requested that a 15% contingency be added. With no discussion, Mr. Slosman moved that the Board adopt the recommendation of the Planning Committee and accept the low bid of Hobson Construction Company in the amount of \$49,798.00 with a 15% contingency added to the total contract amount. Ms. Wallace seconded the motion. Roll call vote was as follows: 10 Ayes; 0 Nays.

d. Consideration of Bids for Construction of Miscellaneous Sewer Rehabilitation Projects (59 Rice Branch Road, 52 Kensington Drive, and Redbo Lane).

Mr. Mull reported that the projects, (Rice Branch Rd, Kensington Drive and Redbo Lane) estimated at \$47,188.93 are on the Miscellaneous CIP Rehabilitation list, and that the following bids, accompanied by the appropriate bid bonds and other required documents were received May 5, 1995: Hobson Construction Company (apparent low bidder) with a total base bid of \$44,067.00, and Terry Brothers Construction with a total base bid of \$65,743.00. Mr. Mull further reported that staff recommends approval of the low bid of Hobson Construction Company in the amount of \$44,067.00 with a 15% contingency added to the total contract amount. With no discussion, Mr. Sobol moved that the Board adopt the recommendation of staff. Mr. Joyner seconded the motion. Roll call vote was as follows: 10 Ayes; 0 Nays.

e. Authorization to Negotiate and Sign Lease for Interim Office Space:

Mr. Mull reported that 5,633 square feet of interim office space is being considered at the Burlington building to house the District's current and proposed engineering staff positions at an annual lease rate of \$6.00 per square foot, (\$33,798.00) to be charged to the Capital Improvement Program budget. The lease includes utilities, and certain leasehold improvements. Mr. Slosman questioned whether additional office space is available; how much space is available in the Craggy office and how long that lease will last. Mr. Mull reported that the lease at the Craggy building is free. Mr. Slosman suggested that the Board create an exploratory committee to look into the possibility of purchasing or leasing the Burlington building long-term, with the idea of combining some of the District's operations. Mr. Boyd reported that no additional office space is available, and that staff considered transferring the entire engineering and right-of-way departments to that facility on a temporary basis and continue to use the facility at Craggy. Mr. Slosman suggested that a study be done on the District's facility needs. Mr. Mull stated that a study has been done by William Langdon & Associates, P.A, but to date, the study has not been presented to the Board. A discussion followed regarding the number of staff to be relocated; who is handling the lease; whether an agreement has been signed, and if building improvements are needed. Mr. Slosman offered to contact

the principals, rather than the realtor, to explore their intentions. With no further discussion, Mr. Slosman moved that the Board authorize staff to lease the office space after they explore if it is needed and useable. Mr. Pace seconded the motion. Roll call vote was as follows: 8 Ayes; 0 Nays. Mr. Holcombe and Mr. Kelly were absent during the remainder of the meeting.

In other business, Ms. Wallace requested that paragraph four (4), page three (3) of Hendon Engineering Associate's Annual Inspection Report be changed to read "FY 95-96", and that the document be dated and resubmitted to the Local Government Commission, MSD Trustee, and Members of the Board.

With regard to Right-of-Way Committee Items that were deferred to closed session, Mr. Post stated there was no need to go into a closed session since the public was no longer present, therefore, Mr. Mull presented the following items for consideration:

e.II.1.A. Beaverdam Creek Interceptor - McGill Associates, Inc.

Mr. Mull reported that because an acceptable settlement could not be reached prior to construction, the property was condemned and the owner is now suggesting a settlement in the amount of \$10,000.00, additional plantings (approximately \$1,450.00) and additional fencing (approximately \$1,520.00). Mr. Mull further reported that following review, the Right of Way Committee recommended an initial offer of \$6,500.00 with approval for staff to negotiate up to a maximum of \$7,300.00 in order to settle out of court.

e.II.4.A&B. Biltmore Forest Rehabilitation - Ram Branch Line:

Mr. Mull reported that the Right of Way Committee, at its April 13, 1995 meeting, requested that staff check the status of any existing easement and that Counsel provide an opinion regarding the possibility of obtaining a judgement similar to Satterfield, considering the Biltmore Estate is a National Historic Landmark Property. Mr. Selby stated that this item was presented as information only and that no action was necessary.

With no further discussion, Mr. Selby moved that the Board adopt the recommendation of the Right-of-Way Committee with regard to Item e.II.1.A. Mr. Casper seconded the motion. Roll call vote was as follows: 7 Ayes; 1 Nay (Mr. Joyner).

As a matter of information, Mr. Selby reported that the Buncombe County Economic Development Commission has invited the MSD to address its Board at a meeting scheduled for May 31, 1995. Chairman Post, Vice Chairman Slosman and Mr. Mull plan to be in attendance.

10. Date of Next Regular Meeting, June 14, 1995.

11. Adjournment:

At 6:03 p.m. Mr. Slosman moved for adjournment. Mr. Casper seconded the motion. Voice vote was unanimous in favor of the motion.

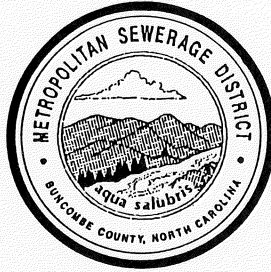
Jackie W. Bryson, Secretary/Treasurer
Metropolitan Sewerage District of
Buncombe County, North Carolina

MSD Metropolitan Sewerage District of Buncombe County, North Carolina

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John S. Stevens, General Counsel



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NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF THE METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY, NORTH CAROLINA

Notice is hereby given that the Board of the Metropolitan Sewerage District of Buncombe County, North Carolina, will hold a public hearing at the Administration Building of the Metropolitan Sewerage District, located at 2225 Riverside Drive, Asheville, North Carolina at 2:00 p.m., Wednesday, June 14, 1995 on the Budgets of the District for the Fiscal Year beginning July 1, 1995, and ending June 30, 1996. The Budgets have been submitted to the Governing Board of the Metropolitan Sewerage District of Buncombe County, North Carolina, and is available for public inspection at the District's Administration Building.

Witness my hand this 10th day of May, 1995.

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

Approved as to Form:

John S. Stevens, Attorney
May 10, 1995

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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 acknowledges receipt on May 10, 1995, to its Members from the Engineer-Manager the Preliminary Operation and Maintenance Budget for the Fiscal Year 1995-96, totaling \$9,039,000.00 dollars of which the estimated monthly Budget is equal to one-twelfth (1/12) of the total Budget and hereby sets the date for a public hearing on said Budget to be held at 2:00 p.m., June 14, 1995, in the Boardroom of the MSD Administration Building located at N.C. Highway 251 North at Woodfin, North Carolina. This Preliminary Operation and Maintenance Budget shall remain available for public inspection in the office of the District until such time as the Budget is adopted by the Board.

This 10th day of May, 1995.

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

ATTEST:

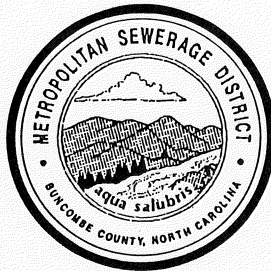
W. H. Mull, P.E.
Engineer-Manager

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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 acknowledging receipt to its members of the PRELIMINARY OPERATIONS AND MAINTENANCE BUDGET FOR FISCAL YEAR 1995-96, and hereby setting the date for a Public Hearing on said Budget.

This 10th day of May, 1995.

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, hereby acknowledges receipt on May 10, 1995, to its Members from the Engineer-Manager the Preliminary General and Construction II and III Fund Budgets for the Fiscal Year 1995-96, totaling \$21,008,775.00 dollars and hereby sets the date for a public hearing on said Budgets to be held at 2:00 p.m., June 14, 1995, in the Boardroom of the MSD Administration Building located at N.C. Highway 251 North at Woodfin, North Carolina. These Preliminary General and Construction II and III Fund Budgets shall remain available for public inspection in the office of the District until such time as the Budgets are adopted by the Board.

This 10th day of May, 1995.



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

ATTEST:



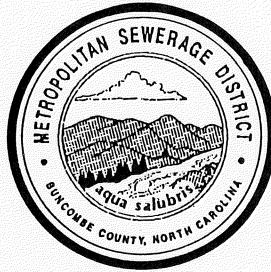
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Carolyn R. Wallace

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 acknowledging receipt to its members of the PRELIMINARY GENERAL AND CONSTRUCTION II AND III FUND BUDGETS FOR FISCAL YEAR 1995-96, and hereby setting the date for a Public Hearing on said Budget.

This 10th day of May, 1995.

Jackie W. Bryson,

Secretary/Treasurer

Board of the Metropolitan Sewerage District

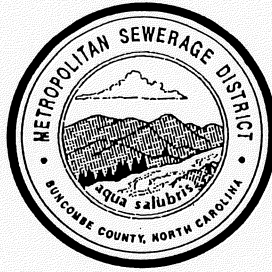
of Buncombe County, North Carolina

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

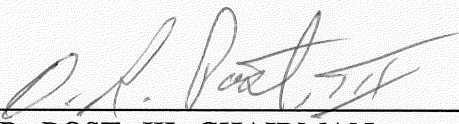


O. R. Post, Chairman
E. Benson Slosman, Vice-Chairman
Jackie W. Bryson
Larry Casper
Michael L. Holcombe
Joe Joyner
E. Glenn Kelly
Ben Pace
Bob Selby
C. Michael Sobol
Carolyn R. Wallace

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, hereby acknowledges receipt on May 10, 1995, to its Members from the Engineer-Manager the Preliminary Wastewater Treatment Plant Replacement Fund Budget for the Fiscal Year 1995-96, totaling \$112,000.00 dollars and hereby sets the date for a public hearing on said Budget to be held at 2:00 p.m., June 14, 1995, in the Boardroom of the MSD Administration Building located at N.C. Highway 251 North at Woodfin, North Carolina. This Preliminary Wastewater Treatment Plant Replacement Fund Budget shall remain available for public inspection in the office of the District until such time as the Budget is adopted by the Board.

This 10th day of May, 1995.



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

W. H. Mull, P.E., Engineer-Manager
P.O. Box 8969, Asheville, N.C. 28814
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John S. Stevens, General Counsel




O. R. Post, Chairman
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Jackie W. Bryson
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E. Glenn Kelly
Ben Pace
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, hereby acknowledges receipt on May 10, 1995, to its Members from the Engineer-Manager the Preliminary Equipment Replacement Fund Budget for the Fiscal Year 1995-96, totaling \$233,000.00 dollars and hereby sets the date for a public hearing on said Budget to be held at 2:00 p.m., June 14, 1995, in the Boardroom of the MSD Administration Building located at N.C. Highway 251 North at Woodfin, North Carolina. This Preliminary Equipment Replacement Fund Budget shall remain available for public inspection in the office of the District until such time as the Budget is adopted by the Board.

This 10th day of May, 1995.



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

ATTEST:



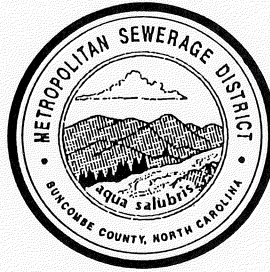
W. H. Mull, P.E.
Engineer-Manager

MSD Metropolitan Sewerage District of Buncombe County, North Carolina

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O. R. Post, Chairman
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Jackie W. Bryson
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Michael L. Holcombe
Joe Joyner
E. Glenn Kelly
Ben Pace
Bob Selby
C. Michael Sobol
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 acknowledging receipt to its members of the PRELIMINARY EQUIPMENT REPLACEMENT FUND BUDGET FOR FISCAL YEAR 1995-96, and hereby setting the date for a Public Hearing on said Budget.

This 10th day of May, 1995.

Jackie W. Bryson,

Secretary/Treasurer

Board of the Metropolitan Sewerage District

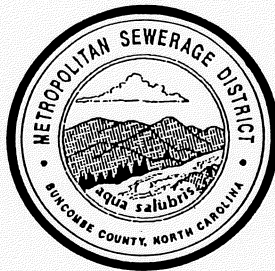
of Buncombe County, North Carolina

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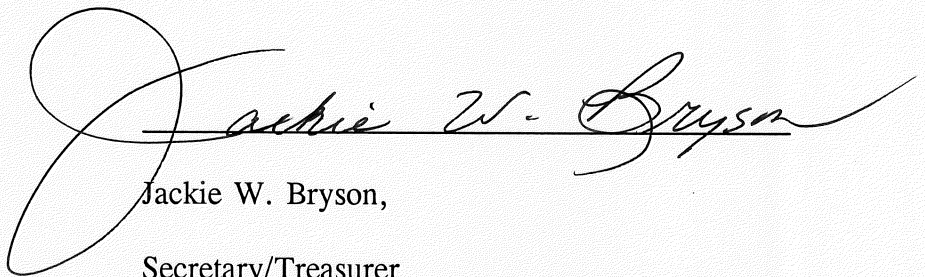


O. R. Post, Chairman
E. Benson Slosman, Vice-Chairman
Jackie W. Bryson
Larry Casper
Michael L. Holcombe
Joe Joyner
E. Glenn Kelly
Ben Pace
Bob Selby
C. Michael Sobol
Carolyn R. Wallace

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 acknowledging receipt to its members of the PRELIMINARY WASTEWATER TREATMENT PLANT REPLACEMENT FUND BUDGET FOR FISCAL YEAR 1995-96, and hereby setting the date for a Public Hearing on said Budget.

This 10th day of MAY, 1995.



Jackie W. Bryson,
Secretary/Treasurer

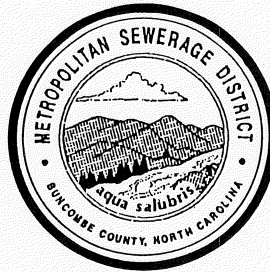
Board of the Metropolitan Sewerage District
of Buncombe County, North Carolina

MSD Metropolitan Sewerage District of Buncombe County, North Carolina

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RESOLUTION

WHEREAS, the **METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY, NORTH CAROLINA** (hereinafter "**District**") adopted a \$100.00 wastewater allocation and availability fee (hereinafter "**Fee**") on March 15, 1995. The Purpose of this fee is to recover a portion of the costs associated with processing wastewater allocations and sewer availability requests, locating and evaluating the capacity and condition of the sewers to which a request concerns , and reserving capacity for a applicant's project for a period of one year.

WHEREAS, the **District** is comprised of the following bodies of politic:

City of Asheville
Town of Biltmore Forest
Town of Weaverville
Town of Black Mountain
Town of Montreat
Woodfin Sanitary Water & Sewer District
County of Buncombe

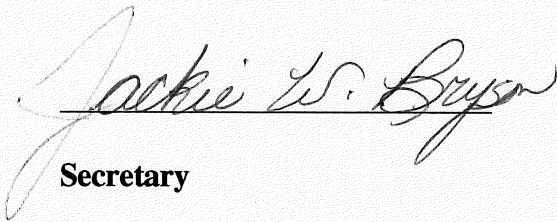
WHEREAS, the above mentioned municipalities or agencies under their jurisdiction (hereinafter "**Municipalities**") periodically require sewer availability studies from the **District** to determine location, condition, and capacity of existing **District** sewer lines in relation to parcels of real property located within the boundary of the **District**.


WHEREAS, the **District** adopted a policy, on May 10, 1995, exempting these **Municipalities** from the **Fee** for sewer availability studies. **NOW THEREFORE**, this policy does not exclude these **Municipalities** from this **Fee** for requests where the **District** must issue a wastewater allocation to one of the **Municipalities**.

WHEREAS, the **District** reserves the right, to determine if a request from one of the **Municipalities** will be classified as a sewer availability study or a wastewater allocation request.

ATTEST:

METROPOLITAN SEWERAGE DISTRICT
OF BUNCOMBE COUNTY


Secretary

By: 
Chairman