

BOARD OF THE METROPOLITAN SEWERAGE DISTRICT

July 12, 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, July 12, 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, Danny Bridges of McGill Associates, P.A., Ed Byas and William Conner of Hendon Engineering Associates, Inc., Conway Dameron of William Langdon & Associates, Stan Boyd, Linda Mazingo, Wayne Watkins, Ann Sutton, Randy Hintz, David Nisbet, Sharon Walk, and Sondra Honeycutt, MSD.

2. Approval of the Minutes of the June 14, 1995 meeting;

Mr. Casper requested that Item 3, paragraph 2, (Report of Finance Committee) be changed to read "net" basis. With no further additions or corrections, Ms. Bryson moved that the minutes of the June 14, 1995 meeting be approved as amended. Mr. Pace seconded the motion. Voice vote was unanimous in favor of the motion.

3. Election of Officers:

a. Election of Chairman and Vice Chairman:

Mr. Post called for nominations for Chairman. Ms. Wallace nominated Mr. Post. Mr. Joyner seconded the nomination. Mr. Kelly moved that the nominations be closed and that the Board elect Mr. Post Chairman. Mr. Joyner seconded the motion. Voice vote was unanimous in favor of the motion.

Mr. Post called for nominations for Vice Chairman. Mr. Casper nominated Mr. Benson Slosman as Vice Chairman. Mr. Selby seconded the motion. Mr. Kelly moved that the nominations be closed and that the Board elect Mr. Slosman Vice Chairman. Mr. Holcombe seconded the motion. Voice vote was unanimous in favor of the motion.

b. Appointment of Secretary/Treasurer:

Mr. Post appointed Ms. Jackie Bryson to serve as Secretary/Treasurer.

4. Engineer-Manager's Report

CONSOLIDATED MOTION AGENDA

Planning Committee Items:

Mr. Mull reported that the following items were brought before the Planning Committee, June 29, 1995:

d.4. Consideration of Chestnut Ridge Private Sewer Rehabilitation Project.

The Planning Committee recommended approval of the Chestnut Ridge Private Sewer Rehabilitation with a budget up to \$25,000.00.

d.7 Consideration of Change Order - Concrete Removal - Service Line Trench for Sparkle Wash & Add Landscaping - North Swannanoa Interceptor.

The Planning Committee recommended approval of the Change Order in the amount of \$5,706.00

Mr. Selby moved that the Board adopt the Consolidated Motion Agenda Items as presented. Mr. Kelly seconded the motion. A discussion followed regarding whether

the line is considered to be a health hazard and if it's private. Mr. Mull reported that the line is discharging waste into the road and is a health problem, and that the line is private. Mr. Selby reported that the City of Asheville maintains a number of private sewer lines that are similar, with the intention that the District will address them all. With regard to Item d.7, Mr. Selby reported that the Planning Committee spent a significant amount of time working on a strategy for Change Orders, which will be discussed in length at a special called meeting. With no further discussion, roll call vote was as follows: 11 Ayes; 0 Nays.

Right of Way Committee Item:

Mr. Mull reported that the following item was presented to the Right of Way Committee June 29, 1995:

e.II.B. Consideration of Contract Amendment - Martin/McGill - US 74 Easement Acquisition Contract.

The Right of Way Committee recommended approval of an increase of \$2,900.00 in the US 74 Easement Acquisition Contract amount of \$15,600.00 for a total revised contract ceiling of \$18,500.00, and that a meeting be scheduled with the Department of Transportation regarding coordination of this project with it's highway widening project. With no discussion, Mr. Casper moved that the Board adopt the Consolidated Motion Agenda Item as presented. Mr. Pace seconded the motion. Roll call vote was as follows: 11 Ayes; 0 Nays.

REGULAR AGENDA

Planning Committee Items:

d.6. Consideration of Proposals for Architectural Services:

- a. Needs Assessment for Maintenance Facility (Biltmore)
- b. Feasibility Study for Conversion of Existing Building for Office Space.

At the request of Mr. Slosman, the above items were deferred to closed session.

5. Report of Officers:

None

6. Report of Committees:

b. Personnel Committee, June 26, 1995- Mr. Sobol

Deferred to Closed Session

d. Planning Committee, June 29, 1995 - Mr. Slosman

5. Report on Consideration of Bull Mountain Private Sewer Rehabilitation:

Mr. Mull presented a map showing the location of the Bull Mountain private sewer line and the two (2) homes affected by sewer backups. Mr. Mull reported that the solution to this problem is to replace the existing 183 feet of mainline located in the street and two manholes at minimum grade, in order to eliminate the parallel 4" sewerline and provide service connections for the two customers adjacent to their respective locations at an estimated cost of \$21,000.00. Mr. Mull further reported that the City of Asheville installed a

"Water Meter Box Manhole" and has maintained the line up until the time of Consolidation. He stated that according to the Consolidation Agreement, those lines maintained by the City would be taken over by the MSD and maintained as public sewers. Mr. Selby expressed his concern regarding the cost of rehabilitating this line and suggested that installing septic tanks would be less expensive. In addition, he expressed a concern regarding MSD's limit of responsibility in taking over lines that have been maintained by the City, and requested that the matter be investigated further. Mr. Mull reported that the project is on the list for Private Sewer System Rehabilitation, which is based on a first come first serve basis, and limited to \$200,000.00 per year. A lengthy discussion followed regarding MSD's responsibility for maintaining private lines in newly annexed areas. Mr. Stevens stated that when the City of Asheville annexes an area, it has an obligation under the Annexation laws to provide sewer service, (within one year) in the same manner that was provided prior to annexation. With no further discussion, Mr. Slosman moved that the Board table the issue until the next meeting of the Planning Committee. Mr. Selby seconded the motion. Voice vote was unanimous in favor of the motion.

With regard to right-of-way cut permit fees, Mr. Slosman reported that the Planning Committee agreed that a meeting be held with the City of Asheville to discuss how these fees should be handled, and that a Committee of the Board be appointed to research and develop a statement requesting an agreement between municipalities to be non-profit, with fees relating to each other. Mr. Post appointed Mr. Selby to Chair the Committee and to select two other Members of the Board to serve along with him.

Mr. Joyner questioned whether the issue of Tap Installation Costs would be discussed, or delayed until the budget process for Fiscal Year 1996/1997. Mr. Mull stated that this issue will not be delayed for a year, but placed on the Planning Committee agenda in the near future.

e. Right of Way Committee - June 29, 1995 - Mr. Selby

No further report

7. Unfinished Business:

a. Report on Sludge Management Study

Deferred to closed session

8. Old Business:

a. Sludge Handling Facilities

Deferred to closed session.

9. New Business:

a. Consideration of Resolution of System Acceptance for Park Avenue and The Pinnacle:

Mr. Mull reported that following review of documents for acceptance of private sewer systems for those areas within Park Avenue and The Pinnacle at Park Avenue, the following recommendation was made by staff: Acceptance of both sewer systems, (Park Avenue and The Pinnacle at Park Avenue) with the final resolution to be executed on behalf of the District Board subject to receipt of the following documents for The Pinnacle: (1. Subordination Agreement/Asheville Federal; (2. Final Title Opinion/Condominium Builders, Inc., and (3. Letter from the City of Asheville

concerning acceptance of roads (The Pinnacle). With no discussion, Mr. Holcombe moved that the Board adopt the recommendation of staff. Mr. Pace seconded the motion. Voice vote was unanimous in favor of the motion.

b. Consideration of Approval of Expense for Board Members and Staff to Attend Annual WEF Conference in Miami, Florida, October 21-25, 1995:

A lengthy discussion was held regarding the total cost of attendance per person; whether attendance would be beneficial to the District; the number of Board Members and Staff that should attend, and the types of seminars offered. With no further discussion, Mr. Sobol moved that the Board approve the expense for Board Members and Staff to attend the Conference. Mr. Selby seconded the motion. Roll call vote was as follows: 8 Ayes; 3 Nays (Mr. Casper, Mr. Holcombe and Mr. Kelly).

At 2:55 p.m., Mr. Slosman moved that the Board go into closed session to discuss the acquisition of real property; a potential claim involving Lee Construction Company and Enviroquip; and a personnel matter. Mr. Pace seconded the motion. Voice vote was unanimous in favor of the motion.

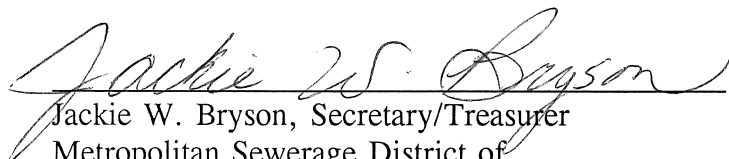
At 5:00 p.m., Mr. Pace moved that the Board reconvene the regular meeting and adjourn, with the following two items, deferred to the August 16, 1995 meeting of the Board:

c. Discussion Regarding Proposed Takeover of Pump Station at Little Flat Creek Subdivision:

d. Consideration of Mr. Penley's Request to Connect His Proposed Private Six Inch Sewer Line to an Existing Private Sewer System:

Mr. Sobol seconded the motion. Voice vote was unanimous in favor of the motion.

10. Date of Next Regular Meeting, August 16, 1995.


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