

BOARD OF THE METROPOLITAN SEWERAGE DISTRICT

August 16, 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, August 16, 1995. Chairman Post presided with the following members present: Bryson, Casper, Joyner, Pace, Selby, Slosman, Sobol and Wallace. Those members absent were: Holcombe and Kelly.

Others present were: W. H. Mull, Engineer-Manager, William Clarke, MSD Attorney, Gary McGill and Danny Bridges of McGill Associates, P.A., Ed Byas of Hendon Engineering Associates, Inc., Tim Hemker and Victor Lofquist of W.K. Dickson, Jim Fatland, Stan Boyd, Ann Sutton, Randy Hintz, Tom Tarrant, Sharon Walk, Linda Mazingo and Sondra Honeycutt, MSD.

2. **Approval of the Minutes of the July 12, 1995 meeting:**

Mr. Slosman moved that the minutes of the July 12, 1995 meeting be approved as presented. Mr. Joyner seconded the motion. Voice vote was unanimous in favor of the motion.

3. **Engineer-Manager's Report:**

CONSOLIDATED MOTION AGENDA

Planning Committee Item:

Mr. Mull reported that the following item was brought before the Planning Committee, July 31, 1995:

d.1. Consideration of Change Order - Installation of 30" By-Pass Line Tunnel at Highway Crossing 81 - North Swannanoa Interceptor.

The Planning Committee recommended that the Board approve the Change Order and payment in the amount of \$48,842.80.

With no discussion, Mr. Joyner moved that the Board adopt the recommendation of the Planning Committee. Mr. Slosman seconded the motion. Roll call vote was as follows: 8 Ayes; 0 Nays. Mr. Pace was absent during the vote.

REGULAR AGENDA

Planning Committee Items:

d.2. Consideration of Consulting Engineering Firm for Assistance in the Rehabilitation of Lexington Avenue Sewers:

Mr. Mull reported that the Planning Committee met July 31, 1995 and recommended the selection of W.K. Dickson to evaluate the Lexington Avenue sewers; develop a project budget; prepare plans and specifications, and direct staff to negotiate a proposal for presentation at the next regular meeting of the Board. Mr. Mull further reported that since the District would like to utilize "no-dig" technology, when applicable, a number of engineering firms with experience in the field were considered for the project. Mr. Mull stated that in the interim, a manhole collapsed on Lexington Avenue, causing traffic backups and that MSD personnel worked for two days to correct the problem. Also, since the manholes are up against old buildings, and the City of Asheville will be doing its sidewalk project, the District needs to proceed with an evaluation. Mr. Mull presented a statement of qualifications from W.K. Dickson for the Board's review. With no discussion, Mr. Selby moved that the Board adopt the recommendation of the Planning Committee. Ms. Bryson seconded the motion. Voice vote was unanimous in favor of the motion.

d.4 Consideration of Penley Request to Hook-up 6" Sewer:

Mr. Mull reported that the Planning Committee recommended that the portion of the existing private 6" sewer crossing other parcels be upgraded to 8" public standards in accordance with MSD Standard Specifications and that all requirements outlined in the Sewer Extension Policy be followed.

Mr. Sobol reported that Mr. Penley's request for allocation of eight (8) additional sewer taps in June was turned down by the District based on the fact that the request was made after the District revised its Standard Specifications, March 15, 1995. Mr. Sobol stated that since there was a delay in obtaining the engineer's certificate, as a result of non-payment; bankruptcy proceedings, and other problem that were beyond his control, he felt there was sufficient justification to allow Mr. Penley's request to be grandfathered to meet State Standards, (6" line) instead of meeting MSD Standards of an 8" line. A lengthy discussion followed regarding the District's current policy; whether an exception should be granted; whether adequate information on the matter was provided to the Planning Committee; the location of the 6" sewer line; what the additional eight (8) taps will be used for; other parcels involved, and if the 6" line was in place before the MSD Standards were revised.

In response to a question from Ms. Wallace, Mr. Mull stated that in his opinion, he could not recommend granting a variance for Mr. Penley. Mr. Casper moved that the Board approve the recommendation of the Planning Committee, to require that anyone wanting to connect to a private sewer, where the private sewer crossed other properties, that those persons be required to upgrade the private sewer in accordance with MSD's Standard Specifications, and in particular, to deny Mr. Penley's request, and that he must meet the new Standards as outlined in the District's policy. Mr. Joyner seconded the motion. A brief discussion followed regarding the District's policy and the correct procedure for amending a motion. With no further discussion, roll call vote was as follows: 6 Ayes; 3 Nays (Mr. Pace, Mr. Selby and Mr. Sobol)

Mr. Post pointed out that the Board's decision can be appealed within thirty (30) days.

g. Consideration of Bids for Chestnut Ridge Private Rehabilitation:

Mr. Mull reported that bids were received August 10, 1995 and are as follows: Hobson Construction Company, with a total base bid of \$26,072.00, and Steppe Construction Company, with a total base bid of \$31,730.00. As a matter of information, Mr. Mull presented a copy of the FY 95-96 Private System Rehabilitation Budget for Chestnut Ridge estimated at \$30,300.00, with contingency, and a revised cost estimate of \$25,250.00, including the costs of paving, which was omitted from the original estimate. He further reported that in adding a 20% contingency to the low bid of Hobson Construction Company, brings the total amount within the recommended budget for this project and it is the recommendation of staff that the Board approve the low bid of Hobson Construction Company. Mr. Slosman moved that the Board approve the recommendation of staff. Mr. Casper seconded the motion. Following a brief discussion with regard to whether this project is a private system that has failed, and the difference in the estimated costs and low bid of Hobson Construction Company, roll call vote was as follows: 9 Ayes; 0 Nays.

h. Consideration of the Glen Oaks Sewer System at Biltmore Park:

Mr. Mull reported that Biltmore Farms, Inc. requested that the District accept the Glen Oaks private sewer system for ownership and maintenance. He further reported that all transfer documentation has been received and that staff recommends acceptance of the system. Following a brief discussion regarding the size of the line, Mr. Selby moved that the Board adopt the recommendation of staff. Mr. Pace seconded the motion. Voice vote was unanimous in favor of the motion.

i. Consideration of Approval of Telephone Equipment Acquisition for the Burlington Building:

Mr. Mull reported that the District's current telephone system, which is at capacity, is a "Merlin" by AT&T, and that the recommended "Merlin Legend" system is totally compatible; expandable, and can be reused. Mr. Tarrant stated that request for quotes were submitted to six (6) companies, all of which can supply the new system. He further stated that since formal bids are required, and because of time constraints, staff recommends that the Board approve the acquisition of the "Merlin Legend" system, or an approved equal telephone system for the Burlington Facility, subject to legal counsel approval of the lowest qualified responsible bid, not to exceed \$27,000.00, and authorization for the Engineer-Manager to execute the purchase contract. Following a brief discussion with regard to whether this expense is budgeted for, Mr. Selby moved that the Board adopt the recommendation of staff. Ms. Wallace seconded the motion. Roll call vote was as follows: 9 Ayes; 0 Nays.

4. Report of Officers:

None

5. Report of Committees:

d. Planning Committee, July 31, 1995 - Mr. Slosman

No further report.

7. Unfinished Business:

a. Report on Sludge Management Study

Deferred to closed session

8. Old Business:

None

9. New Business:

Mr. Mull presented information prepared by the Collection Division regarding the cost of a one (1) ton, four wheel drive flush truck designed to handle inaccessible terrain for a total cost of \$56,148.30. Mr. Mull reported that the unit was built by Maintenance staff using the one ton, four wheel drive truck purchased last year, along with a Screco Trailer, purchased from the County, and other parts. Mr. Mull further reported that with parts and labor, the District saved approximately \$16,000.00 by building the truck in-house.

In other business, Mr. Mull presented a letter from the City of Asheville along with a newspaper article regarding the development of an MSD policy to spur economic development. Also, he presented an article regarding a recent court case on the legality of using tax dollars to lure businesses. Mr. Mull reported that he met with Mr. Garner of the Asheville Area Chamber of Commerce, Mr. McElrath, County Manager and Mr. Westbrook, City Manager who encourage the District to develop an Economic Development Policy. He further reported that he shared information regarding the District's extension and rehabilitation projects and history of Consolidation. He stated that the group will be reviewing an Acreage Policy developed by Mr. Westbrook, which came from the Orange Water and Sewerage District and will be further reviewed by the Blue Ribbon Committee. Mr. Selby stated that the District needs to be proactive in its economic development role. Mr. Joyner stated that he felt the District was contributing a great deal toward future growth through its rehabilitation efforts.

A brief conversation followed regarding accommodations for the WEF Conference in Miami, and a question on the Raoul Branch project status report.

At 3:30 p.m., Ms. Wallace moved that the Board go into closed session for a report on the Sludge Management Study and to discuss a personnel matter. Mr. Pace seconded the motion. Voice vote was unanimous in favor of the motion.

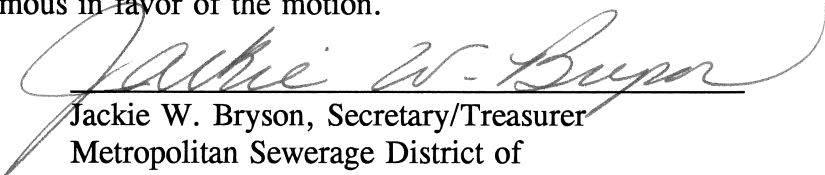
At 4:26 p.m., the Board reconvened the regular meeting.

With regard to consideration of a Management Structure Study, Mr. Selby gave a brief background on the qualifications of Mr. Garnett C. Ball, Jr., formerly of the Washington Suburban Sanitary Commission, who was involved in the transition from an engineer managed organizational structure to a professional administrative structure. In addition, Mr. Selby contacted the former CEO of that organization for his advise on developing a new management structure for the District. As a result of that conversation, he contacted Mr. Ball, who agreed to do the study at a cost of \$8,500.00 plus out-of-pocket expenses. Mr. Selby reported that since Mr. Ball was previously retained by the District as a financial advisor for the last bond issue and was involved in the preparation of it's Organizational Analysis, he is more than qualified to perform the study. A lengthy discussion followed on the specifics of the study and the type of management structure the District should move toward. With no further discussion, Mr. Slosman moved that the Board engage the services of Mr. Ball contingent on his providing a specific outline, in the form of a letter, to the Board as to the services he will provide for \$8,500.00, and out-of-pocket expenses. Mr. Joyner seconded the motion. Following a brief discussion, roll call vote was as follows: 7 Ayes; 2 Nays (Ms. Bryson and Mr. Casper)

10. Date of Next Regular Meeting, September 20, 1995.

11. Adjournment:

At 4:45 p.m., Mr. Slosman moved for adjournment. Mr. Pace 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