

BOARD OF THE METROPOLITAN SEWERAGE DISTRICT
November 16, 2022

1. Call to Order and Roll Call:

The regular monthly meeting of the Metropolitan Sewerage District Board was held in the Boardroom of MSD's Administration Building at 2:00 pm, Wednesday, November 16, 2022. Chairman Vebaun presided with the following members present: Ashley, Dearth, Kelly, Manheimer, Pelly, Pennington, Pressley, Watts and Wisler. Bryson, Franklin, Lapsley and Whitesides were absent.

Others present were William Clarke, General Counsel; Patty Beaver with CIBO; Tom Hartye, Hunter Carson, Angel Banks, Kevin Johnson, Bart Farmer, Scott Powell, Ken Stines, Spencer Nay and Pam Nolan, MSD.

2. Inquiry as to Conflict of Interest:

Mr. VeHaun asked if there were any conflicts of interest with the agenda items. No conflicts were reported.

3. Approval of Minutes of the October 19, 2022 Board Meeting:

Mr. VeHaun asked if there were any changes to the Minutes of the October 19, 2022 Board Meeting. Mr. Pelly moved for approval of the minutes as presented. Mr. Pressley seconded the motion. Voice vote in favor of the motion was unanimous.

4. Discussion and Adjustment of Agenda: None.

5. Introduction of Guests: Mr. VeHaun welcomed Patty Beaver with CIBO.

6. Informal Discussion and Public Comment: None.

7. Report of Committees:

a. Right of Way/Planning Committee – November 2, 2022

Mr. Pelly reported that he has been on the MSD Board for about 10 years and feels like the Right of Way/Planning Committee meeting discussion on November 2, 2022 was one of the more substantive discussions had here about expansion policies, and he appreciates being able to participate. He stated that Mr. Hartye will further report on this meeting.

8. Report of General Manager:

Mr. Hartye reported that first off, he wanted to make it clear that MSD already has a Master Plan for all the areas and political entities that we serve, including the unincorporated areas of Buncombe County in accordance with their previous Land Use Plan. MSD's Master Plan is a series of maps that show where the sewer lines should go and what size they should be. These are all based on us going around to the various entities and putting the lines where they need them to be to provide future sewer service to those areas that were identified as needing sewer. What is significant this time is the interest in the Buncombe County plan that has been sparked by the enthusiasm of the new leader in Planning, Mr. Pennington. Planning

and Zoning are not swear words like they used to be, and as a result discussions about growth and the needed sewer expansion for such has become relevant. At the joint Committee Meeting we discussed MSD expansion and our policy of participating in "Master Plan" sewer line extensions by private developers. These are not the garden variety extensions that are regularly brought before the Board, but larger interceptors that serve drainage basins where MSD provides Right of Way acquisition, condemnation, and Engineering Design in addition to financial participation. This program is necessary to ensure that the system is constructed in an organized and sustainable way. For these larger lines, MSD becomes involved financially as well. We pay the differential cost of running an 8-inch line, which is the minimum size, and what ever size line ends up being. To run these lines, we have to run with the lay of the land along stream features, through back yards and that type of thing so then you need easements. We also provide design services as well. There may be a time, such as on the West French Broad Interceptor, where we had to condemn, and the case lasted about 5 years. We are basically bringing this issue up because we had three in 12-years and now we have had three in 12 months. It is an important program and it would be inadvisable to eliminate the program for the master plan lines because these developers are ready to develop now and have their plans pursuant to the existing zoning for wherever they are. If we scrap the program, developers will be lining up here saying they can't build, because to do it right they need easements, and if they run into a problem landowner they are stuck without MSD as a participant. Scrapping the program would also lead to either lesser density with septic tanks or higher density with pumped systems and haphazard routing that will eventually have to be replaced at a greater cost to our customers. Both Staff and some Board Members are concerned about condemnations for these developer expansion projects and see the need for the local government to endorse MSD extending lines into these particular basins. Right now, there is implicit approval from the agencies because they are already dealing with the developer, approving their plans and moving forward. Both Staff and Board are thinking it might be nice to have some other type of buy in from the member agencies. The question would be what form that takes, either Planning Director level or Council or Commissioner level. That would be an item for future discussions. In addition, Staff will be including bonding requirements as a part of the agreements for participation. This will ensure that the sewer project goes forward if the developer should bail out.

As a follow up, the question was brought up about OWASA (Orange County Water and Sewer District). Mr. Hartye explained the difference between MSD and Municipal Utilities. Municipal Utilities are part of the political body that has the authority over planning and zoning. OWASA is similar to MSD, but it is a different animal. He stated that he spoke with Ed Kerwin, who was Director for OWASA and now retired, and whom he has been friends with for about 25 years. Mr. Kerwin was on one side of the Rural Buffer with Mr. Hartye on the other. OWASA has Special Assessment Authority because it is a Water and Sewer District, it is written into their legislation, unlike MSD. However, they haven't used it in the last 25 years. The only expansion project in the last 25 years was Rogers Road area near the old landfill. The residents of that area felt they were due sewer after having lived by the landfill for so long, and actually sued OWASA, Orange County, Chapel Hill and Carrboro over it. The special assessment didn't bode well for them because they didn't want to pay more to do it. Orange County along with Chapel Hill and Carrboro pitched in

to have it run and OWASA took over construction. Like MSD, they have cost of service wording in their bond order and in their founding agreement from the 1970's. Chapel Hill and Carrboro were politically geared toward low growth and to promote infill development. They have a similar policy regarding paying developers for differential pipe size for interceptors. There were not a lot of takers there either.

Also tied into those discussions were unsewered areas of interest. Buncombe County has identified areas of interest for development that do not currently have sewer. MSD has put together some rough estimates just for providing the large interceptors to these areas. These do not include the smaller collector lines that reach out to properties. Newfound Creek's rough estimate is \$58.6 Million, Cane Creek's is \$87 Million, and Candler's is \$12.7 Million. Theoretically, according to MSD's Policy, there would be significant contributions by MSD. Both Cane Creek and Newfound Creek would have serious rate implications just for our participation whereas Hominy Creek in the Candler area would not. MSD's participation is based upon the same policy we have with private developers.

Obviously, the Cost/Benefit analysis for the Candler area is much more speculative than for our current and past private partnerships. There is not much out there now and what will occur is not yet planned and thus quite a bit more speculative. Unlike Buncombe County, MSD is not receiving any revenue from this area right now and it will be many years before any appreciable revenue derives from the area. If Buncombe County doesn't want to special assess for this project, it might consider earmarking just a portion of the tax revenue already being received from this basin.

Mr. Pelly asked if the fundamental question was the difference between MSD's participation amount and the estimated cost and who will pay the difference. Mr. Hartye stated yes. Ms. Wisler asked if MSD's participation was also theoretical. Mr. Hartye stated that he said "theoretical" because it's based on our policy which may change but he is just giving an idea. The estimated cost would definitely change if MSD were doing it ourselves but even our participation according to our policy is pretty significant. Not that this will be done, or done any time soon, we are talking many years out. If you were going to take a test case, Candler would be the area. Ms. Wisler asked, historically, when the larger interceptors went in, who paid for those? Mr. Hartye stated that, prior to MSD, each entity had their own collection systems which either went directly to the river or collected in a general spot and then to the river or they had their own small treatment plant. MSD first built the plant with the main interceptors. There was a combination of "pay as you go" and bond monies. There was some further discussion of how this works. Mr. Clarke added that the North and South Swannanoa Interceptors were built in the 1920's which was the height of development around here. When MSD took over the sewer system, it agreed to fix all of the existing lines and agreed to certain, specific sewer extensions, most of which were required by the City of Asheville for annexation. Black Mountain had a few and there might have been a few additional ones. MSD agreed to pay a 35% share of those annexations, with the various entities who required those annexations paying 65%. There was a lot of focus to get MSD to expand sewer lines, but MSD made a commitment to fix the existing sewer system because fixing the existing system would be the best thing to do for development. Mr. Hartye stated that over the next 10 years MSD has \$389 Million to spend on the construction program, which is for equal measures of plant upgrades for future capacity and future

regulations, upgrading the interceptors and equalization which will be necessary to take on new development and meet regulations, and then another \$120 Million out in the system. All of the money MSD is spending here with our aggressive CIP is for future development and future regulations. MSD does participate in those last quarter mile or so of sewer lines, but it would be a shift for MSD to start assuming all of the cost for that last quarter of a mile.

Mr. Hartye reported that the next Regular Board Meeting will be held on January 18th at 2 pm. The November Right of Way Committee has been cancelled. The next Right of Way Committee will be held on January 25th at 9 am.

9. Consolidated Motion Agenda:

a. Consideration of Bids – Caledonia Road Rehabilitation:

Mr. Hartye reported that this project is located in the Kenilworth neighborhood. The project includes the installation of approximately 2,129 LF of 8-inch PVC pipe. The existing lines are 6-inch clay that are undersized and in poor condition with multiple SSO's. The project was advertised and five sealed bids were received on October 20, 2022 as follows: Moore & Son Site Contractors in the amount of \$1,060,035.00; Terry Brothers Construction Company in the amount of \$931,318.00; Buckeye Bridge, LLC in the amount of \$882,168.80; T.P. Howard's Plumbing Company in the amount of \$875,000.00; and Hyatt Pipeline, LLC in the amount of \$799,489.50. The apparent low bidder is Hyatt Pipeline, LLC with a bid amount of \$799,489.50. Hyatt Pipeline has experience with District rehabilitation projects as well as development projects and has always provided excellent workmanship. The FY 22-23 construction budget for this project is \$1,037,000.00. Staff recommends award of this contract to Hyatt Pipeline LLC in the amount of \$799,489.50, subject to review and approval by District Counsel.

b. Consideration of Bids – RBC Slide Gate Replacement Project Phase 2:

Mr. Hartye reported that the Slide Gate Replacement project is located at the Water Reclamation Facility and consists of the purchase and installation of thirty-one stainless steel slide gates in the RBC basins 2 and 3. These are critical to the plant operation and allow the RBC basins to be isolated and dewatered for maintenance activities. The project was formally advertised and two sealed bids were received on November 3, 2022. Per NCGS bidding requirements, the project was re-advertised on November 10, 2022 and two sealed bids were received as follows: IPC Structures, LLC in the amount of \$675,240.00; and Harper Construction Company in the amount of \$624,000.00. The apparent low bidder is Harper Construction Company with a bid amount of \$624,000.00. Harper Construction Company is a new contractor to MSD, and Staff has performed extensive reference checks, all with good results. The FY 22-23 construction budget for this project is \$400,000.00. Sufficient funds are available in the CIP contingency for this overage. Staff recommends award of this contract to Harper Construction Company in the amount of \$624,000, subject to review and approval by District Counsel.

Mr. Hartye reported that the above two projects are a good example of use of the \$1 Million contingency fund. The way MSD used to budget CIP projects about 20 years ago was fairly standard and a lot of people still do it that way. We added a 15% contingency when the engineer did the estimate and hoped that would cover any change orders or bid irregularities or that type of thing. Each project had 15% added on top of what the estimate was. What we were finding was that some projects would go under and some would go over. It seemed like we were adding a lot of contingencies. We decided to just have a \$1 Million contingency because that was a good figure for the time. It may not always be but right now it is at \$1 Million. The two projects above are good examples, one is over and one is under. The \$1 Million contingency has sufficed for 20 years. \$1 Million out of \$30 Million is about 3.3% contingency instead of the standard 15%.

c. Consideration of Developer Constructed Sewer Systems – Rutledge Road; Virginia Commons; Olivette Phase 2C;

Mr. Hartye reported that the Rutledge Road project is located in the Town of Fletcher and included extending approximately 1,590 linear feet of 8-inch public gravity sewer to serve 74 homes in this residential development.

Mr. Hartye reported that the Virginia Commons project is located off Baldwin Road in Buncombe County and included extending approximately 756 linear feet of 8-inch public gravity sewer to serve the 47 townhomes in this residential development.

Mr. Hartye reported that the Olivette Phase 2C project is located off Wilma Dykeman Trail in the Town of Woodfin and included extending approximately 1,157 linear feet of 8-inch public gravity sewer to serve 12 homes in this phase of this residential development.

Staff recommends acceptance of the aforementioned developer constructed sewer systems. All MSD requirements have been met.

d. First Quarter Budget to Actual Review FY 23:

Mr. Powell reported that Page 37 presents the District's First Quarter Budget to Actual Revenue and Expenditure Report. Domestic User Fees, Industrial User Fees and Facility Fees are at budgeted expectations. Tap Fees are above budgeted expectations due to the number of taps being installed in the first quarter. Interest and miscellaneous income are above budgeted expectations. Actual short-term interest rates are higher than anticipated for the fiscal year. O&M expenditures are at 28.36% of the budget. They do include encumbered amounts which has elevated the budget to actual above 25%. Bond principal and interest expenditures are reflected at 25%. This will aid the user to properly assess debt service commitments on a budgetary perspective. Actual amount spent as the end of the first quarter is 1.9%. This is due to timing of the District's debt service payments. Amounts budgeted for capital equipment and capital projects are rarely expended proportionately throughout the year.

e. Cash Commitment Investment Report – Month ended September, 2022:

Mr. Powell reported that Page 40 presents the makeup of the District's Investment Portfolio. There has been no change in the makeup of the portfolio from the prior month. Page 41 presents the MSD Investment Manager's report as of the month of September. The weighted average maturity of the investment portfolio is 108 days and the yield to maturity is 2.66%. Page 44 presents the District's Variable Debt Service Report. The 2008A Series Bonds are performing at budgeted expectations. As of the end of October, the issue has saved the District rate payers over \$7.2 million in debt service since April of 2008.

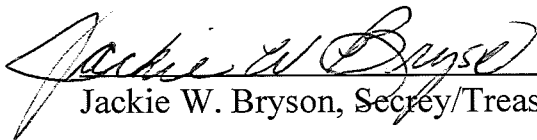
With no further discussion, Mr. VeHaun called for a motion to approve the Consolidated Motion Agenda. Mr. Kelly moved, Mr. Pennington seconded the motion. Roll call vote was as follows: 10 ayes; 0 Nays.

10. Old Business: None.

11. New Business: None.

12. Adjournment:

With no further business, Mr. VeHaun called for adjournment at 2:39 pm.



Jackie W. Bryson, Secretary/Treasurer



Metropolitan Sewerage District

Regular Board Meeting

November 16, 2022, 2 pm

	Agenda Item	Presenter
	Call to Order and Roll Call	VeHaun
	01. Inquiry as to Conflict of Interest	
	02. Approval of Minutes of the October 19, 2022 Board Meeting	VeHaun
	03. Discussion and Adjustment of Agenda	VeHaun
	04. Introduction of Guests	VeHaun
	05. Informal Discussion and Public Comment	VeHaun
	06. Report of Committees	
	a. Right of Way/Planning Committee – November 2, 2022	Pelly
	07. Report of General Manager	Hartye
	08. Consolidated Motion Agenda	Hartye
	a. Consideration of Bids – Caledonia Road GSR	
	b. Consideration of Bids – RBC Slide Gate Replacement	
	c. Consideration of Developer Constructed Sewer Systems – Rutledge Road; Virginia Commons; Olivette Phase 2C	
	d. First Quarter Budget to Actual Review FY 23	Powell
	e. Cash Commitment/Investment Report-Month ended September, 2022	Powell
	09. Old Business	VeHaun
	10. New Business:	VeHaun
	11. Adjournment: (Next Meeting 12/21/22)	VeHaun
	STATUS REPORTS	

BOARD OF THE METROPOLITAN SEWERAGE DISTRICT
October 19, 2022

1. Call to Order and Roll Call:

The regular monthly meeting of the Metropolitan Sewerage District Board was held in the Boardroom of MSD's Administration Building at 2:00 pm, Wednesday, October 19, 2022. Chairman Vebaun presided with the following members present: Bryson, Dearth, Kelly, Lapsley, Manheimer, Pelly, Pennington, Pressley, Watts, Whitesides and Wisler. Ashley and Franklin were absent.

Others present were William Clarke, General Counsel; Forrest Westall, McGill Associates; Tom Hartye, Hunter Carson, Scott Powell, Mike Stamey, Ken Stines, Spencer Nay and Pam Nolan, MSD.

2. Inquiry as to Conflict of Interest:

Mr. VeHaun asked if there were any conflicts of interest with the agenda items. No conflicts were reported.

3. Approval of Minutes of the September 21, 2022 Board Meeting:

Mr. VeHaun asked if there were any changes to the Minutes of the September 21, 2022 Board Meeting. Mr. Watts moved for approval of the minutes as presented. Mr. Whitesides seconded the motion. Voice vote in favor of the motion was unanimous.

4. Discussion and Adjustment of Agenda: None.

5. Introduction of Guests: None.

6. Informal Discussion and Public Comment: None.

7. Report of General Manager:

Mr. Hartye reported that on the Agenda is an item for engineering services to perform a conditional assessment on MSD's Hydroelectric Facility and also an item for replacing the heat exchanger which is adjunct to the incinerator. Mr. Hartye then turned the meeting over to MSD's Engineering Director, Hunter Carson, to give a presentation on these items.

Mr. Carson reported that he would show some slides and give a little bit of history about the Hydroelectric Plant here at MSD. It was originally constructed in 1904 by the W.T. Weaver Power Company. The W.T. Weaver Power Company operated the facility for approximately 18 years before they turned ownership over to Carolina Power & Light Company, who ran it for roughly forty years. MSD purchased the dam, flume, and powerhouse in the late 1960's but did not operate it until the late 1980's. He presented a slide from 1982, prior to MSD's rehabilitation project in 1984. In 1984, MSD rehabilitated the facility with new intake structure, new concrete flume, reconstructed powerhouse and installed three new hydraulic turbines. He presented slides of the existing powerhouse being dismantled, and the rebuilding of the flume wall, which is about 2,800 LF in length, 18 feet tall and about 18 feet thick at the base. The new intake facility was also shown. On the upstream side of the intake are the gates where the river water enters the flume, and the gates

allow us to isolate the flume to dewater it if need be. He presented slides of the new hydraulic turbines which are about 18-20 feet in length. Each one of those is capable of generating 850kW of power. MSD can generate up to 2.5MW of clean renewable energy with the hydro which offsets the electricity that we purchase from Duke Energy by \$300,000-\$600,000 per year. That range is based on river flow and how many turbines are operating throughout the year. One of the turbines is “variable pitch” so we have the ability to change the pitch, or angle, of the impeller which enables it to be operated at low flow conditions. MSD has to maintain a minimum level over the dam for downstream flow conditions to maintain aquatic habitat, which is part of our Federal Energy Regulatory Commission (FERC) Permit in addition to US Fish and Wildlife. He presented slides of the existing powerhouse, flume and “tail race” which is the downstream. Some of the original stone masonry work was left from the early 1900’s construction. Mr. Carson pointed out a photo where it appeared the facility was generating power due to water leaving the tail race. He stated that they are having trouble with some of the isolating gates. For about four or five years there has been trouble closing one of the gates. He stated that is one of the issues with the facility and the reason for the condition assessment. He presented a slide showing the inside of the facility showing two of the three turbines. The turbines are enclosed in blue “turtle shells” and then there is a gear box and the generator. The slide also shows a turbine with the turtle shell removed and he described how they work. He presented slides of the existing 13’ dam and intake gates. The dam is considered a “low head” dam due to its height. He presented a recent aerial video that shows the entire process. Mr. Hartye pointed out that the wall was major construction, it is 18’ and taller than the dam and runs 2,800 feet all the way down. It holds the water up so that you have that energy once you get to the powerhouse. He also pointed out the plant and the fact that there is not a lot of room between the treatment plant, Riverside Drive, the flume, and the river. Mr. Lapsley stated that you would probably never get a permit from the Corps of Engineers today to build that wall.

Mr. Carson stated that another item on the agenda is the purchase of a new Heat Exchanger for the Incinerator. He presented slides and stated MSD went through this process in 2015. MSD has a fluidizing bed incinerator that has gasses that leave it upwards of 1800°F. Those gasses enter through the top of the heat exchanger and go through tubes that are incorporated inside of the heat exchanger. At the same time, we are pumping in ambient air. As those two gases and air cross each other we recover approximately 1200°F of waste heat. We are able to pump that 1200°F pre-heated air back into the incinerator and save money on natural gas. The units have a useful life of about 5-8 years, and we are right at that threshold. The units are about 55,000 pounds so it does require a sizeable crane. There is an access hatch in the roof of the building to remove and replace the units.

Mr. Kelly asked what there was to keep fish and other wildlife from being drawn into the turbines. Mr. Carson stated that the original construction included a fish ladder which allowed the fish to swim away from the turbines and up and over the dam, but it is no longer in service. The bar screens in front of the intake gates have approximately 2-inches or more spacing. He stated that he didn’t think there was anything that physically keeps fish out. Mr. Stines stated that there is not. Ms. Manheimer referred to the American Rivers Study and that MSD was being asked

to consider removing this infrastructure. She asked if that would be looked into and would the pros and cons and costs be considered. She stated that is something that is happening around the country and is it becoming a trend to remove these dams. Mr. Hartye stated that the American Rivers folks did approach MSD, and it was brought to this Board. They want to perform a feasibility study. They will pay for the study. Mr. Hartye stated that Mr. Westall, Mr. Carson, Mr. Clarke, and he met with them. MSD will monitor their study and provide them with the information to perform their study. They will bring it back to MSD and this Board and we can review the pros and cons. The number one thing they are weighing is the environmental aspect because right now we are eliminating greenhouse gases and our carbon footprint by half at the treatment plant which is significant. There is the environmental aspect of that vs. the fish migration. Then you have the customers saving between \$300,000-\$600,000 a year on the power costs. They will have to look at all of that and come back with a case showing that this is in the best interest of everyone. MSD will have a memorandum of understanding with American Rivers which will be shared with this Board once it is complete and executed. That will just state that they are going to conduct the study and MSD will provide them with information. That will probably take six months to a year. This is predicated on funding that they are going to get from the State for the study. The overall picture is that there was \$800 Million in the last Infrastructure Bill for these types of things across the Country. Ms. Manheimer asked if that was just the study or to perform the work. Mr. Hartye stated yes, to do the work also. This Hydroelectric Power project presented today was on our docket before American Rivers came to us, which was about 6 months ago. We have been operating the hydro facility for a long time and wanted to give the Board this background regardless of what happens with the American Rivers study. Mr. Westall added that, in relation to Ms. Manheimer's question regarding how many of these are being removed, the vast majority are old, abandoned mill dams. They have taken a huge number out. There are a few active dams that are still generating electricity, but they are all case and site specific depending upon revenue, etc. It is green energy as opposed to having to purchase it through some other route. There are a lot of questions that have to be evaluated and those are all in the feasibility study scope of work. Ms. Wisler asked if MSD was thinking about re-instating the fish ladder. Mr. Westall stated that he anticipates that they will come back with recommendations that could include that. The fish ladder didn't prevent the fish from getting in. This is a facility that has been permitted for a long period of time. The Federal Energy Regulatory Commission (FERC) license didn't require any kind of screening or anything, but that issue will be evaluated, how much impingement is there on the wildlife and how much effect that has on the overall river. You have to look upstream and downstream relative to the ecology of the river. Mr. Hartye stated to keep in mind that there are two dams in Marshall too. Mr. Clarke added that there are a lot of things to consider.

Mr. Hartye reported that MSD received a call from Christine Belz at 158 Waightstill Drive yesterday. Thanks to Billy Cantrell, Grayson Hensley, and all the crew. Thanks as well to McKinley Hensley, Josh Mathews, Ronnie Buckner, Dakota Weaver, Jimmy Brooks.

Mr. Hartye reported that the next Regular Board Meeting will be held on November 16th at 2 pm. The October Right of Way Committee has been cancelled. There will be a combined Right of Way/Planning Committee on November 2nd at 9

am. This combined committee meeting will discuss current MSD policies regarding sewer system expansion.

8. Consolidated Motion Agenda:

a. Consideration of Bids – Bent Tree Road Rehabilitation

Mr. Hartye reported that this project is located outside of downtown Asheville, just east of the Grove Park Inn and consists of approximately 1,644 LF of 8-inch PVC. The existing 6-inch and 4-inch clay and ductile iron lines are undersized and in poor condition. The contract was advertised and four bids were received on September 22, 2022 in the following amounts: Hyatt Pipeline, LLC in the amount of \$1,147,734.00 (This bid was rejected due to not submitting the proposal form); Moore & Son Site Contractors in the amount of \$1,110,305.00; T.P. Howard's Plumbing Co., Inc. in the amount of \$1,050,000.00 and Terry Brothers Construction Company in the amount of \$980,781.00. The apparent low bidder is Terry Brothers Construction Company in the amount of \$980,781.00. Terry Brothers has extensive experience with District rehabilitation projects and continues to provide excellent workmanship. The original Construction Budget for this project was \$800,000.00. The bids exceeded the construction budget due to a late design change in the pipe material. The pipe material change to PVC is due to DIP shortages and long lead times (~year). The PVC pipe requires three feet of cover which increased the trench depth and anticipated rock removal by an additional two feet. Sufficient funds are available in contingency. Staff recommends award of this contract to Terry Brothers Construction Company in the amount of \$980,781.00, subject to review and approval by District Counsel.

b. Consideration of Bids for Equipment Procurement: Incinerator Heat Exchanger Replacement:

Mr. Hartye reported that the Incinerator Heat Exchanger is located at the Water Reclamation Facility. The unit was replaced in 2015 as part of the incinerator emissions upgrade project and needs to be replaced now. The District is pre-purchasing the heat exchanger due to long lead times of approximately one year for fabrication. The purchase was advertised and equipment proposals were solicited from three manufacturers. Only one proposal was received from Wabtec Components, LLC in the amount of \$1,175,370.00. The bid price includes stainless steel inlet and outlet plenums to prevent against corrosion. There will be a partial payment made this year. Also attached is a Capital Project Ordinance for the entire project since it is a multi-year project. The total budget for this project is \$1,875,000.00. Staff recommends that the District procure the specified heat exchanger with stainless steel plenums as manufactured by Wabtec Components (formerly Thermal Transfer Corp., the manufacturer of the existing heat exchanger) in the amount of \$1,175,370.00.

c. Consideration of Contract Engineering Services – Hydroelectric Power Plant Rehabilitation – Conditional Assessment:

Mr. Hartye reported that in accordance with general statutes, MSD advertised a Request for Qualifications for a Hydroelectric Facility Conditional Assessment. The study will include the evaluation of all structural and generating components, and a cost/benefit analysis of recommended improvements. These will be included in MSD's 10-year Capital Improvement Program. In July 2022, MSD received responses from four firms as follows: Geosyntec Consultants, Inc., Hatch, Turbine Pros, and Clifton Science and Engineering LLC. Staff's selection committee interviewed a shortlist of firms and carefully considered the various strengths that each offered. Ultimately, Geosyntec was chosen as the most qualified firm for this project. Geosyntec has a history of performing dam inspections of all sizes throughout the country. They will team with American Hydro, a global firm specializing in hydropower solutions and turbine services to inspect the powerhouse generating components. Geosyntec's initial bid was \$196,000.00 and included an underwater structural survey. Staff determined that portions of this work can be completed without the use of underwater technology by draining the facilities during low flow periods when it's not being used. Removing this task reduced Geosyntec's fee to \$128,000.00. The FY 22-23 budget for this project is \$200,000.00. Staff recommends the District enter into an engineering services contract with Geosyntec in the amount of \$128,000.00, subject to review and approval by District Counsel.

d. Consideration of Developer Constructed Sewer Systems – Fairview Meadows; Laurelwood Village; The Ramble Block “M”; Hamrick Farms Phase 2:

Mr. Hartye reported that the Fairview Meadows project is located off Reeds Creek Road in Buncombe County and included extending approximately 1,450 linear feet of 8-inch public gravity sewer to serve 42 homes in this residential development.

Mr. Hartye reported that the Laurelwood Village project is located off Ledbetter Road in Buncombe County and included extending approximately 920 linear feet of 8-inch public gravity sewer to serve the 31 homes in this residential development.

Mr. Hartye reported that the Ramble Block “M” project is located off Emerald Necklace Drive in Buncombe County and included extending approximately 2,880 linear feet of 8-inch public gravity sewer to serve 16 homes in this phase of this residential development.

Mr. Hartye reported that the Hamrick Farms Phase 2 project is located off of Lower Edgewood Road in the City of Asheville and included extending approximately 1,244 linear feet of 8-inch public gravity sewer to serve 48 townhomes in this residential development.

Staff recommends acceptance of the aforementioned developer constructed sewer systems. All MSD requirements have been met.

e. Consideration of Budget Amendment of Fleet Replacement:

Mr. Powell reported that in FY 2022, the Board approved the purchase of four vehicles during the budget process. Due to the impact of COVID-19 on supply chains, the chassis has been delayed until October/November of 2022. As such, Staff recommends amending the Fleet and Heavy Equipment Fund in the amount of \$200,000.00. This amount will cover expenditures which were appropriated last year.

f. Cash Commitment Investment Report – Month ended August, 2022:

Mr. Powell reported that Page 56 presents the makeup of the District's Investment Portfolio. There has not been a significant change in the makeup of the portfolio from the prior month. Page 57 presents the MSD Investment Manager's report as of the month of August. The weighted average maturity of the investment portfolio is 99 days and the yield to maturity is 2.27%. Page 58 presents the analysis of the District's Cash Receipts. Monthly domestic sewer revenue is considered reasonable based on historical trends. Monthly and YTD Industrial Sewer Revenue as well as Facility and Tap Fees are considered reasonable based on historical trends. Page 59 presents the analysis of the District's Expenditures. Monthly and YTD expenditures are considered reasonable based on historical trends. Page 60 presents the District's Variable Debt Service Report. The 2008A Series Bond is performing at budgeted expectations. As of the end of September, both issues have saved the District rate payers approximately \$7.2 million in debt service since April of 2008. Mr. Kelly stated that he asked several times over the years but would like to know at this time what it would cost to terminate if the costs keep going down. Mr. Powell stated that it is in comparison to where interest rates are and what the swap is performing at. Currently the swap is at 3.291% and we have a 10-year horizon on the remaining portion of that debt. As we live in inflationary times, a current 10-year T bill is at roughly 4%. We could terminate the swap but we would be paying a little more than 4% for the remaining portion of those years. If the swap were at zero we could terminate and then go variable rate for the remaining portion of those years. Currently the reset rate on those bonds are roughly 2.4%. This would be an item we could ask our Investment Advisors to take a look at. If we go all in on a variable rate, we would pay roughly 2.8% but you are variable. We can mitigate the exposure with the investment portfolio. As this gets closer to zero and depending upon how our interest rates are, Staff might be back to this Board to consider termination of the swap. The only negative is sending the wrong signal to our credit rating agencies. Staff would want to have that dialog with them to make certain that it doesn't send the wrong signal to the market. When we went into the interest rate swaps and variable debt there were a lot of organizations that did not manage those structures well and put their rate payers in harms way. We are always looking at this on a monthly basis and looking at opportunities when they are presented. The good thing is that we are going to debt market as it is stated right now in 2025. We might look at it before that time period. There might be an opportunity that we can wrap it up into a new deal. Right now the variable portion of our total debt portfolio is 28% so doing anything with the swap right now might send the wrong signal to the rating agencies.

With no further discussion, Mr. VeHaun called for a motion to approve the Consolidated Motion Agenda. Mr. Dearth moved, Ms. Wisler seconded the motion. Roll call vote was as follows: 12 ayes; 0 Nays.

9. Old Business: None.

10. New Business: None.

11. Adjournment:

With no further business, Mr. VeHaun called for adjournment at 2:36 pm.

Jackie W. Bryson, Secrey/Treasurer

RIGHT OF WAY/PLANNING COMMITTEE MINUTES

November 2, 2022

I. Call To Order

The Right of Way/Planning Committee meeting was held in the Boardroom of the William H. Mull Building and called to order at 9:00 a.m. on Wednesday, November 2, 2022. Chairman Chris Pelly presided with the following Right of Way/Planning Committee members present: Matt Ashley, Jackie Bryson, Doug Dearth, Esther Manheimer, Nathan Pennington, Bob Watts and Al Whitesides.

Others present: Chris Day with the City of Asheville Affordable Housing Advisory Committee; Megan Carroll with the Builder's Association of the Blue Ridge Mountains; Jerry VeHaun, Board Chairman, William Clarke, MSD Counsel (via web access); Tom Hartye, Hunter Carson, Kevin Johnson and Angel Banks, and Pam Nolan, MSD.

II. MSD Extension Policy – Master Plan Lines

Mr. Hartye reported that there will be no action items today but a discussion regarding policies that the District passed in circa 2005 when our different member agencies were putting together their comprehensive planning and zoning documents, and we were getting ready to prepare our Master Plan which came out in about 2007. It was a different time and at that point we hadn't had a big boom which started in 2007, then a dip and then another boom which continued for about 14 years. If anyone remembers Barbara Fields, she had said that MSD would be a partner in the community. Basically, that was code for participating with money to get development going. MSD developed several financial participation policies including affordable housing. The most impactful and comprehensive policy has to do with participating in master plan lines. Mr. Hartye stated that he has had this conversation with Buncombe County at their County Commissioner's Meeting. Everyone is interested in this topic of expansion again due to Mr. Pennington's big project of updating the Buncombe County Comprehensive Plan. This expansion conversation is coming back again regarding the outer, unincorporated areas of Buncombe County. Staff thought it would be helpful to bring the Board up to speed, we don't bring these things to the Board much. We have only had a few projects involved over this period. MSD is not a land planning, zoning, decision making body. We rely on the local government's planning and zoning efforts and development activity to identify our expansion opportunities. We do not do speculative expansions to the system. Most of our expansions are developer driven. MSD's Master Plan, which was passed around 2007, incorporates all of the member agencies' land use plans and zoning. We went around to each of the various member agencies and met with their planning folks and incorporated those plans into our Master Plan, which plans for the orderly growth of the system and replaces existing lines and sizes them for future growth, so we were planning for growth in all of the areas within the District when we replaced lines or when we require a developer to put in a line. MSD does not have special assessment authority like cities and counties. We have brought this up before in other conversations. Why is this important? So that our existing customers don't fund with rate increases the speculative lines for the last quarter mile to a specific development. These costs should be largely borne by those who will be served. Special Assessment is a tool for you to isolate those people and have them pay a proportionate share of that cost. MSD can't do that. Counties, cities

and other utilities that are owned by cities can special assess. That was the genesis of all of these policies that MSD came up with. We can't special assess but we can participate in some of this development in a positive way and make sure it's done right. That's what these master plan lines are, to do it right. He then turned the meeting over to Mr. Carson for more specifics on projects we have done and to review some upcoming projects.

Mr. Carson reported that Mr. Hartye just explained what MSD does and does not do as it pertains to these master plan extensions. When we say "Master Plan" we are talking about interceptor pipes that serve new basins. Staff wanted to provide a visual of what we are talking about. We have Master Plan Extensions and then we have then we have normal, 8-inch extensions. Those are the ones we bring to this Board monthly as "Developer Constructed" for acceptance. These 8-inch extensions tend to serve a single development or parcel. They are adjacent to already sewered parcels. They serve as more infill development as opposed to development further out on the outskirts of the system. These 8-inch extensions are always 100% developer funded. This differs greatly from the Master Plan or Interceptor extensions. The Master Plan extensions have the ability to serve an entire basin or sub-basin. They are typically larger diameter pipes, 12-inches or greater. They are run in accordance with our Collection System Master Plan that shows the alignment and also the size at which these interceptors should be. By doing that they allow for future orderly growth and development. Because these are the large interceptor or "trunk lines" that run through an unsewered drainage area, they mirror the natural drainage. As you know, most of our system is operated by gravity so these interceptors are run along creeks and rivers to use the natural gradient. There is some cost share between developers and MSD using the Additional Capacity Reimbursement program. Mr. Carson presented a map of a normal 8-inch extension using the Ramble as an example. It is a sewered area, there is existing infrastructure all around. This is infill development, the Ramble is always doing new blocks of development. He presented a slide of Master Plan Routes for the Cane Creek basin as an example, which differ greatly from an 8-inch extension. There is no sewer in Cane Creek at all so our Collection System Master Plan has identified where the pipe should be located and also, by looking at land use plans and zoning, we have come up with flow projections, and from that, pipe has been sized to service the entire basin. MSD has several extension policies but the focus today will be on the Additional Capacity Reimbursement policy as it pertains to the master plan/interceptor lines. There are two big parts to the Additional Capacity Policy, this may be found in MSD's Policy and Procedures for the Extension of Sewers manual, which may be found on-line. Additional Capacity Reimbursements, Part a. requires MSD to reimburse the difference of costs between the minimum size pipe necessary for the developer (which is most always an 8-inch pipe) and the larger size required in accordance with the Collection System Master Plan. He reviewed the Cane Creek basin as an example. Part e. of the policy states that MSD is also responsible to provide the design and right of way acquisition services. That is a big deal. Not only does it require MSD staffing, but if we are short of staff or consumed by already on-going CIP projects we would have to get consultants involved for design services or right of way acquisition. There are also additional costs associated with surveys, permits, issues like railroad crossings and compensation for easements. Another issue you would hope for would be no condemnations but that is always a possibility together with legal fees associated with that. One caveat in the policy, the District's obligation to participate in all of these

projects is subject to available funding. As stated, this policy was created about 17 years ago, in those 17 years it has actually only been used three times. Those three projects were the Reems Creek Master Plan Interceptor, the West French Broad Master Plan Interceptor and the Lee Creek Master Plan Interceptor.

The Lee Creek project was specifically for the Olivette Development in Woodfin. That one was a little bit different because the extents of the interceptor that was installed was entirely on the Olivette parcel, so we didn't have to do any right of way acquisition and the developer took on the design himself.

The Reems Creek Master Plan Extension consisted of two phases. Phase 1 was for Windsor Aughtry. They were reimbursed \$224,349.00 in 2011 for approximately 5,000 LF of 15-inch and 20-inch pipe. MSD had to acquire 6 easements and this phase was to serve 52 single family residents. Phase 2 was for Windsor Built and consisted of approximately 800 LF of 16-inch pipe and reimbursed \$35,346.00 in 2016. MSD acquired 2 easements and this phase was to serve 140 single family residents. All of the easement acquisition for these phases went well and MSD's cost was \$75,367.00 for total compensation and legal fees with no condemnations. The total cost to MSD was approximately \$335,000.00. MSD also did the design on this project using our own staff, this number does not reflect any design fees.

The West French Broad Master Plan Interceptor Extension was reimbursed in 2014 to Biltmore Farms in the amount of \$173,222.00. This project was to provide sewer to the Aventine Apartments in South Asheville and consisted of approximately 5,000 LF of 16-inch pipe to serve 300 multifamily units. MSD obtained 4 easements. However, there was a lot of difficulty with one property owner, the Asheville Firefighters Association, and cost \$295,000.00 to get through that one property and an additional \$42,316.00 in court costs. Negotiated compensation and legal fees for the other 3 parcels was \$130,407.00. Total cost to MSD for this project was approximately \$641,945.00.

Mr. Carson stated that, as previously mentioned, over the last 17 years, this program has only been used 3 times. In the last 12 months, 3 projects have been brought to MSD for consideration of participation and reimbursement. Staff wants to point out that this is happening more often as development moves towards the outskirts of the county. MSD plans to participate with these 3 developments but there are no formal agreements in place yet, so we are not locked in but have given verbal approval. The first project is English Drive Subdivision which is located in Candler off of Holbrook Road. The extension will cross Ross Farm (formerly Young's Greenhouse) and runs along Ragsdale Creek. There is sewer along a portion of Ragsdale Creek, but this will be an extension to where there is no sewer. This project will consist of approximately 1,000 LF of 12-inch master plan line to serve 23 single family residents. MSD is short on staff at this time so a consultant will be required. It is currently under design with a consultant. Approximately \$178,500.00 is currently budgeted for design, capacity reimbursement and right of way compensation. MSD is used to running into problems either out in the collection system or at the plant but the issue on the Ross Farms parcel was a first. There is an influx of beavers on the

property and they have done quite a number on the field that we were planning to open cut. What was once a dry field about 3 months ago is now about 3-feet deep under water. This totally changed the landscape. The property owner at Ross Farm loves it and absolutely does not want the dams destroyed or dewatered, nor do we have the right to do so as there is no existing infrastructure on the property. Due to this issue and the difficulties it would present for construction, Staff has had to look at an alternate alignment. This is brought up to point out that issues do come up on these projects and as the design engineer, it adds time to the project and has added 2 additional easements for right of way to acquire and has added additional cost because the footage of the project will go up.

The second project is the Mission Campus (no affiliation with Mission Hospital) and is also located in the Ragsdale Creek basin in Candler. It will have a school, daycare, worship center, group home and short-term rentals. This project requires the installation of approximately 3,850 LF of 12-inch master plan sewer line (beyond the English Drive Subdivision) plus acquisition of 16 easements. An additional 8-inch line is required to serve the property. However, the reimbursement program does not include lines less than 12-inch. The developer, Peter Radchishin, has verbally committed to fund the design and construction in it's entirety if the District will acquire rights of way. There is \$300,000.00 budgeted for right of way acquisition.

The third project that has been submitted to MSD for participation is Mills River Crossing South, a mix of 91 single family residential lots and commercial space. The developer's engineer originally approached us about installing a pump station that would just serve the development and that request was denied. The gravity master plan route required to serve this development is approximately 7 miles in length and includes 21-inch and 42-inch pipe. MSD realizes it is not economically feasible for a single developer to build such an extension and has agreed to allow an off-site public pump station capable of serving the development and upstream drainage basin. MSD's participation will include the acquisition of one easement for purposes of siting the public pump station, plus reimbursement for additional pump station capacity. The one easement to be acquired by MSD is on an Episcopal Church parcel and hopefully we would not have to condemn a church, but it is possible.

Mr. Hartye reported that Mr. Carson's presentation gives you an idea of how these projects work. Some miscellaneous discussion items are performance bonds, cost benefit analysis, condemnations and workload and budget considerations. In previous meetings we have discussed having a performance bond at the developer's cost for the entire project cost. This would be part of an agreement that we would bring to this Board prior to initiating any right of way services or design services. If MSD obtains easements and they go belly up where does the project stand. We could at least put the master plan line in whether they tie on or not but we would have a bond to finish that project. Staff thinks this is a good idea and may bring to this Board as a part of future agreements. Cost Benefit Analysis is another idea to think about. Staff does this sort of offline when looking at developments and have with these 3 new developments. Basically, you are making a business case for participation. We see how much it will cost us, what the value of the infrastructure is, and what are the potential revenues. That is all speculative because you don't

know how long it's going to take for the development to start and how long to complete. There are some general ways to make it simple and that is to assume how much revenue you would get at build out. This can give you an idea of whether this is financially a good idea or not. MSD has no metrics on this, so we don't bring it to this Board. Does this Board want to see this as a part of getting into these agreements. Staff could include a cost benefit analysis when we come to you with the agreements. This would slow the process for the developer a little bit. If we decide this is a metric for MSD's finances and we deny it because it looked like it would be a 20 year turn around, then they may put in septic tanks which is not the greatest thing. Ms. Manheimer stated that she thought the way you think about a strategic plan around sewer and water build out would be to sync it with the county's "soon to be adopted" comprehensive plan. There was further discussion around the comprehensive plan and the process the developer has to go through with the county and MSD for approvals. Mr. Hartye presented a slide showing numbers actually spent, estimated value of the infrastructure and estimated revenue for the projects. This gives an idea of whether the project is a good endeavor or not. This was presented as an example of what could be brought before the Board if so desired before we embark on a project. Mr. Watts asked if there was a number of years that we try to get it paid back in. Mr. Hartye stated no, there is no metric now but we can come up with one. It could take them 5-10 years to build out so we assume their build out number and assume it isn't going to happen for a while. There was discussion regarding one of the City's programs and some of MSD's other cost participation programs. There was also discussion regarding the area that will benefit from the Mills River Crossing South project. Mr. Ashley asked if MSD had the ability to deny a request. Mr. Hartye stated yes, at any time. Particularly if we cannot afford it. At the end of the preliminary process and before we embark on it, we bring it to the Board for their approval. Once the system is built and we have all of the easements we go back and look at the actual numbers for reimbursement. Mr. Ashley asked what criteria had to be met and had other developers asked for this and been denied. Mr. Hartye stated no, unless we determine up front, we can't do it financially then our policy provides that we will participate in it. There was discussion regarding the benefit of Mission Campus and English Drive being in same location. There are many different ways to get onto the MSD system that are not good such as involving pump stations or haphazard routing that we will have to go back and spend money on later on to undo or fix.

Mr. Hartye reported that condemnations for expansion or development is another discussion item. MSD currently takes it on as necessary relying on local agency approval of project. We are doing this at the point when the county is approving a development pursuant to the county's planning and zoning. We are condemning for new development and that is fraught with all sorts of potential social/political pressure. Ms. Manheimer asked if we have actually had to do that. Mr. Hartye stated yes, with the Firefighter's Association which turned into a very long lawsuit. Ms. Banks stated yes, 5 years. What level of comfort does this Board have because this will involve those situations. When you have to get easements there are going to be risks for condemnations. With the litigious society we have now, it is a likelihood. As we get more of these requests we don't want to be saying that the county has approved a project and it is for a "public purpose" and have it misconstrued as a pro-development taking by the MSD Board. There are condemnation options to think about. The first would be to get local agencies involved (City of Asheville, Buncombe County, Henderson County etc.) wherever this is happening, to endorse sewer provisions and

potential condemnations. The second option would be to require developer to obtain right of way and engineering and get their local agency to condemn. MSD would just participate financially. This option would lead to a lot of confusion. The third option would be to leave “as is” with MSD relying on local agency approval of the project.

Mr. Hartye also reported that the timing of these projects is not controlled by MSD, it is controlled by developers. MSD has one of the most aggressive Capital Improvement Programs in the Southeast and we have design and right of way departments that are going and going to get all of this work that will help new development by upgrading our existing system for the future. We don't want to get knocked that off course. This could become a workload issue. There will continue to be increasing pressure from developer to do things quick and cheap, and/or to take short cuts like local pump stations and haphazard routing. Again, MSD is not looking for a response today but wanted to bring these issues to this Board to think about and as time goes on, see what kinds of questions you have or what you might want to see from us to further solidify the existing policy or to adjust it in any way, shape or form. Mr. Pennington stated that he thought everyone would agree that there are many pressures and expectations from folks who are moving here. That is adding to the litigious conversation. Every single development now is a fight and that plays out whether it be City Counsel, County Board of Adjustment, etc., and we are not equipped to handle this amount of development. The great recession created such a pent-up demand that we have never been able to recover from. COVID, climate refugees, and of course everyone wants to be here. In the past we have been able to say we have agencies, not just this one but NCDOT, Duke Energy, etc., The conversation has been “we don't do that, DOT takes care of roads” as an example. Now it is moving to “we've never done this before”. He stated that is a good thing because everyone has to work together regionally on some of our issues. We are all experiencing growing pains. Buncombe County's comprehensive plan from 1998, which most recently was updated in 2013, definitely needs updating and he feels it is “the little engine that could”. Just as a reminder, in 2009 county wide zoning was based on the general availability of water and sewer. That doesn't mean it's in every district that was zoned that way. Asheville has so many constraints that date back to the Sullivan Act in terms of their water, Woodfin has an independent water authority, so there are many things that have to be considered in these conversations. He stated that he thinks long range plans can be aligned by combining efforts. To Ms. Manheimer's point, one way you can do that would be a future land use map. Asheville has one, it's a modern trend. It's not a zoning map but it does help influence decisions. You get folks all the time who say you need to protect farmland, or steep slopes, conserve this, save that, etc. In order to do that and make everyone feel like they are on a level playing field, you've got to have a map of where you want to see growth vs. those areas that need to be conserved. He feels that no matter which side of the aisle you are on, everyone wants to protect steep slopes and ridges. The county has thousands of septic systems which fail over time and that impacts water quality and things of that nature. Zoning districts only tell a piece of the story. Now everyone needs to come together to see if there needs to be policy changes on all sides. If we want more affordable housing, we have to increase supply and look at policies that don't increase the cost so much on the developer that it get's passed on to people trying to buy a home. One way to increase affordable housing is to increase supply. Counties and cities can do all kinds of incentives, but it has to be numerous pieces of the puzzle to get there. He further discussed some of the county's comprehensive planning such as bonding and attaching

conditions of approval. The hardest discussion is the one regarding condemnations and making sure that we don't run afoul of the Kelo decision and make sure that what we're doing in terms of public sewer is for the greater good of the public. He feels the way to do that is through policy alignment and long-range planning. Mr. Hartye added that having a land use map might make it a little easier for property owners to accept a sewer line and rationalize the easement. Ms. Banks added that when consultants are involved the costs are going to go up. She gave an example of a right of way consultants cost from 2019 of \$2,250 per parcel. That same firm is now quoting \$5,080 per parcel. That doesn't include compensation to landowners, legal cost for title work to develop easement documents and that type of thing. That is a 126% increase just in labor for negotiations. Right of Way Staff recently acquired easements on a CIP project at around \$1,850 per parcel. She stated that time is also an issue and concern from her perspective because these unscheduled developer driven projects that pop up at any point in time and are expected to be done the day before yesterday are going to take time away from Staff's scheduled CIP work. Even when you hire a consultant they require training, answering questions, getting the stage set, then you have to spend time problem solving during the project. Then you have to spend time processing any condemnations that may come up. In regard to the Firefighter's Condemnation that Mr. Hartye mentioned earlier, that take was filed in 2012, the construction began in 2013 and was completed in 2014 but the judgment wasn't reached until 2017. MSD Staff and Council were still working on that condemnation years after the developer had the entire site built out and gone on their way. There are time issues that will impact CIP work before, during and after the developer driven project. Ms. Banks stated that she has been doing acquisition work for 32 years and has seen the growth in litigation. MSD functions on a planned program with known quantities coming through and we have intentionally planned to get on the ball with easement acquisition 2 years before any project is anticipated to bid. That gives plenty of time if we run into a condemnation or alignment issues or that type of thing. We have built a little trust out in the community that we play fair, we have good relations with the community and we thereby keep our condemnations low on our CIP projects. If there are a lot of condemnations on any developer driven projects the possible notions or public perception that the MSD Board is pro-development, condemnation oriented could taint owners that we are dealing with concurrently in CIP projects and increase our condemnation rates. If you add to that, a possible condemnation across a church property or an assisted living facility or a skilled nursing facility it will add another layer of distrust. All of those are non-data related soft issues that are tied into this whole process.

Mr. Day stated that he is a local Civil Engineer and is here today on behalf of the City of Asheville Affordable Housing Advisory Committee (AHAC) of which he is also a member. One of the tasks with that group is to explore policies and roadblocks that hinder affordable housing and housing construction in general in this area. They have a sub task force called the Build Committee that looks at all types of roadblocks and the two biggest roadblocks are obvious and what has been talked about this morning. Those being zoning and sewer. Some of the things they wanted to point out, the County is working on the comprehensive plan and making changes, there is an affordable housing bond on the ballot next week to try to help with that side of things, the City just changed their open space rules because it was providing limitations into more dense housing. They have an RFQ out right now to help find missing middle housing. One of the things they found out was that MSD has funding that does improvements for existing lines but doesn't actually extend out into

some of these growth corridors pro-actively. He stated that he and AHAC recognize that there are so many challenges associated with that and Ms. Banks mentioned the biggest part of that, but it is also a slow process and a big process. He stated that he is really appreciative that this conversation is happening and that he has the opportunity to be here but would encourage and respectfully request that this conversation does continue forward. To allow more dense housing in appropriate places there needs to be some proactive aspect of where these sewerlines are going. The developer driven process, while MSD has a few of them on the board right now, as Mr. Carson referred, there have only been 3 in 17 years, and when it is developer driven then all of a sudden it gets this taint as you have referred to, that MSD is in cahoots with the developer as opposed to a bigger picture of long-range planning goals. Finding the City and County and MSD working together, and it is going to take potential charter modifications to MSD, policy changes and funding changes, that is what it feels like needs be part of the conversation. As a member of AHAC and the Affordable Housing Committee and also just a resident of the City of Asheville and Buncombe County, he appreciates that this conversation is happening and he would encourage continuing with the discussions. Ms. Manheimer asked if no one takes advantage of or uses this program, how do they get sewer to their property, they just go on septic? Mr. Hartye stated that was on the developer and what the payoff would be. She stated that she would be curious to know what other communities do that are considered pretty smart in terms of their forward thinking land planning. Mr. Pennington stated that it would be hard to benchmark other communities in this State due to the topography and other issues but he was in agreement of looking at how other areas do. Mr. Hartye referred to the Hominy Creek Extension and stated that MSD had been talking with the County and brought this project to the Board and he believes this is what Ms. Manheimer is suggesting when talking about forward land planning. This extension would cost \$12.7 Million and MSD would be participating, pursuant to our policy, about \$3.8 Million, but it is out to an area that is ripe for all kinds of development, commercial and residential. MSD has been talking about a partnership with the County for this extension. As mentioned before, the reason MSD doesn't go out and do this is because we would be having to raise rates on existing customers that would have fixed incomes and we would be saying we're just going to go for this private development area. Is that something MSD should be doing or should we be doing this in partnership with the County. The County should be saying this is how they want their growth to occur, and we could do that as a partnership. MSD does not have the ability to special assess and say we are going to give a good portion of the cost to the people we are benefitting from it to help pay for that so that the other people aren't paying for it. MSD has no mechanism to apportion that so it's not all taken on by the existing customers. Mr. Pennington added that this is probably the only remaining corridor that is unactivated and largely unsewered and could go to the Haywood County line. This one also presents unique opportunities for economic development, bring higher paying jobs, help people afford more of a house, and that sort of thing. Also, Candler has a high number of failing septic systems and package plants. There is also interest from a regional perspective in Haywood County. Mr. Hartye stated that this project has been in discussions for a long time and is ripe in several ways, economic development, environment, and reducing discharge to the creeks and that type of thing. MSD and the County are still working toward this, and it has to be a partnership. There was further discussion regarding how other communities handle this issue and how to move forward. Mr. Hartye stated that MSD wanted to make clear that we aren't the lead agency on planning and zoning or where growth is going to occur. We want to be guided by our member agency and help

implement it for all of our member agencies. MSD can use the county's future land use map as a guiding principle and adjust our plan. Then we get into discussions regarding how to fund these projects. Mr. Hartye reminded everyone that MSD tried to change our Charter in 2002. Mr. Ashley stated that clarification on a few items would help as we have these discussions in the future. He asked Mr. Day to explain what he means by Affordable Housing. Mr. Day responded that Affordable Housing as defined by the City, County and HUD, is 80% of the average median income. That is updated each year. There was discussion regarding how this is calculated. Mr. Ashley stated to Mr. Day that he was wondering if what he was referring to as Affordable Housing was just the metrics of what is affordable and what the City, you are with the City Task Force. Mr. Day stated that it really goes on what Mr. Pennington referred to, just housing stock in general and we are in a situation where, in a healthy growth where we have a better matrix of supply and demand then your older apartments become "C Level" rents and the newer ones become "A Level" rents. The older apartments become default apartments in a healthy supply and demand growth rate. Where we are even the "C Level" apartments that have been on the market for a long time are asking astronomical prices. He stated that this conversation is much bigger than just housing density in appropriate places in alignment with a growth plan to increase the overall supply. Mr. Ashley asked if he thought supply would take care of the demand. Mr. Day stated that it is a component for sure. Mr. Watts asked what percentage of housing is occupied by residents of Buncombe County vs. people who are speculatively coming in and buying. Mr. Pennington stated that was hard to answer because even locals buy LLC's. Ms. Manheimer stated that there is some data on that, one of those is based on where the tax bills go to. Mr. Pennington stated that they are collecting data on that. Mr. Watts stated that in his neighborhood he is seeing that the housing is owned by people who live out of state. Mr. Pennington added that is symptomatic of a gateway community. There was more discussion regarding different types of housing in the area. Mr. Ashley stated that it would help him to see the pros and cons for requiring developer to obtain right of way and engineering and getting the local agency to condemn as opposed to how it is now done. Mr. Hartye stated that the pro is that you wouldn't have the uncomfortable situation of condemning one private owner for another private developer even though it is for a public purpose. That may be lost once they start writing about it and we get the press here. The con would be that all of the conversations about sewer and how it is to be run and the efficacy of the condemnations and the master plan line and having that conversation with the various boards that have no idea what a master plan line is, what pump stations mean, and developer wants a pump station, and the counsel person or board chair says yes we can do that. That is the reason we didn't do it that way, that's a real con for MSD. It just adds confusion to the whole thing.

Ms. Carroll asked Mr. Hartye to explain why the process to change the charter in 2002 didn't work. Mr. Hartye stated that MSD went to our legislators in 2002, Metcalf and Goforth, to try to get special assessment authority. Goforth was for it, Metcalf was not. The main point for him was that we don't want to give a big entity another way of taxation without representation and that type of thing. MSD tried to negotiate because at the time we had taxing authority which we never use and never intend to use. He wanted no part of that. Then Kelo vs. New London happened where the Supreme Court said it was ok for the Town of New London to condemn a private owner for another profit endeavor because it was serving a public purpose. There was a lot of backlash regarding that, all across the country, such a backlash that the project was never built. At that point, MSD's

conversation was shut down. It has been easy for MSD when we are doing condemnations on a regular basis because it is for a line that is already there. Whether we are going to move it or if it's going in the same trench, we already have service there. It is usually being replaced because it is overflowing and there is an environmental problem going on. Condemning for development is a whole different issue, that case put a freeze on them even considering giving MSD special assessment abilities and we have not been back to legislatures to try to do that. The other rational was that the other agencies, the City of Asheville, Buncombe County, Henderson County, etc., can all special assess and if that was going to happen those political people entities who are voted for should be making that decision, not an independent utility board.

Mr. Hartye stated that MSD would take it forward in partnership with the County which may involve City areas that need to be sewered as well and continue to have the conversation about where these should occur and how to partner on getting it done. If other agencies are standing shoulder to shoulder with us we can continue with that process.

There being no further business, the meeting adjourned at 10:59 am.



MEMORANDUM

TO: MSD Board
FROM: Thomas E. Hartye, P.E., General Manager
DATE: November 10, 2022
SUBJECT: Report from the General Manager

- Discussion of MSD Expansion Policies

At the Joint Planning /ROW Committee we discussed MSD expansion and our policy of participating in “Master Plan” sewer line extensions by private developers. These are not the garden variety extensions that are regularly brought before the Board, but larger interceptors that serve drainage basins where MSD provides Right of Way (condemnation) services and Engineering Design services in addition to financial participation. This program is necessary to ensure that the system is constructed in an organized and sustainable fashion.

This discussion circled back to our potential public entity partnership with Buncombe County and the previous Planning Committee item of extension of interceptors to the Candler Area.

Below is a link of a recent presentation I gave to CIBO regarding this area and other areas of potential growth that are unsewered. Cost estimates were developed to provide just the interceptor sewer infrastructure to these areas along with theoretical potential participation by MSD. Also included were MSD’s other financial partnership programs.

<http://www.msdbc.org/documents/CIBOExpansionPresentationReducedSize.pdf>

We can discuss this at the Board meeting along with some follow-up information that I have from questions posed by the Committee(s).

- Board/Committee Meetings/Events

The next Regular Board Meeting will be held on January 18th at 2 pm. The November ROW Committee has been cancelled. The next Right of Way Committee meeting will be held on January 25th at 9am.

Metropolitan Sewerage District of Buncombe County

BOARD ACTION ITEM

BOARD MEETING DATE: November 16, 2022

SUBMITTED BY: Tom Hartye, P.E. – General Manager

PREPARED BY: Hunter Carson, P.E. – Director of Engineering

SUBJECT: Consideration of Bids: Caledonia Road Sanitary Sewer Rehabilitation Project, MSD Project No. 2014153

BACKGROUND: The Caledonia Road project is in the Kenilworth neighborhood in Asheville, just west of the Kenilworth Inn. This project runs along portions of Bowling Park Road, Lowell Street, and Unadilla Avenue. The project also includes pipe replacement on The Residences at Biltmore property located at the intersection of Caledonia Road and Bowling Park Road. The project includes the installation of approximately 2,129 LF of 8-inch PVC pipe (SDR 26HW and SDR 21) installed by dig and replace.

The existing lines are 6-inch clay that are undersized and in poor condition with structure defects. These issues have resulted in multiple SSOs and manhole overflows. This project has a pipe rating of 65.

The project was advertised, and five sealed bids were received on October 20, 2022. The bids were read aloud at 2:00pm in the following amounts:

<u>Contractor</u>	<u>Bid</u>
1) Moore & Son Site Contractors	\$1,060,035.00
2) Terry Brothers Construction Co.	\$931,318.00*
3) Buckeye Bridge, LLC	\$882,168.80
4) T.P. Howard's Plumbing Co.	\$875,000.00
5) Hyatt Pipeline, LLC	\$799,489.50

(*) Indicates correction in Contractor's bid amount.

The apparent low bidder is Hyatt Pipeline with a bid amount of \$799,489.50. Hyatt Pipeline has experience with District rehabilitation projects as well as development projects and has always provided excellent workmanship.

FISCAL IMPACT: The FY 22-23 construction budget for this project is \$1,037,000.00.

STAFF RECOMMENDATION: Staff recommends award of this contract to Hyatt Pipeline, LLC contingent upon review and approval by District Counsel.

METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY, NORTH CAROLINA

Caledonia Road Sanitary Sewer Rehabilitation
Project No. 2014153

BID TABULATION
October 20, 2022

BIDDER	Bid Bond	MBE Form	Bid Forms (Proposal)	TOTAL BID AMOUNT
Moore & Son Site Contractors Mills River, NC	5%	1	Yes	\$1,060,035.00
Terry Brothers Construction Company Leicester, NC	5%	1	Yes	(*) \$931,318.00
Buckeye Bridge, LLC Canton, NC	5%	1	Yes	\$882,168.80
T.P. Howard's Plumbing Company Fairview, NC	5%	1	Yes	\$875,000.00
Hyatt Pipeline, LLC Canton, NC	5%	2	Yes	\$799,489.50

APPARENT LOW BIDDER

(*) Indicates correction in Contractor's bid amount.



W. Hunter Carson, P.E.
Project Engineer
Metropolitan Sewerage District of
Buncombe County, North Carolina



This is to certify that the bids tabulated herein were publicly opened and read aloud at 2:00 p.m. on the 20th day of October, 2022, in the W.H. Mull Building at the Metropolitan Sewerage District of Buncombe County, Asheville, North Carolina, and that said bids were accompanied by acceptable bidders bonds in the amount of 5% of the bid.

Metropolitan Sewerage District of Buncombe County, North Carolina
CAPITAL IMPROVEMENT PROGRAM

BUDGET DATA SHEET - FY 2022 - 2023

PROJECT: Caledonia Road	LOCATION: Asheville
TYPE: General Sewer Rehab.	PIPE RATING: 65
PROJECT NO.: 2014153	TOTAL LF: 2,126
PROJECT BUDGET: \$1,353,150.00	PROJECT ORIGIN: SSO's, Work Orders, Line Condition

DESCRIPTION	ESTIMATED PROJECT COST	TOTAL EXPENDS THRU 12/31/21	EST. COST JAN - JUNE 2022	BUDGET FY 22-23
55310 - PRELIM. ENGINEERING				
55320 - SURVEY - DESIGN	\$10,000.00	\$9,800.00	\$200.00	
55330 - DESIGN				
55340 - PERMITS				
55350 - SPECIAL STUDIES				
55360 - EASEMENT PLATS	\$2,100.00		\$2,100.00	
55370 - LEGAL FEES	\$4,650.00		\$4,650.00	\$1,350.00
55380 - ACQUISITION SERVICES				
55390 - COMPENSATION	\$250,000.00		\$100,000.00	\$249,000.00
55400 - APPRAISAL	\$10,000.00			\$10,000.00
55410 - CONDEMNATION	\$30,000.00			\$30,000.00
55420 - CONSTRUCTION	\$1,037,000.00			\$1,037,000.00
55430 - CONST. CONTRACT ADM.				
55440 - TESTING	\$2,000.00			\$2,000.00
55450 - SURVEY - ASBUILT	\$7,400.00			\$7,400.00
TOTAL AMOUNT	\$1,353,150.00	\$9,800.00	\$106,950.00	\$1,336,750.00

ENGINEER: MSD	HC	ESTIMATED BUDGETS - FY 24 - 32	
R.O.W. ACQUISITION: MSD	# PLATS: [3]	FY 23-24	\$0.00
CONTRACTOR:		FY 24-25	\$0.00
CONSTRUCTION ADM.: MSD		FY 25-26	\$0.00
INSPECTION: MSD		FY 26-27	\$0.00
		FY 27-28	\$0.00
		FY 28-29	\$0.00
		FY 29-30	\$0.00
		FY 30-31	\$0.00
		FY 31-32	\$0.00

PROJECT DESCRIPTION: This project is located at the Caledonia Rd. entrance to the Kenilworth neighborhood, approx. 0.3 mile south of the Mission Hospital campus. The project includes replacement of approx. 2,115 LF of 8-inch VCP pipe with new 8-inch DIP. The existing pipe has structural defects which have resulted in multiple SSO's.

SPECIAL PROJECT NOTES: This project overlaps with Biltmore WW (CDM #3, MSD Project# 2001192), which is a Non-Critical project.



**Caledonia Road
Project No. 2014153**

NOT TO SCALE



METROPOLITAN SEWERAGE DISTRICT
of
BUNCOMBE COUNTY, NORTH CAROLINA

Budget Map

Metropolitan Sewerage District of Buncombe County

BOARD ACTION ITEM

BOARD MEETING DATE: November 16, 2022

SUBMITTED BY: Tom Hartye, P.E. – General Manager

PREPARED BY: Hunter Carson, P.E. – Director of Engineering
Shaun Armistead, P.E. – Project Manager

SUBJECT: Consideration of Bids: RBC Slide Gate Replacement Project Phase 2, MSD Project No. 2021026

BACKGROUND: The Slide Gate Replacement project is located at the Water Reclamation Facility and consists of the purchase and installation of thirty-one (31) stainless steel slide gates in the Rotating Biological Contactor (RBC) basins 2 and 3, replacing the existing failing slide gates. The slide gates are critical to plant operation and allow the RBC basins to be isolated and dewatered for maintenance activities.

The existing slide gates are of aluminum construction and were installed in 2014. Despite having much older aluminum gates in RBC basin 1 that continue to function properly, the gates in Basins 2 and 3 are now heavily pitted and corroded, and do not seal. For this reason, stainless steel was specified as the material for the new replacement gates.

The slide gate replacement project has been divided into two phases: Phase I, scheduled for completion in Winter 2022-23, will replace the gates in RBC Basin 3. Phase II will replace the gates in RBC Basin 2 and is scheduled for completion in late Spring 2023.

Phase 2 was advertised formally, and two sealed bids were received on November 3, 2022. Per NCGS bidding requirements, the project was re-advertised, and two sealed bids were received on November 10, 2022 at 2:00 PM in the following amounts:

<u>Contractor</u>	<u>Bid</u>
1) IPC Structures, LLC	\$675,240.00
2) Harper Construction Company	\$624,000.00

The apparent low bidder is Harper Construction Company with a bid amount of \$624,000.00. Harper Construction Company is a new contractor to MSD, and a reference check will be performed.

The construction cost of Phase 2 was extrapolated from the actual cost of Phase 1 of this project, However, due to unpredicted market conditions, prices of construction projects have increased across the board.

FISCAL IMPACT: The FY 22-23 construction budget for this project is \$400,000.00. Sufficient funds are available in the CIP contingency for the overage.

STAFF RECOMMENDATION: Staff recommends award of this contract Harper Construction Company, contingent upon a reference check by District staff and review and approval by District Counsel.

METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY, NORTH CAROLINA

**Water Reclamation Facility
Slide Gate Replacement, Phase 2
Project No. 2021026**

**BID TABULATION
November 10, 2022**

BIDDER	Bid Bond	MBE Form	Bid Forms (Proposal)	TOTAL BID AMOUNT
IPC Paving, LLC dba IPC Structures Hendersonville, NC	5%	2	Yes	\$675,240.00
The Harper Corporation Greenville, SC	5%	2	Yes	\$624,000.00

APPARENT LOW BIDDER



Shaun Armistead, P.E.
Project Engineer
Metropolitan Sewerage District of
Buncombe County, North Carolina

This is to certify that the bids tabulated herein were publicly opened and read aloud at 2:00 p.m. on the 10th day of November, 2022, in the W.H. Mull Building at the Metropolitan Sewerage District of Buncombe County, Asheville, North Carolina, and that said bids were accompanied by acceptable bidders bonds in the amount of 5% of the bid. The project was first scheduled to be bid on November 3, 2022. Only 2 bids were received; therefore, the project was re-advertised.

**Metropolitan Sewerage District of Buncombe County, North Carolina
CAPITAL IMPROVEMENT PROGRAM**

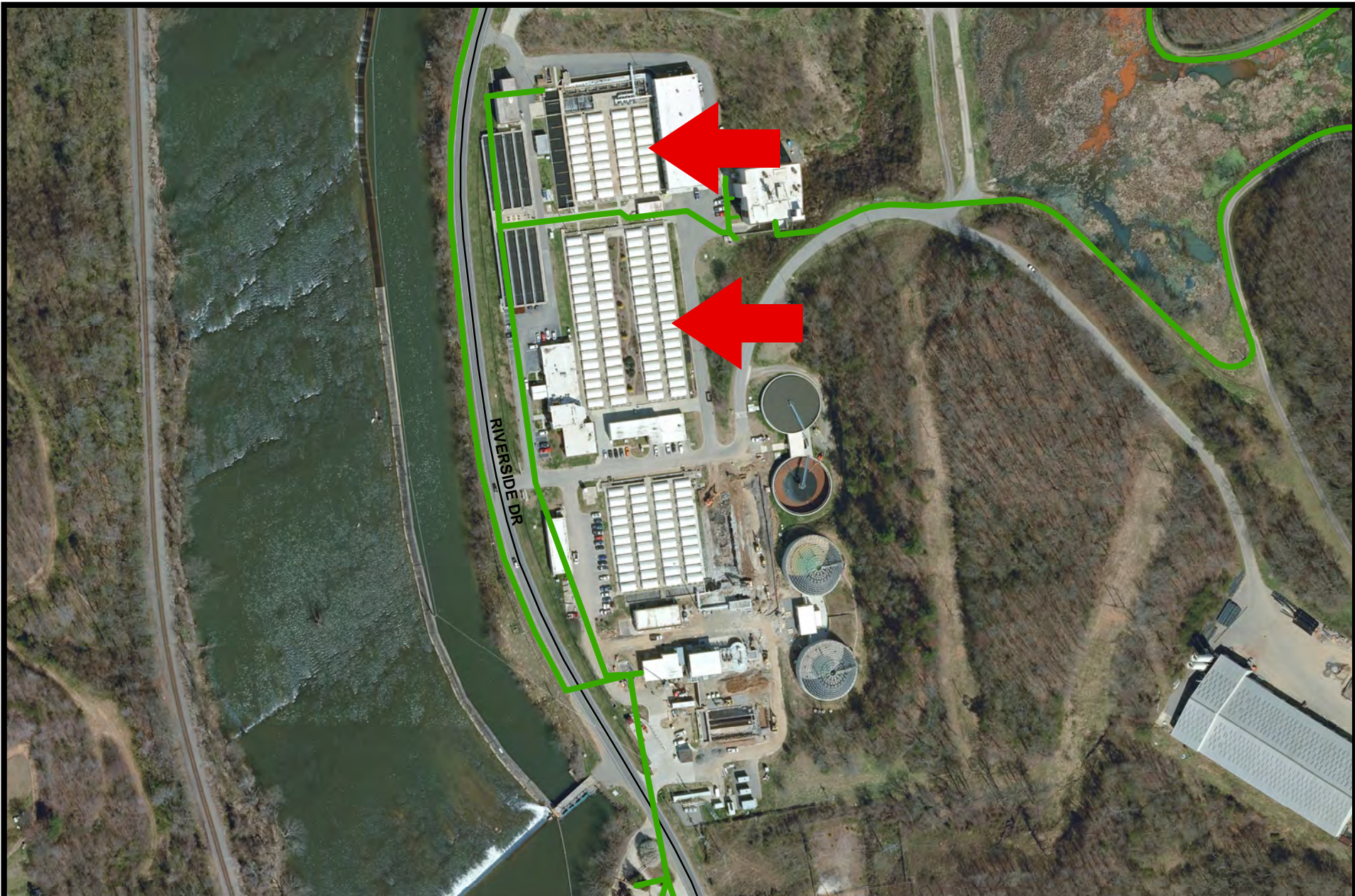
BUDGET DATA SHEET - FY 2022 - 2023

PROJECT: RBC Slide Gate Replacement	LOCATION: Asheville
TYPE: Water Reclamation Facility	PIPE RATING: N/A
PROJECT NO.: 2021026	TOTAL LF: 0
PROJECT BUDGET: \$686,600.00	PROJECT ORIGIN: Failing Equip,ent

DESCRIPTION	ESTIMATED PROJECT COST	TOTAL EXPENDS THRU 12/31/21	EST. COST JAN - JUNE 2022	BUDGET FY 22-23
55310 - PRELIM. ENGINEERING				
55320 - SURVEY - DESIGN				
55330 - DESIGN				
55340 - PERMITS				
55350 - SPECIAL STUDIES				
55360 - EASEMENT PLATS				
55370 - LEGAL FEES	\$100.00	\$100.00		
55380 - ACQUISITION SERVICES				
55390 - COMPENSATION				
55400 - APPRAISAL				
55410 - CONDEMNATION				
55420 - CONSTRUCTION	\$686,500.00	\$76.00	\$286,424.00	\$400,000.00
55430 - CONST. CONTRACT ADM.				
55440 - TESTING				
55450 - SURVEY - ASBUILT				
TOTAL AMOUNT	\$686,600.00	\$176.00	\$286,424.00	\$400,000.00

ENGINEER: MSD	SA	ESTIMATED BUDGETS - FY 24 - 32	
R.O.W. ACQUISITION: MSD	# PLATS: [0]	FY 23-24	\$0.00
CONTRACTOR:		FY 24-25	\$0.00
CONSTRUCTION ADM: MSD		FY 25-26	\$0.00
INSPECTION: MSD		FY 26-27	\$0.00
		FY 27-28	\$0.00
		FY 28-29	\$0.00
PROJECT DESCRIPTION: This project will replace failing slide gates in the RBC Basins 2 and 3 at the Water Reclamation Facility.		FY 29-30	\$0.00
		FY 30-31	\$0.00
		FY 31-32	\$0.00

SPECIAL PROJECT NOTES:



**RBC Slide Gate Replacement
Project No. 2021026**

NOT TO SCALE



METROPOLITAN SEWERAGE DISTRICT
of
BUNCOMBE COUNTY, NORTH CAROLINA

Budget Map

Metropolitan Sewerage District of Buncombe County

Board Action Item

BOARD MEETING DATE: November 16, 2022

SUBMITTED BY: Tom Hartye, P.E. - General Manager

REVIEWED BY: Hunter Carson, P.E. - Engineering Director

PREPARED BY: Kevin Johnson, P.E. - Planning and Development Manager

SUBJECT: Acceptance of Developer Constructed Sewer System for the Rutledge Road Ph. 1 Subdivision Sewer Extension, MSD Project No. 2021032

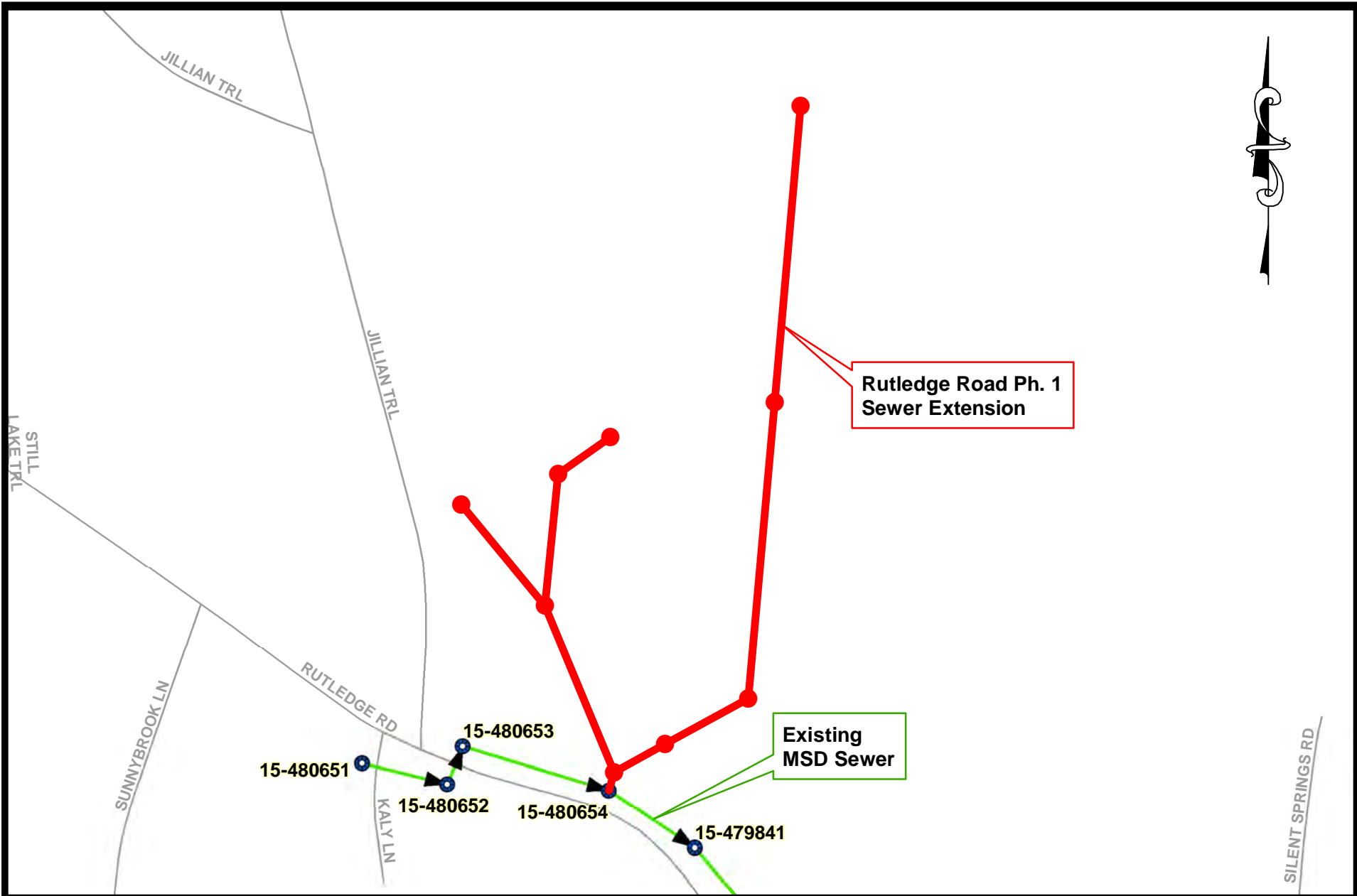
BACKGROUND: This project is located inside the District boundary off Rutledge Road in the Town of Fletcher. The developer of the project is Scott Street of Windsor Built Homes, Inc.

The project included extending approximately 1,590 linear feet of 8-inch public gravity sewer to serve the Single-Family Residential Development.

A wastewater allocation was issued in the amount of 22,200 GPD for the seventy-four (74) homes in the residential development. The estimated cost of the sewer construction is \$141,000.00.

All MSD requirements have been met.

STAFF RECOMMENDATION: Staff recommends acceptance of this developer constructed sewer system.



MSD
Engineering Division

**Rutledge Road Ph. 1 Sewer Extension
MSD Project # 2021032**

Metropolitan Sewerage District of Buncombe County

11/02/2022

Metropolitan Sewerage District of Buncombe County

Board Action Item

BOARD MEETING DATE: November 16, 2022

SUBMITTED BY: Tom Hartye, P.E. - General Manager

REVIEWED BY: Hunter Carson, P.E. - Engineering Director

PREPARED BY: Kevin Johnson, P.E. - Planning and Development Manager

SUBJECT: Acceptance of Developer Constructed Sewer System for the Virginia Commons Sewer Extension, MSD Project No. 2020072

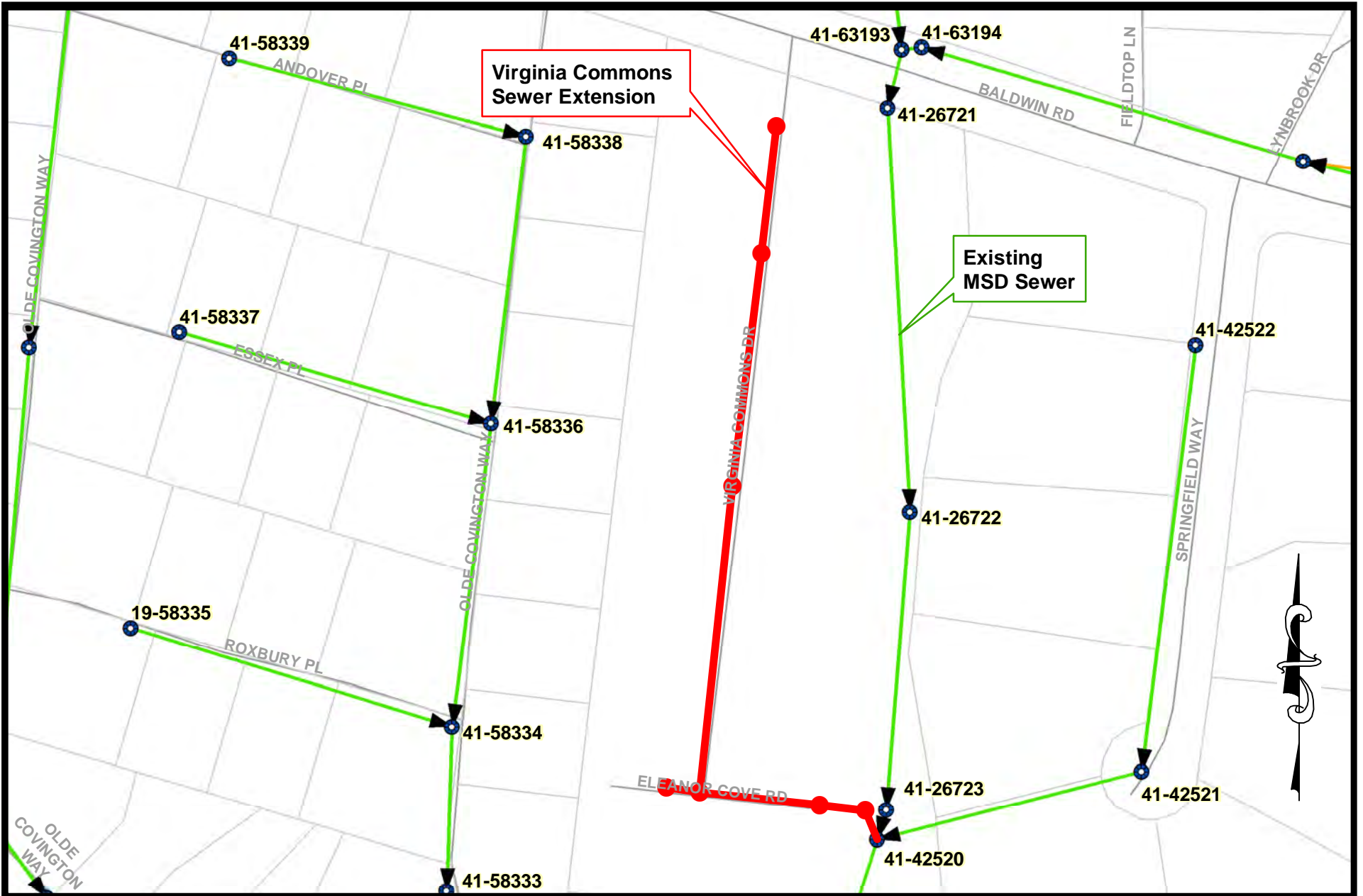
BACKGROUND: This project is located inside the District boundary off Baldwin Road in Buncombe County. The developer of the project is Ken Jackson of Baldwin Road Developers, LLC.

The project included extending approximately 756 linear feet of 8-inch public gravity sewer to serve the Single-Family Residential Development.

A wastewater allocation was issued in the amount of 9,400 GPD for the forty-seven (47) townhomes in the residential development. The estimated cost of the sewer construction is \$145,000.00.

All MSD requirements have been met.

STAFF RECOMMENDATION: Staff recommends acceptance of this developer constructed sewer system.



MSD
Engineering Division

**Virginia Commons Sewer Extension
MSD Project # 2020072**

Metropolitan Sewerage District of Buncombe County

11/02/2022

Metropolitan Sewerage District of Buncombe County

Board Action Item

BOARD MEETING DATE: November 16, 2022

SUBMITTED BY: Tom Hartye, P.E. - General Manager

REVIEWED BY: Hunter Carson, P.E. - Engineering Director

PREPARED BY: Kevin Johnson, P.E. - Planning and Development Manager

SUBJECT: Acceptance of Developer Constructed Sewer System for the Olivette Phase 2C Sewer Extension, MSD Project No. 2022152

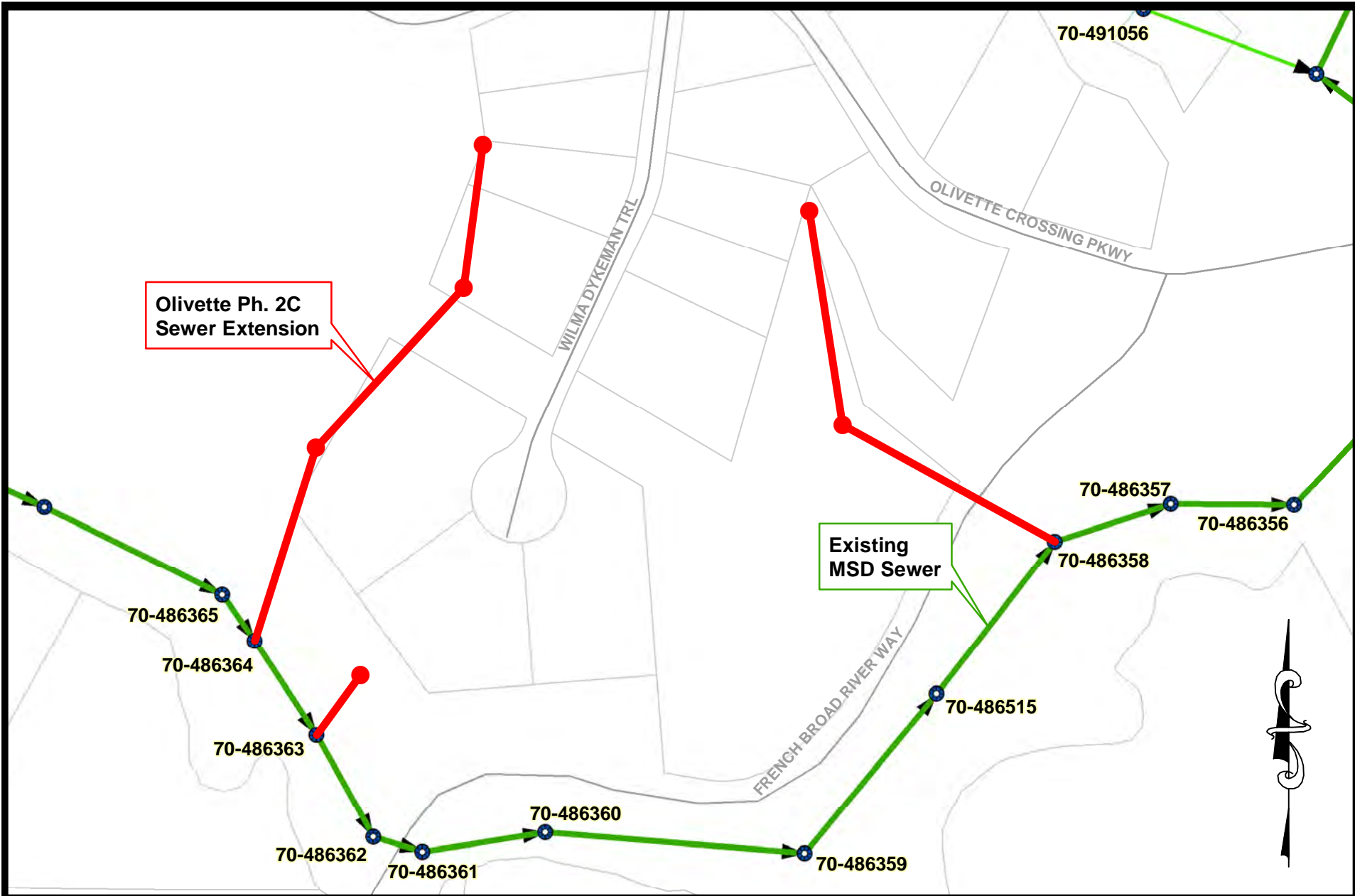
BACKGROUND: This project is located inside the District boundary off Wilma Dykeman Trail in the Town of Woodfin. The developer of the project is Scott Austin of Bridges at French Broad, LLC.

The project included extending approximately 1,157 linear feet of 8-inch public gravity sewer to serve this phase of the Single-Family Residential Development.

A wastewater allocation was issued in the amount of 3,600 GPD for the twelve (12) homes in this phase of the residential development. The estimated cost of the sewer construction is \$117,690.00.

All MSD requirements have been met.

STAFF RECOMMENDATION: Staff recommends acceptance of this developer constructed sewer system.



MSD
Engineering Division

**Olivette Ph. 2C Sewer Extension
MSD Project # 2022152**

Metropolitan Sewerage District of Buncombe County

11/02/2022

Metropolitan Sewerage District of Buncombe County

BOARD INFORMATIONAL ITEM

Meeting Date: November 16, 2022
Submitted By: Thomas E. Hartye, PE., General Manager
Prepared By: W. Scott Powell, CLGFO Director of Finance
Subject: First Quarter Budget to Actual Review – FY2023





Background

At the end of each quarter, actual revenue and expenditure amounts are compared with the budget to evaluate performance. This information is based on cash revenues and invoices received prior to September 30, 2022 and may not include some accruals of revenue and expenditures.

Discussion

There are several explanatory notes at the bottom of the attached Budget to Actual schedule.

Other considerations are as follows:

-  Domestic and Industrial Revenue are at budget expectations. Staff Monitors consumption trends as they have a direct effect on the District's current revenue projections.
-  Facility and Tap Fees are budgeted conservatively. The better than expected variance as of the end of the first quarter is due to receiving revenue from various development.
-  Interest and miscellaneous income are above budgeted expectations. Actual short-term interest rates are higher than anticipated for the fiscal year.
-  Rental income reflects are at budgeted expectations.

Meeting Date: November 16, 2022
Subject: First Quarter Budget to Actual Review – FY2023
Page 2

Discussion (continued)

- ✚ O&M expenditures are at 28% of budget. The expenditures include encumbered amounts, which has elevated the budget to actual ratio above 25%. The aforementioned encumbrances will be spent in future quarters.

- ✚ Bond principal and interest are reflected at 25%. This will aid the user to properly assess the District’s overall debt service commitments. Actual amount spent is 1.88%. The District is required to make semi-annual interest payments on December 1, 2022 and principal and semi-annual interest payments on July 1, 2023.

- ✚ Amounts budgeted for capital equipment and capital projects are rarely expended proportionately throughout the year and are expected to be fully spent prior to the end of the year.

Staff Recommendation

None - Information Only.

<u>Action Taken</u>			
Motion by:	to	<input type="checkbox"/> Approve	<input type="checkbox"/> Disapprove
Second by:		<input type="checkbox"/> Table	<input type="checkbox"/> Send to
Committee			
Other:			
Follow-up required:			
Person responsible:			Deadline:

Metropolitan Sewerage District
Budget to Actual Revenue and Expenditure Report
For the three months ended September 30, 2022
UNAUDITED--NON-GAAP

	Amended Budget	Actual to Date	% Budget to Actual
REVENUES			
Domestic User Fees ¹	\$ 36,801,493	\$ 9,430,295	25.62%
Industrial User Fees	3,370,488	941,568	27.94%
Facility Fees ²	3,000,000	675,597	22.52%
Tap Fees ³	175,000	175,907	100.52%
Billing and Collection	1,019,478	239,277	23.47%
Interest and Misc. Income	1,145,536	414,853	36.21%
Employee Contribution to Health Ins.	379,669	91,696	24.15%
City of Asheville (Enka Bonds)	35,000	-	0.00%
Rental Income	96,000	26,193	27.28%
Use of (Contributions to) Available Funds ⁴	<u>14,029,434</u>	<u>12,825,526</u>	91.42%
Total Revenues⁵	\$ <u>60,052,098</u>	\$ <u>24,820,912</u>	41.33%
EXPENDITURES			
Operations and Maintenance ⁶	\$ 19,859,655	\$ 5,631,362	28.36%
Bond Principal and Interest ⁷	8,889,361	2,224,840	25.00%
Capital Equipment (Other than O&M) ⁶	978,200	239,555	24.49%
Capital Projects ⁶	29,314,882	16,725,155	57.05%
Contingency	<u>1,000,000</u>	-	0.00%
Total Expenditures	\$ <u>60,052,098</u>	\$ <u>24,820,912</u>	41.33%

Notes:

¹Revenues are accounted for on the cash basis method

²Increase due to unanticipated revenue from various developments

³Increase in number of Taps requiring Pavement Disturbance

⁴Pay-as-go funds to be used for CIP

⁵Budget-to-Actual Ratio does not include use of available funds

⁶Includes encumbered amounts as well as actual insurance expenditures

⁷Bond principal and interest expenditures are reflected at 25%. Actual spent amount is 1.88%.

Metropolitan Sewerage District of Buncombe County

BOARD INFORMATIONAL ITEM

Meeting Date: November 16, 2022
 Submitted By: Thomas E. Hartye, PE., General Manager
 Prepared By: W. Scott Powell, CLGFO, Director of Finance
 Cheryl Rice, Accounting Manager
 Subject: Cash Commitment/Investment Report-Month Ended September 30, 2022

Background

Each month, staff presents to the Board an investment report for all monies in bank accounts and specific investment instruments. The total investments as of September 30, 2022 were \$76,573,933. The detailed listing of accounts is available upon request. The average rate of return for all investments is 0.639%. These investments comply with North Carolina General Statutes, Board written investment policies, and the District's Bond Order.

The attached investment report represents cash and cash equivalents as of September 30, 2022 do not reflect contractual commitments or encumbrances against said funds. Shown below are the total investments as of September 30, 2022 reduced by contractual commitments, bond funds, and District reserve funds. The balance available for future capital outlay is \$18,476,879.

Total Cash & Investments as of 09/30/2022		72,244,685
Less:		
Budgeted Commitments (Required to pay remaining FY23 budgeted expenditures from unrestricted cash)		
Construction Funds	(25,674,483)	
Operations & Maintenance Fund	<u>(16,337,353)</u>	
		(42,011,836)
Bond Restricted Funds		
Bond Service (Funds held by trustee):		
Funds in Principal & Interest Accounts	(57,934)	
FY23 Principal & Interest Due	<u>(8,721,720)</u>	
		(8,779,654)
District Reserve Funds		
Fleet Replacement	(1,176,586)	
Pump Replacement	(198,132)	
WWTP Replacement	(274,113)	
Maintenance Reserve	<u>(1,033,630)</u>	
		(2,682,461)
District Insurance Funds		
General Liability	(149,566)	
Worker's Compensation	(468,767)	
Post-Retirement Benefit	(2,483,684)	
Self-Funded Employee Medical	<u>(2,191,838)</u>	
		<u>(5,293,855)</u>
Designated for Capital Outlay		<u>18,476,879</u>

Meeting Date: November 16, 2022

Subject: Cash Commitment/Investment Report-Month Ended September 30, 2022

Page 2

Staff Recommendation

None - Information Only.

Action Taken

Motion by:

to

Approve

Disapprove

Second by:

Table

Send to Committee

Other:

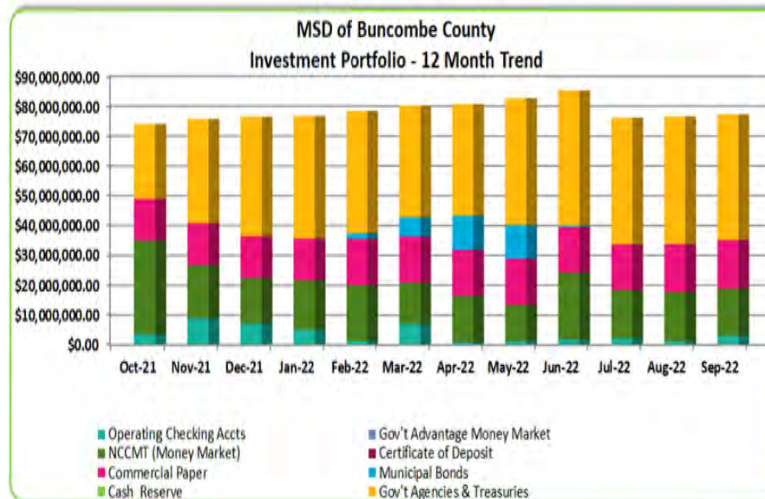
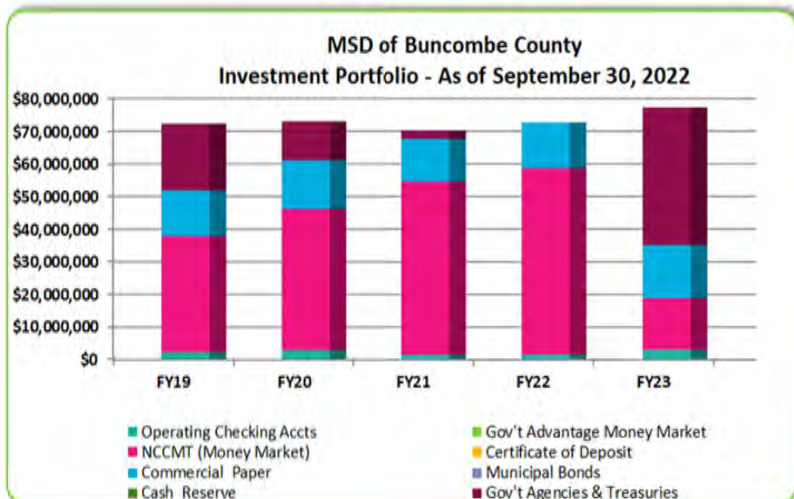
Follow-up required:

Person responsible:

Deadline:

	Operating Checking Accounts	Gov't Advantage Money Market	NCCMT (Money Market)	Certificate of Deposit	Commercial Paper	Municipal Bonds	Cash Reserve	Gov't Agencies & Treasuries	Total
Held with Bond Trustee	\$ -		\$ 57,934			\$ -	\$ -		\$ 57,934
Held by MSD	3,054,111	46,698	15,695,075	-	16,335,663	-		42,055,204	77,186,751
	\$ 3,054,111	\$ 46,698	\$ 15,753,009	\$ -	\$ 16,335,663	\$ -	\$ -	\$ 42,055,204	\$ 77,244,685

Investment Policy Asset Allocation	Maximum Percent	Actual Percent	
U.S. Government Treasuries,			
Agencies and Instrumentalities	100%	54.93%	No significant changes in the investment portfolio as to makeup or total amount.
Bankers' Acceptances	20%	0.00%	
Certificates of Deposit	100%	0.00%	The District's YTM of 2.658 % is exceeding the YTM benchmark of the
Commercial Paper	20%	19.67%	NCCMT Government Portfolio.
Municipal Bonds	100%	0.00%	
North Carolina Capital Management Trust	100%	21.39%	
Checking Accounts:	100%		
Operating Checking Accounts		3.95%	All funds invested in CD's, operating checking accounts, Gov't Advantage money market
Gov't Advantage Money Market		0.06%	are fully collateralized with the State Treasurer.



Meeting Date: November 16, 2022

Subject: Cash Commitment/Investment Report-Month Ended September 30, 2022

Page 4

Metropolitan Sewerage District Investment Managers' Report On September 30, 2022

Summary of Asset Transactions

	Original Cost	Market	Interest Receivable
Beginning Balance	\$ 69,811,129	\$ 69,854,834	\$ 53,323
Capital Contributed (Withdrawn)	(1,594,001)	(1,594,001)	
Realized Income	74,307	74,307	(56,107)
Unrealized/Accrued Income		37,055	9,008
Ending Balance	<u>\$ 68,291,435</u>	<u>\$ 68,372,195</u>	<u>\$ 6,224</u>

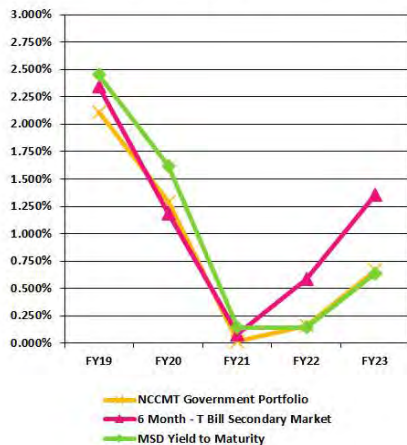
Value and Income by Maturity

	Original Cost	Income
Cash Equivalents <91 Days	\$ 51,077,853	\$ 48,065
Securities/CD's 91 to 365 Days	13,829,967	\$ 13,014
Securities/CD's > 1 Year	3,383,615	\$ 3,184
	<u>\$ 68,291,435</u>	<u>\$ 64,263</u>

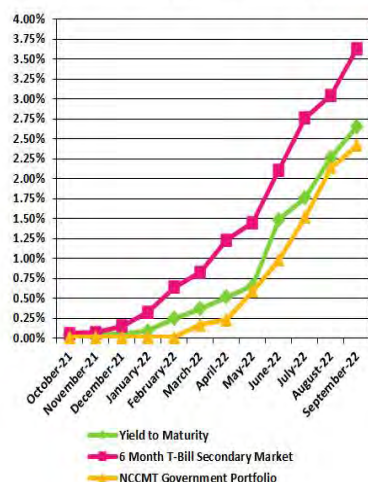
Month End Portfolio Information

Weighted Average Maturity	108
Yield to Maturity	2.66%
6 Month T-Bill Secondary Market	3.63%
NCCMT Government Portfolio	2.42%

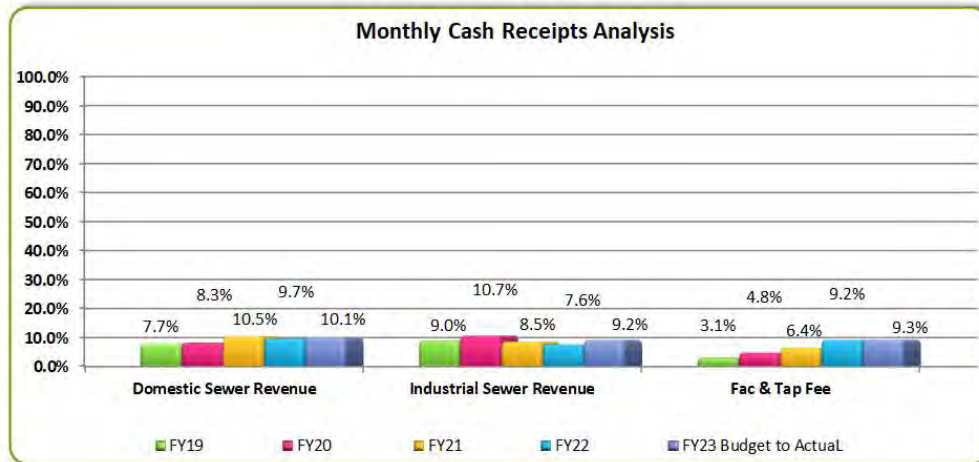
Metropolitan Sewerage District
Annual Yield Comparison



Metropolitan Sewerage District
Yield Comparison - September 30, 2022

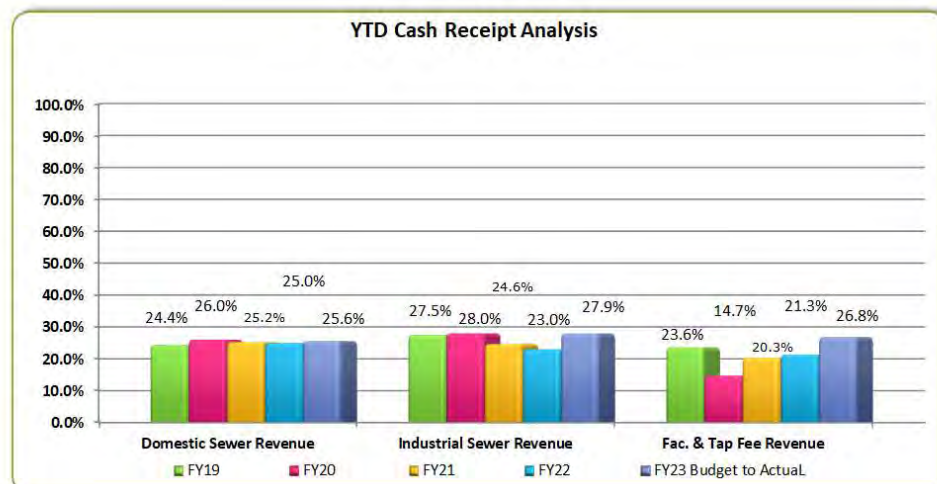


Metropolitan Sewerage District Analysis of Cash Receipts As of September 30, 2022



Monthly Cash Receipts Analysis:

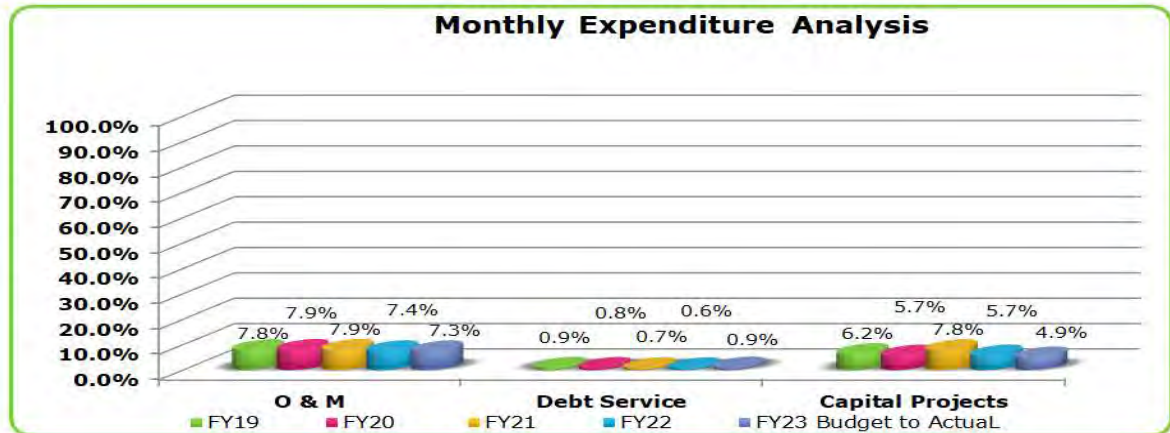
- * Monthly domestic sewer revenue is considered reasonable based on timing of cash receipts in their respective fiscal periods.
- * Monthly industrial sewer revenue is reasonable based on historical trends.
- * Due to the unpredictable nature of facility and tap fee revenue, staff considers facility and tap fee revenue reasonable.



YTD Actual Revenue Analysis:

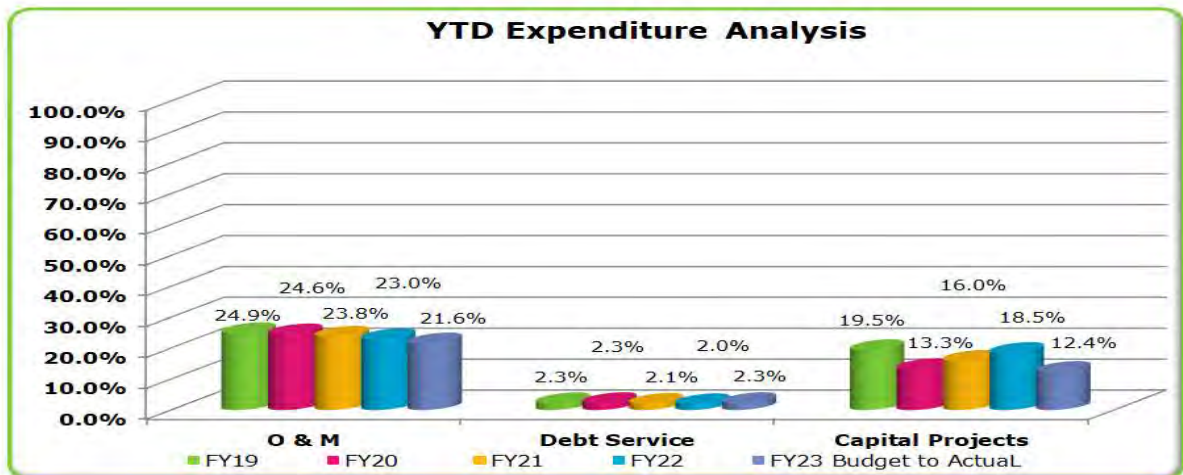
- * YTD domestic sewer revenue is considered reasonable based on historical trends.
- * YTD industrial sewer revenue is reasonable based on historical trends.
- * Due to the unpredictable nature of facility and tap fee revenue, staff considers facility and tap fee revenue reasonable.

Metropolitan Sewerage District Analysis of Expenditures As of September 30, 2022



Monthly Expenditure Analysis:

- * Monthly O&M expenditures are considered reasonable based on historical trends and timing of expenditures in the current year.
- * Due to the nature of the variable rate bond market, monthly expenditures can vary year to year. Based on current variable interest rates, monthly debt service expenditures are considered reasonable.
- * Due to nature and timing of capital projects, monthly expenditures can vary from year to year. Based on the current outstanding capital projects, monthly capital project expenditures are considered reasonable.



YTD Expenditure Analysis:

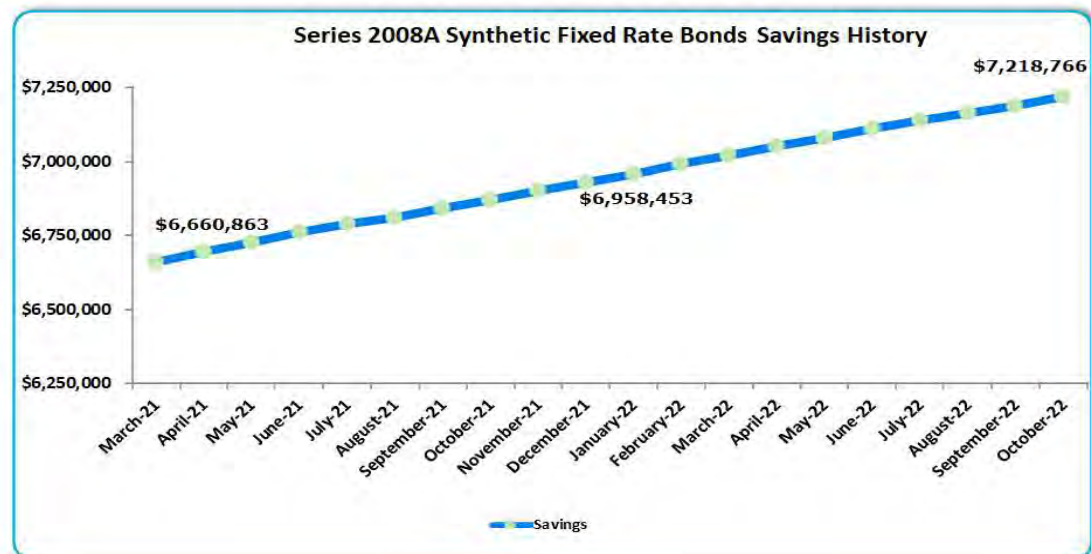
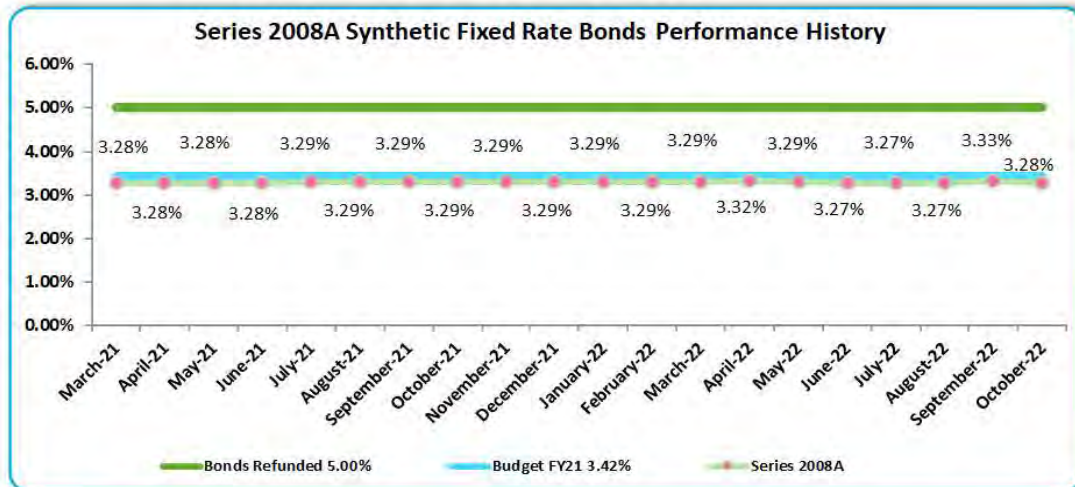
- * YTD O&M expenditures are considered reasonable based on historical trends.
- * Due to the nature of the variable rate bond market, YTD expenditures can vary year to year. Based on current variable interest rates, YTD debt service expenditures are considered reasonable.
- * Due to nature and timing of capital projects, YTD expenditures can vary from year to year. Based on the current outstanding capital projects, YTD capital project expenditures are considered reasonable.

Meeting Date: November 16, 2022

Subject: Cash Commitment/Investment Report-Month Ended September 30, 2022

Page 7

Metropolitan Sewerage District Variable Debt Service Report As of October 31, 2022



Series 2008A:

- * Savings to date on the Series 2008A Synthetic Fixed Rate Bonds is \$7,218,766 as compared to 4/1 fixed rate of 4.85%.
- * Assuming the rate on the Series 2008A Bonds continues at the current all-in rate of 3.7210%, MSD will achieve cash savings of \$4,670,000 over the life of the bonds.
- * MSD would pay \$5,276 to terminate the existing Bank of America Swap Agreement.

STATUS REPORTS

**MSD System Services In-House Construction
FY 2022-2023**

PROJECT NAME	LOCATION	ZIP CODE	ESTIMATED FOOTAGE	ESTIMATED PROJECT DATES	WO#	CREW	COMPLETION DATE	ACTUAL FOOTAGE	NOTES
21 Mulberry Street Construction Rehabilitation	Woodfin	28804	465	7/8/22 - 7/22/22	289365	M. Hensley	7/22/2022	465	Construction Complete
Charlotte Street @ N Ridgeway Avenue	Blk Mountain	28711	1073	6/15/22 - 8/29/22	232699	Dockery	7/26/2022	1233	Construction Complete
122 Riverside Replacement	Asheville	28801	50	8/6/22 - 8/7/22	290174	Dockery	8/7/2022	50	Construction Complete
Owenby Lane @ US Highway 70 Sewer Rehabilitation	Black Mountain	28711	900	8/9/22 - 8/29/22	268180	Dockery	8/29/2022	990	Construction Complete
Cherry Street Sewer Rehabilitation	Weaverville	28787	420	9/6/22 - 10/1/22	278196	Dockery	9/23/2022	435	Construction Complete
S Main St @ Reems Creek Rd Sewer Rehabilitation	Weaverville	28787	592	10/3/22 - 11/15/22	275831	Dockery	10/28/2022	592	Construction Complete
Albermarle Commons PS Elimination	Asheville	28805	625	10/31/22 - 12/9/22	284482	Dockery			Construction just underway
Mountain View Rd at Maxwell Rd Sewer Rehabilitation	Asheville	28805	521	12/12/22 - 1/15/23	265289	Dockery			Ready for construction
Wynn St. @ Mountain St. Sewer Rehabilitation	Asheville	28801	437	FY 22-23	263129	Dockery			Ready for construction
Briarcliff Dr at Oakwilde Dr Construction Rehab Ph. 2	Asheville	28803	257	FY 22-23	285342	McDevitt			Ready for construction
Naples PS Elimination and Gravity Conversion Ph. 2	Cane Creek	28760	422	FY 22-23	285603	McDevitt			Ready for construction
Norwood Ave Sewer Rehabilitation	Asheville	28804	1022	FY 22-23	275810	TBA			Ready for construction
44 Galax Sewer Rehab	Asheville	28806	294	FY 22-23	280827	TBA			Ready for Construction
Old Asheland Ave to Phifer Street Sewer Rehabilitation	Asheville	28801	462	FY 22-23	258560	TBA			Ready for construction
Vandalia Ave Sewer Rehabilitation	Asheville	28806	1325	FY 22-23	248041	TBA			Ready for construction
Northwest Avenue @ W Charleston Avenue	Swannanoa	28778	1031	FY 22-23	275849	TBA			Ready for construction
Highland Farms Road Sewer Rehabilitation	Black Mountain	28711	850	FY 22-23	275837	TBA			Ready for construction
Virginia Ave @ Luffy Ave	Asheville	28806	513	FY 22-23	441499	TBA			Ready for construction
Grindstaff Dr @ McDowell St	Asheville	28803	603	FY 22-23	284606	TBA			Ready for construction
Bell Rd at New Haw Creek Rd Sewer Rehabilitation	Asheville	28805	1002	FY 22-23	248044	TBA			In ROW
5 Golf Street	Asheville	28801	240	FY 22-23	284586	TBA			In Design
11 Shenandoah Rd Sewer Rehabilitation	Asheville	28805	1600	FY 22-23	275804	TBA			In Design
Sheppard Drive @ NO. 15 Sewer Rehabilitation	Asheville	28806	231	FY 22-23	284601	TBA			Preliminary Engineering
Wellington Street	Asheville	28806	865	FY 22-23	280245	TBA			Preliminary Engineering
Rhodes Street at Union Street	Woodfin	28804	230	FY 22-23	284578	TBA			Preliminary Engineering
10 Balsam Rd Sewer Rehabilitation	Ridgecrest	28770	410	FY 22-23	275803	TBA			Preliminary Engineering
Dayton Road @ No. 35 Sewer Rehabilitation	Asheville	28804	376	FY 22-23	275887	TBA			Preliminary Engineering
Old Fairview Rd @ Willington Road	Asheville	28803	732	FY 22-23	276005	TBA			Preliminary Engineering



CONSTRUCTION TOTALS BY DATE COMPLETED - Monthly

From 7/1/2022 to 9/30/2022

	Dig Ups	Emergency Dig Ups	Dig Up ML Ftg	Dig Up SL Ftg	Manhole Repairs	Taps Installed	ROW Ftg	IRS Rehab Ftg *	Const Rehab Ftg *	D-R Rehab Ftg *	Manhole Installs	Bursting Rehab Ftg *	Total Rehab Ftg *
July 2022	28	6	63	433	17	10	25,839	0	435	1233	7	30	1698
August 2022	29	6	70	904	14	27	14,647	0	0	1040	6	0	1040
September 2022	20	7	32	494	12	17	6,291	0	0	435	3	0	435
Grand Totals	77	19	165	1,831	43	54	46,777	0	435	2708	16	30	3173

* Used to calculate Total Rehab Footage



CUSTOMER SERVICE REQUESTS

Monthly - All Crews

CREW	MONTH	JOBS	AVERAGE RESPONSE TIME	AVERAGE TIME SPENT
DAY 1ST RESPONDER				
	July, 2022	115	28	34
	August, 2022	83	30	37
	September, 2022	90	30	40
		288	29	36
NIGHT 1ST RESPONDER				
	July, 2022	41	25	19
	August, 2022	41	26	24
	September, 2022	35	35	26
		117	28	23
ON-CALL CREW *				
	July, 2022	29	40	39
	August, 2022	29	29	60
	September, 2022	27	56	67
		85	41	55
Grand Totals:		490	31	36

* On-Call Crew Hours: 8:00pm-7:30am (Jul. - Oct.) 11:30pm-7:30am (from Nov. onward) Monday-Friday, Weekends, and Holidays



PIPELINE MAINTENANCE TOTALS BY DATE COMPLETED - Monthly

July 01, 2022 to September 30, 2022

	Main Line Wash Footage	Service Line Wash Footage	Rod Line Footage	Cleaned Footage	CCTV Footage	Smoke Footage	SL-RAT Footage
2022							
July	100,862	4,736	1,390	102,252	14,226	50	1,886
August	95,363	1,583	0	95,363	29,701	0	6,165
September	51,254	1,193	1,816	53,070	21,909	0	5,747
Grand Total:	247,479	7,512	3,206	250,685	65,836	50	13,798
Avg Per Month:	82,493	2,504	1,069	83,562	21,945	17	4,599

CAPITAL IMPROVEMENT PROGRAM

STATUS REPORT SUMMARY

November 9, 2022

PROJECT	LOCATION OF PROJECT	CONTRACTOR	AWARD DATE	NOTICE TO PROCEED	ESTIMATED COMPLETION DATE	*CONTRACT AMOUNT	*COMPLETION STATUS (WORK)	COMMENTS
AURORA DRIVE	Asheville 28805	Terry Brothers Construction Co.	9/21/2022	9/29/2022	12/28/2022	\$672,093.00	40%	Pipe bursting section complete. Replacement section by excavation underway.
BENT TREE ROAD	Asheville 28804	Terry Brothers Construction Co.	11/19/2022	TBA	TBA	\$980,781.00	0%	Project awarded to Terry Brothers. Preconstruction meeting will be scheduled soon.
CALEDONIA ROAD	Asheville 28803	TBA	TBA	TBA	TBA	TBA	0%	Project was bid on October 20th. Hyatt Pipeline LLC is the apparent low bidder. Project to be presented at the November Board meeting.
CHRISTIAN CREEK INTERCEPTOR	Buncombe County	Buckeye Bridge LLC	12/15/2021	3/14/2022	7/7/2023	\$5,938,455.00	40%	Two crews are laying mainline; boring contractor has two crews on site working as well.
SPRINGSIDE ROAD @ OVERLOOK ROAD	Asheville 28803	Huntley Construction Company	5/19/2021	9/23/2021	12/15/2022	\$836,550.16	99%	All mainline pipe is installed. Final restoration is nearing completion.
TOXAWAY STREET	Asheville 28806	Terry Brothers Construction Co.	7/20/2022	8/16/2022	12/1/2022	\$329,485.00	98%	Final paving and restoration is underway.
WRF - EQUIPMENT STORAGE FACILITY	Woodfin	Cooper Construction Company	10/20/2021	3/28/2022	3/28/2023	\$3,044,144.18	85%	Working on interior work. Finished site concrete.
WRF- PLANT HIGH RATE PRIMARY TREATMENT	Woodfin	Shook Construction Company	10/17/2018	1/7/2019	1/2/2023	\$15,257,858.94	99%	Subcontractor has repaired failed coatings. Veolia is on site optimizing the system.
WRF - RBC SLIDE GATE REPLACEMENT PHASE 1	Woodfin	IPC Structures	10/20/2021	3/24/2022	12/15/2022	\$303,849.99	65%	Installed 6 gates and tested.

***Updated to reflect approved Change Orders and Time Extensions**

Planning & Development Project Status Report

Active Construction Projects Sorted by Work Location and Project Number

November 3, 2022

No.	Project Name	Project Number	Work Location	Zip Code	Units	LF	Pre-Construction Conference Date	Comments
1	First Baptist Relocation	2015032	Asheville	28801	Comm.	333	7/21/2015	Final Inspection complete, awaiting close-out docs
2	Hounds Ear (Mears Ave Cottages)	2016123	Asheville	28806	18	402	8/18/2017	Pre-con held, construction not yet started
3	Ashecroft Ph. 2	2016229	Asheville	28806	40	2,450	2/20/2018	On hold
4	RADTIP	2017052	Asheville	28801	0	919	2/13/2018	Final Inspection complete, awaiting close-out docs
5	Whitney Drive Subdivision	2018057	Asheville	28806	15	425	3/12/2021	Final Inspection complete, awaiting close-out docs
6	Sterling Property	2018231	Asheville	28801	4	260	6/18/2021	Final Inspection complete, awaiting close-out docs
7	Timber Hollow Subdivision	2019049	Asheville	28805	18	525	7/28/2020	On hold
8	Millbrook Cottages	2019066	Asheville	28806	7	322	2/15/2022	Pre-con held, construction not yet started
9	UNC-A Edgewood Road Parking Lot	2019078	Asheville	28801	Comm.	373	7/19/2019	Final Inspection complete, awaiting close-out docs
10	Julian Woods Retirement Relocation	2019112	Asheville	28704	Comm.	1,083	3/17/2022	Installing
11	Ironwood Sewer Relocation	2019123	Asheville	28801	554	227	4/23/2021	Waiting on Testing
12	Hawthorne at Haywood Phase 2	2019130	Asheville	28806	92	668	12/15/2020	Final Inspection complete, awaiting close-out docs
13	Overlook Circle Subdivision	2019256	Asheville	28803	7	180	8/11/2020	Final Inspection complete, awaiting close-out docs
14	Crossroads at West Asheville Ph. 1	2020111	Asheville	28806	0	1,758	1/25/2022	Final Inspection complete, awaiting close-out docs
15	Amarx - Baker Drive	2021046	Asheville	28804	24	760	10/22/2021	Final Inspection complete, awaiting close-out docs
16	Burton Street	2021048	Asheville	28806	4	64	10/29/2021	Pre-con held, construction not yet started
17	Beloved Asheville	2021070	Asheville	28805	12	272	4/29/2022	Installing
18	328 Emma Road	2021131	Asheville	28806	17	665	11/5/2021	Final Inspection complete, awaiting close-out docs
19	Busbee Ph. 1	2021245	Asheville	28803	210	4,245	4/26/2022	Installing
20	MAHEC Parking Deck	2021083	Asheville	28803	Comm.	550	6/1/2022	Waiting on final inspection
21	Old Home Road Subdivision	2021094	Asheville	28804	21	1,790	5/4/2022	Pre-con held, construction not yet started
22	Woodfield (RAD Lofts)	2021063	Asheville	28801	235	403	6/8/2022	Installing
23	Crossroads Community Ph1 Apartments	2022068	Asheville	28806	660	595	8/25/2022	Installing
24	Selwyn Townhomes	2021209	Asheville	28806	45	993	8/19/2022	Waiting on Testing
25	Waynesville Avenue Cottages	2021211	Asheville	28806	7	128	8/25/2022	Pre-con held, construction not yet started
26	Reddick Road	2021108	Asheville	28805	5	507	9/2/2022	Pre-con held, construction not yet started
27	Randolph Avenue Commercial	2021149	Asheville	28806	Comm.	650	6/30/2022	Pre-con held, construction not yet started
28	808 Montreat Road	2015126	Black Mountain	28711	4	371	4/18/2017	Final Inspection complete, awaiting close-out docs
29	Givens Highland Farms-Cottage Development	2018272	Black Mountain	28711	16	1,355	9/13/2019	Final Inspection complete, awaiting close-out docs
30	Sweet Birch Lane Phase 3	2020151	Black Mountain	28711	20	800	6/30/2021	Waiting on final inspection
31	Old Toll Road Subdivision	2020182	Black Mountain	28711	14	637	8/17/2021	Waiting on final inspection
32	Craven Hill Circle	2020195	Black Mountain	28711	3	380	11/5/2021	Final Inspection complete, awaiting close-out docs
33	Tudor Croft - Phase 2D	2018004	Black Mountain	28711	5	224	6/8/2022	Waiting on Testing
34	NC DOT 1-5504 NC 191/1-26 Interchange	2016132	Buncombe Co.	28806	0	355	10/23/2017	Installing
35	Liberty Oaks Ph. 1B	2018063	Buncombe Co.	28715	24	615	11/5/2021	Final Inspection complete, awaiting close-out docs
36	Upper Grassy Branch Road	2018087	Buncombe Co.	28805	6	250	8/31/2018	On Hold
37	Victoria Hills (Lance Road) Ph. 1	2018094	Buncombe Co.	28704	38	1,176	3/6/2020	Final Inspection complete, awaiting close-out docs
38	Victoria Hills (Lance Road) Ph. 2 & 3	2018094	Buncombe Co.	28704	54	2,180	3/6/2020	Final Inspection complete, awaiting close-out docs
39	Rockdale Subdivision	2018145	Buncombe Co.	28778	9	630	3/17/2020	Final Inspection complete, awaiting close-out docs
40	Porter Road Subdivision	2019022	Buncombe Co.	28803	9	210	6/30/2021	Waiting on final inspection
41	Roberson Relocation	2019037	Buncombe Co.	28715	Comm.	200	4/24/2020	Pre-con held, construction not yet started
42	Jasper Apartments	2019086	Buncombe Co.	28778	100	760	12/8/2020	Final Inspection complete, awaiting close-out docs
43	Aiken Road Multi-Family	2019128	Buncombe Co.	28804	407	4,620	10/2/2020	Waiting on final inspection
44	The Ramble - Tea House Ridge	2019159	Buncombe Co.	28803	22	8,050	9/21/2021	Installing
45	841 Charlotte Hwy	2019222	Buncombe Co.	28730	Comm.	110	4/20/2021	Pre-con held, construction not yet started
46	Creekside Cottages	2019255	Buncombe Co.	28704	6	400	3/12/2015	Phase 2 Construction Not started
47	The Farm at Pond Road	2020009	Buncombe Co.	28806	687	3,550	6/4/2021	Waiting on final inspection
48	Fisher Mill Road	2020015	Buncombe Co.	28704	3	380	10/20/2020	Final Inspection complete, awaiting close-out docs
49	Fountain Park Subdivision - Ph. 2	2020026	Buncombe Co.	28806	120	4,611	7/12/2019	Final Inspection complete, awaiting close-out docs
50	CMH Avery Creek	2020080	Buncombe Co.	28704	10	580	2/8/2022	Waiting of final inspection
51	Kirkwood MHP (aka Rice MHP on-site)	2020166	Buncombe Co.	28715	75	2,610	12/21/2021	Waiting of final inspection
52	Habitat- Glenn Bridge Road	2020178	Buncombe Co.	28704	30	908	12/14/2021	Final Inspection complete, awaiting close-out docs
53	Springs of North Asheville Ph. 2	2020190	Buncombe Co.	28804	120	855	10/29/2021	Waiting of final inspection
54	Project Ranger (aka Pratt & Whitney)	2020194	Buncombe Co.	28803	Comm.	256	12/7/2021	Final Inspection complete, awaiting close-out docs
55	Town Mountain Preserve Ph. 2	2020197	Buncombe Co.	28804	6	1,210	5/28/2021	Waiting of final inspection
56	Village at Bradley Branch Ph. 4B	2021120	Buncombe Co.	28704	16	393	11/2/2021	Waiting of final inspection
57	Enka Oak Street	2021224	Buncombe Co.	28715	3	114	6/3/2022	Final Inspection complete, awaiting close-out docs
58	Collett Industrial (Banner Farm)	2020108	Cane Creek	28759	Comm.	255	11/20/2020	Final Inspection complete, awaiting close-out docs
59	Pardee Partners	2021058	Cane Creek	28759	Comm.	1,105	11/2/2021	Waiting on final inspection
60	Appalachian Mountain Brewery	2022112	Cane Creek	28759	Comm.	224	10/6/2022	Installing
61	B&F Ceramics	2021143	Cane Creek	28759	Comm.	2,360	11/1/2022	Pre-con held, construction not yet started
62	Tap Root Ph. 1	2020024	Fletcher	28732	198	8,397	4/29/2022	Installing
63	Femleaf Charter School	2020177	Fletcher	28732	Comm.	780	3/25/2022	Waiting on final inspection
64	Suncap Warehouse	2021059	Fletcher	28732	Comm.	803	12/3/2021	Final Inspection complete, awaiting close-out docs
65	Heritage Park	2021275	Fletcher	28732	63	2,653	9/6/2022	Installing
66	Palisades at Reems Creek	2020066	Weaverville	28787	132	1,020	3/24/2022	Installing
67	Greenwood Park Ph. 2	2020245	Weaverville	28787	25	1,560	5/25/2021	Final Inspection complete, awaiting close-out docs
68	Union Chapel (Views at Reems Creek)	2021030	Weaverville	28787	11	650	8/2/2022	Installing
69	18 Wildwood Park Sewer Relocation	2021129	Weaverville	28787	1	147	2/22/2022	Pre-con held, construction not yet started
70	Crest Mountain Phase 3B	2013041	Woodfin	28806	69	1,329	10/15/2013	Final Inspection complete, awaiting close-out docs
71	Reese & Jan Lasher (High Hopes)	2015152	Woodfin	28806	14	320	4/26/2016	Final Inspection complete, awaiting close-out docs
72	Brown Avenue aka Wolf Tract	2017029	Woodfin	28806	6	219	6/4/2021	Installing
73	Skyfin-Terraces at Reynolds Mtn - Phase 4	2020167	Woodfin	28804	5	100	8/8/2017	Final Inspection complete, awaiting close-out docs
74	Serenity Townhomes	2020037	Woodfin	28804	8	480	7/14/2020	Waiting on final inspection
75	Weaverville Road Subdivision	2020123	Woodfin	28804	4	600	4/6/2021	Pre-con held, construction not yet started
76	West City View	2020155	Woodfin	28804	21	845	7/23/2021	Waiting on testing
			TOTAL			4,359	84,184	