

BOARD OF THE METROPOLITAN SEWERAGE DISTRICT
October 18, 2023

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 18, 2023. Chairman VeHaun presided with the following members present: Bryson, Dearth, Kelly, Lapsley, Manheimer, Pelly, Pennington, Watts, and Wisler. Ashley, Franklin, Moore and Whitesides were absent.

Others present were William Clarke, General Counsel; Forrest Westall, PE, with McGill Associates; Patty Beaver with CIBO; Brian Goldstein with Woodfin Sanitary Water & Sewer District; Tom Hartye, Hunter Carson, Mike Stamey, Pam Thomas, Heather Young, Angel Banks, Kevin Johnson, 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 20, 2023 Board Meeting:

Mr. VeHaun asked if there were any changes to the Minutes of the September 20, 2023 Board Meeting. Mr. Kelly moved for approval of the minutes as presented. Mr. Pelly 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 and Brian Goldstein from Woodfin Sanitary Water & Sewer District.

6. Informal Discussion and Public Comment:

None.

7. Report of General Manager:

Mr. Hartye congratulated "Employees of the Year" Patrick Smith for the Treatment Plant, Rick Bradley for System Services and Angela Lewis for Admin/Engineering.

Mr. Hartye reported that attached is an excerpt of MSD's Sewer Extension Policy that outlines MSD's participation programs for extension of sewers. These reimbursement programs have been discussed at Planning Committee and other times. MSD will only reimburse in areas inside the District Boundary or serving areas within Primary Areas as identified in the District's Master Plan. There are six types of reimbursements. The first being Rehabilitation of Existing Sewer Lines and Pump Stations. If an extension will connect to an existing sewer line which is Undersized and will require improvements with a larger diameter pipe to provide

provide adequate capacity, or will connect through an existing pump station, the District will require developer to upgrade that line as far as is necessary for the system to be viable. MSD will participate in that upgrade. There is a scoring system used to participate in that upgrade that factors in the age of the system, whether it's on the Master Plan to be upgraded and that type of thing. (2) Additional Capacity Reimbursement is for the extension itself. An example would be if MSD requires a 12-inch line and the developer only needs an 8-inch line to get to their development, MSD will pay the difference in the 8-inch and 12-inch line. If the line is 12-inches or larger, the District will provide design and right of way acquisition services. This is only considered if the extension will serve individual properties and customers outside of developer's project and allow for future orderly development. (3) Documented Failing Septic Tank Emergencies is what is on the Agenda today. This is ten years of estimated revenue and is up front as soon as the extension is complete and approved by MSD. There are certain factors that have to be addressed. It must be in an area identified for public sewer, there must be a public health hazard, and there must be a letter from Local Government and the Buncombe County Health Department stating on site repair is not possible. MSD will prepare preliminary design and project cost estimates for agreement to be entered into by parties involved, and MSD will also provide right of way acquisition services and administer construction. (4) New Affordable Housing Projects. These are eligible for the equivalent of five years of estimated revenues up to \$50,000 if the development meets the Affordable Housing criteria of the local governing jurisdiction. (5) Revenue Sharing for Extensions made by Others. If an extension is run from an MSD line to development, MSD will reimburse 50% of actual user charge revenues MSD receives from that line for 10 years to be disbursed semi-annually by MSD. (6) Developer to Developer Reimbursements. If a second developer ties onto an extension run by the first developer, MSD will collect a proportionate share from the new developer to give to the first developer. This way the original developer can be assured that, for 10 years, MSD will go back and collect a proportionate share from the second developer. Most policies are for new developments and the Board has seen several throughout the years. On the agenda today is for Documented Failing Septic Tank Emergencies and is the first one MSD has had.

Mr. Hartye reported that the next Board Meeting will be held on November 15th at 2 pm.

8. Report of Committees:

a. Right of Way Committee – September 27, 2023:

Mr. Kelly reported that the Right of Way Committee met on September 27, 2023 and made routine recommendations which are noted in the Consolidated Motion Agenda. There were no questions.

9. Consolidated Motion Agenda:

a. Consideration of Bids – Intermediate Clarifier Trough Rehabilitation Phase 1:

Mr. Hartye reported that the intermediate clarifier was placed into operation in 1990. What now needs replacing are weir troughs. These troughs collect clarified water to transfer to the next process. They are in poor condition and are leaking due to significant corrosion. After trying to rehabilitate these troughs, MSD Staff

determined that the scope of the project should change to a full trough replacement. Fiberglass reinforced polymer (FRP) troughs were chosen for superior corrosion resistance and equivalent strength when compared to aluminum troughs at a comparable price point. This project has been divided into 2 phases. Phase 1 is scheduled for completion in Spring, 2024. Phase 1 was advertised formally and two bids were received on September 22, 2023. Therefore, the project was re-advertised and two bids were received on October 2, 2023 as follows: Cove Utility, LLC with a base bid of \$534,000; and Harper General Contractors, Inc. with base bid of \$577,900. The apparent low bidder is Cove Utility, LLC with a base bid amount of \$534,000. The FY 23-24 construction budget for this project is \$850,000.00. Staff recommends award of the base bid contract to Cove Utility LLC, in the amount of \$534,000, contingent upon review and approval by District Counsel.

b. Contract for Easement Services – Weaverville Pump Station and Force Main Improvements:

Mr. Hartye reported that this project will replace Weaverville Pump Stations 1 and 2. The design includes entire replacement of Pump Station 1 and replacement of existing 12-inch and 18-inch force main with a 24-inch force main designed to pump directly to the treatment plant. Pump Station 2 will be converted to a small residential pump station. Requests for Proposals to acquire easements were sent to three easement acquisition companies and MSD received responses from two, Telics and Utility Land Services. Telics was chosen as the best fit for MSD's needs. Telics price is for \$3,500 per parcel, not to exceed \$105,000 for an estimated 30 parcels. Telics has done good work for MSD. Typically, right of way is acquired before construction is even started on a project. Due to the lead time for materials, pump instrumentation, and shop drawings, there will be a six-month administrative period between the bidding process and start of construction. Easement acquisition will begin during this administration period and continue while construction begins on the pump station site. Acquisition is expected to take one year. This item is for information only. Mr. Lapsley asked if the \$3,500 per parcel also includes land surveying to prepare the documents or if that cost was in addition to the \$3,500. Ms. Banks stated it does not, it only includes Telics' staff time and negotiations. Mr. Hartye stated that over the years, the total project cost and land acquisition has been less than 5%, usually around 3% so in the total scheme of things it's not a big number. Mr. Lapsley stated that MSD may have more money into negotiation services plus surveys than in the cost of actually acquiring the easement from the landowner. There was no further discussion.

c. Consideration of Compensation Budget – Weaverville Pump Station and Force Main Improvements:

Mr. Hartye reported that this item is for the same project discussed above. Right of Way Committee recommends approval of this compensation budget.

d. Consideration of Revenue Sharing – MSD Failing Septic Tank Emergencies Policy:

Dolce Lomita, LLC owns 6 existing mobile homes located at 15 and 17 Gatewood Road, adjacent to Emma Road in Asheville. The mobile homes are served by a shared septic system that is failing due to unsuitable soil conditions. Dulce Lomita, LLC was denied a permit by Buncombe County Health and

Human Services (BCHHS) to improve or repair the septic system due to insufficient space on site and has applied for MSD's Failing Septic Tank Emergencies reimbursement program. MSD participates by pledging 10 years of estimated revenues generated by user fees once the extension is complete and accepted by the MSD Board. The Policy also requires MSD to provide design and right of way acquisition services and to administer the construction of the extension. To begin this process, a letter from BCHHS is required stating that the onsite repair of the failed system is not possible. Also required is an Agreement signed by both parties, which is attached to the agenda item. The letter from BCHHS has been received. The 8-inch extension will be approximately 800 LF and will follow MSD's master plan alignment. Most of the extension lies within the NCDOT right of way; however, one easement on the lower portion is on private property and will require one easement. Estimated generated revenue is \$18,936. Reimbursement will not occur until the extension is complete, which is probably in next year's budget. Staff recommends that the District enter into a revenue sharing agreement with Dulce Lomita, LLC in the amount of \$18,936, subject to review and approval by District Counsel. Mr. Pennington asked if, theoretically, this line could be extended farther up the road for other failing septic systems? Mr. Hartye stated that is correct.

e. Consideration of Developer Constructed Sewer Systems – Fountain Park Phase 2; Schwann's; Wolf Tract Cottages:

Mr. Hartye reported that the Fountain Park Phase 2 project is located off Pond Road in Buncombe County and included extending approximately

4,590 linear feet of 8-inch public gravity sewer to serve 120 residential units.

Mr. Hartye reported that the Schwann's project is located at Sand Hill Road and Jacob Holm Way in Buncombe County and included extending approximately 145 linear feet of 8-inch public gravity sewer to the commercial development.

Mr. Hartye reported that the Wolf Tract Cottages project is located at Skyland Circle and Brown Avenue in the Town of Woodfin and included extending approximately 183 linear feet of 8-inch public gravity sewer to serve 6 cottages in the residential development.

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

f. Consideration of Procurement of (3) New Compact Utility Vehicles:

Mr. Hartye reported that at the March 13, 2023, Equipment Replacement Committee meeting, the members recommended the purchase of three (3) new 2023 compact utility vehicles. Formal bids were solicited, and Friendship Ford was the lowest, responsive, responsible bidder. Cost per vehicle is \$34,875 with the total cost for the 3 vehicles being \$104,625. Staff recommends the bid from Friendship Ford of Bristol, Tennessee be awarded subject to review and approval by District Counsel.

g. Cash Commitment/Investment Report – Month ended August, 2023:

Mr. Hartye reported that Page 43 presents the average rate of return which is 4.127%. Total Cash and Investments is \$82,699,724. If you take away all current obligations for insurance funds, current years budget, etc., it leaves \$23,034,825, which is designated for Capital Outlay. Page 45 is a breakdown of the District's Investment Portfolio. Page 46 is the Investment Manager's Report. Pages 47 and 48 present the YTD Expenses and Cash Receipts, both of which are at budgeted expectations. Page 49 presents the 2008A Series Synthetic Fixed Bond with savings to date of approximately \$7.5 million.

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

10. Old Business:

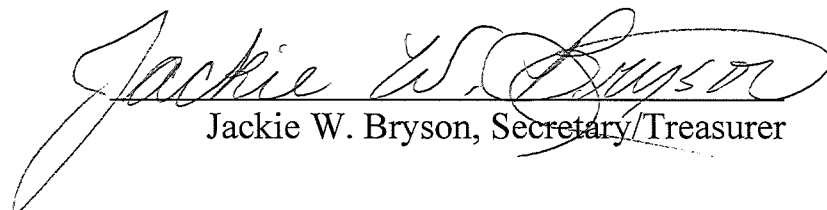
None.

11. New Business:

None.

12. Adjournment:

With no further business, Mr. VeHaun called for adjournment at 2:20 pm.


Jackie W. Bryson, Secretary/Treasurer



Metropolitan Sewerage District

Regular Board Meeting

October 18, 2023 @ 2 pm

	Agenda Item	Presenter
	Call to Order and Roll Call	VeHaun
	01. Inquiry as to Conflict of Interest	VeHaun
	02. Approval of Minutes of the September 20, 2023 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 General Manager	Hartye
	07. Report of Committees	
	a. Right of Way Committee – September 27, 2023	Kelly
	08. Consolidated Motion Agenda	Hartye
	a. Consideration of Bids – Intermediate Clarifier Trough Rehabilitation Ph. 1	
	b. Contract for Easement Services – Weaverville Pump Station	
	c. Consideration of Compensation Budget – Weaverville Pump Station	
	d. Consideration of Revenue Sharing-MSD Failing Septic Tank Emergencies Policy, MSD Project No. 2023076	
	e. Consideration of Developer Constructed Sewer Systems –Fountain Park Phase 2; Schwan’s; Wolf Tract Cottages	
	f. Consideration of Procurement of (3) New Compact Utility Vehicles	
	g. Cash Commitment/Investment Report-Month ended August, 2023	Powell
	09. Old Business	VeHaun
	10. New Business:	VeHaun
	11. Adjournment: (Next Meeting 11/15/23)	VeHaun
	STATUS REPORTS	

BOARD OF THE METROPOLITAN SEWERAGE DISTRICT
September 20, 2023

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, September 20, 2023. Chairman VeHaun presided with the following members present: Ashley, Bryson, Dearth, Franklin, Kelly, Manheimer, Moore, Pelly, Pennington, Watts, and Whitesides. Wisler and Lapsley were absent.

Others present were John Noor for William Clarke, General Counsel; Brian Goldstein with Woodfin Sanitary Water & Sewer District; Tom Hartye, Hunter Carson, Ken Stines, Pam Thomas, Mike Stamey, Scott Powell, Bart Farmer, 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 August 16, 2023 Board Meeting:

Mr. VeHaun asked if there were any changes to the Minutes of the August 16, 2023 Board Meeting. Mr. Ashley 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: Mr. VeHaun welcomed John Noor who is in attendance for Mr. Clarke; and Brian Goldstein from Woodfin Sanitary Water & Sewer District.

6. Informal Discussion and Public Comment: None.

7. Report of General Manager:

Mr. Hartye reported that Margaret Howie of Crestfield Avenue called to complement the crew that did an emergency dig up. Their promptness was excellent and they were very nice and efficient.

Mr. Hartye reported that Elizabeth Osterholz of William Hart Lane called to let MSD know that she appreciated the same crew that came out to put a tap in on Porter Road and in addition, they repaired her creek bank. Thanks to Grayson Hensley, Shane Meadows, Lloyd Anders, Nicolas Hercules, Jimmy Brooks, and Jon Franklin

Mr. Hartye attached a link to the System Performance Annual Report. (SPAR) This report has a lot of good information and is posted on the website as well. Thanks to Bart Farmer and Angel Reece for putting it together.

Mr. Hartye reported that the next Right of Way Committee Meeting will be held on September 27th at 9 am. The next Board Meeting will be held on October 18th at 2 pm.

8. Consolidated Motion Agenda:

a. Consideration of Bids – Cherokee Road GSR:

Mr. Hartye reported that this project is located in the City of Asheville within the Local Historic District of Albemarle Park. The project consists of approximately 2,017 linear feet, 1,325 linear feet of 8-inch dig and replace and 692 linear feet of 8-inch HDPE installed by pipe bursting. The existing lines are 6-inch and 8-inch VCP in really bad condition, resulting in infiltration and inflow that has resulted in several SSO's. Several of these line segments run under a house, wall, pond, and other features. The contract was advertised and one bid was received on August 24, 2023. The project was therefore re-advertised and again one bid was received on September 1, 2023 as follows: Terry Brothers Construction Company in the amount of \$704,257.00. The apparent low bidder is Terry Brothers Construction Company in the amount of \$704,257.00. Terry Brothers Construction Company has extensive experience with District rehabilitation projects and continues to provide excellent workmanship. The FY 22-23 construction budget for this project is \$800,000.00. Staff recommends award of this contract to Terry Brothers Construction Company in the amount of \$704,257.00, contingent upon review and approval by District Counsel.

b. Consideration of Developer Constructed Sewer Systems – Fernleaf Charter School; Friendly Hollow Way; Heritage Park:

Mr. Hartye reported that the Fernleaf Charter School project is located off Old Hendersonville Road in Henderson County and included extending approximately 778 linear feet of 8-inch public gravity sewer to serve the Charter School.

Mr. Hartye reported that the Friendly Hollow Way project is located along Friendly Hollow Way in the City of Asheville and included extending approximately 159 linear feet of 8-inch public gravity sewer to serve 5-units in the residential development.

Mr. Hartye reported that the Heritage Park project is located off Rutledge Road in Henderson County and included extending approximately 2,862 linear feet of 8-inch public gravity sewer to serve 63 units in the residential development.

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

c. Consideration of Bids – Sodium Hypochlorite Contract FY 24:

Mr. Hartye reported that the Water Reclamation Facility is required to disinfect the effluent prior to discharge to the French Broad River. Liquid sodium hypochlorite is used for this purpose. Pursuant to North Carolina Purchasing Statutes and MSD Procedures, two bids were received on August 28, 2023. JCI Jones was the lowest bidder at \$1.6819/gallon and agrees to hold their price firm for the total year contract irrespective of market changes. This is a Unit Price Contract, without minimum or maximum quantities. Based on historical use, FY24 expenditures are anticipated to be about \$336,880.00 and is within levels budgeted by the WRF. Staff recommends the contract be awarded to JCI Jones at a unit price of \$1.6819 per gallon subject to review and approval by District Counsel.

d. Cash Commitment/Investment Report – Month ended July, 2023:

Mr. Powell reported that Page 23 presents the makeup of the District's Investment Portfolio. There has been a little bit of change in the makeup of the portfolio this year in comparison to June of last year due to the service payment in July which approximates about \$7.6 Million. Page 24 presents the MSD Investment Manager Report as of the month of July. The weighted average maturity of the investment portfolio is 85 days. The yield to maturity is 5.02%. Page 25 presents the District's Analysis of Cash Receipts. Monthly and YTD Domestic and Industrial sewer revenue are considered reasonable based on timing of cash receipts in their respective fiscal period. YTD Facility and Tap Fees are above historical trends due to the timing of various cash receipts from developers as well as these fees being budgeted conservatively. Page 26 is an analysis of the District's Expenditures. Monthly and YTD O&M, Debt Service and Capital Project expenditures are considered reasonable based on historical trends. Page 27 presents the MSD Variable Debt Service Report. The 2008 A Series Bonds are performing at budgeted expectations. As of the end of August, the issue has saved the District rate payers approximately \$7.5 million in debt service since April, 2008.

With no further discussion, Mr. VeHaun called for a motion to approve the Consolidated Motion Agenda. Mr. Watts moved, Ms. Bryson 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 2:10 pm.

Jackie W. Bryson, Secretary/Treasurer



MEMORANDUM

TO: MSD Board
FROM: Thomas E. Hartye, P.E., General Manager
DATE: October 12, 2023
SUBJECT: Report from the General Manager

- Kudos
 - To our “Employees of the Year” – Patrick Smith for the Treatment Plant, Rick Bradley for System Services and Angela Lewis for Admin. / Engineering.

- Sewer Extension Participation Programs

Attached is an excerpt of MSD’s Sewer Extension Policy that outlines MSD’s participation programs for the extension of sewers. I will briefly go over these at the meeting. Most policies are for new developments and the Board has seen several throughout the years. On the agenda today is the first one concerning Documented Failing Septic Tank Emergencies.

- Board/Committee Meetings/Events

The next Regular Board Meeting will be held on November 15th at 2 pm.

METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY, NORTH CAROLINA

POLICY AND PROCEDURES FOR THE EXTENSION OF SEWER SERVICE

POLICY

The Metropolitan Sewerage District of Buncombe County (hereinafter “MSD” or “District”) recognizes there will be a need from time to time to extend the sewerage system operated by the District (the “District Sewerage System”) to serve areas annexed by municipalities, to serve new industrial, commercial and residential development and to serve areas not currently served by the District. The District also recognizes that there will be additional connections to the existing District Sewerage System. The purpose of this document is to set forth the policy, rules and procedures for extension of and connection to the District Sewerage System. Terms used herein are defined in Appendix F – Definitions.

I. GENERAL PRINCIPLES

A. Extensions Defined

The District will only consider *Gravity Sewer* extensions to the existing District Sewerage System. Extension of service consists of:

1. Construction of new public **Gravity Sewers** and appurtenances. Any extension of sewer service which is proposed to serve more than one property under separate ownership or to serve more than one building under separate ownership must be built to public sewer standards and transferred to and accepted by the District for ownership and maintenance.
2. Pump stations will only be allowed on extensions to the District Sewerage System where, in the opinion of the District, gravity service is not achievable. Pump Stations, if approved, are also subject to payment of a Pump Station Maintenance Fee.
3. Low pressure sewers, vacuum sewers and any other specialized modes of conveyance or alternative systems are not allowed.
4. Construction of new Private Sewer Systems. The District reserves the right to limit or prohibit discharges from Private Sewer Systems.
(See Section III)
5. The connection of a Building Sewer to an existing sewer line.
(See Section IV)
6. The connection of existing Public or Private Sewer Systems not previously served by the District. (See Section V).

B. Applicant Responsibilities

As a general rule, the District will not extend sewer service or pay the cost of extending sewer service. The Applicant desiring to extend or connect to the District Sewerage System shall be responsible for:

1. The cost of designing, permitting and constructing all components necessary to connect to the District Sewerage System.
2. The costs of improvements to any existing lines pump stations and appurtenances, which, in the opinion of the District, are necessary for adequate transport of the proposed discharge.
3. Conveyance of physical components and easements and rights-of-way to the District.

C. Reimbursements

Reimbursements shall be available only for extensions and/or improvements serving areas within the District Boundary or serving areas within Primary Areas as identified in the District's Master Plan, including any amendments or revisions thereto. Extensions that include pump stations are not eligible for reimbursements.

The District may reimburse an Applicant for extensions to or improvements to the District Sewerage System only as set forth herein. The District's obligation to reimburse an Applicant shall be subject to available funding and to the provisions of the District's Bond Order and to applicable law. The District shall have no obligation to reimburse any Applicant until the extension of, or improvement to, the District Sewerage System has been conveyed to and accepted by the District in accordance with the requirements of the District's Bond Order.

1. Rehabilitation of Existing Sewer Lines and Pump Stations

If an extension will connect to an existing sewer line which, in the opinion of the District, requires improvement with larger diameter pipe to provide adequate capacity, or will connect to or flow through an existing pumping station which, in the opinion of the District, requires improvement to provide adequate capacity, the District shall require the Applicant to make such improvement and may reimburse the Applicant for all or a part of the improvement costs in accordance with the point system tables in Appendix A.

2. Additional Capacity Reimbursements

a. If a larger size sewer line is required by the District for other users, the District will reimburse the Applicant the differential costs between the minimum size pipe necessary for the development and the larger size required in accordance with Appendix B – Additional Capacity Reimbursement Procedures.

b. All estimates of line size differential costs shall be determined by District Staff.

- c. A Reimbursement for Additional Capacity will be considered only where the sewer extension will serve individual properties and customers outside of the Applicant's project and allow for future orderly development of the District Sewerage System to serve other properties and customers in accordance with the District's Master Plan.
- d. This Reimbursement is available only to the original Applicant and limited to that portion of the cost of the sewer system components which are in excess of the minimum line size required for the development.
- e. If the line is an interceptor line that is 12" or larger, the District will provide the design and right of way acquisition services.

3. Documented Failing Septic Tank Emergencies

These projects will be subject to requirements set forth below and eligible for 10 years of estimated revenues generated by user fees once the extension is complete and accepted by the MSD Board. The following requirements apply:

- a. Must be identified as an area that will require public sewer pursuant to Member Agency zoning and MSD Master Plan.
- b. Must be a public health hazard.
- c. Letter from Local Government and Buncombe County Health Department.
- d. Onsite repair is not possible.
- e. MSD will prepare preliminary design and project cost estimate for agreement to be entered into by parties involved.
- f. MSD will pledge 10 years of estimated revenue generated by user fees from affected residences.
- g. City/Local Government/Residents, as applicable, will pay balance of extension.
- h. Facility Fee required from residences to be served.
- i. MSD will provide design and right of way acquisition services and administer the construction of the extension.

4. New Affordable Housing Projects

These projects will be subject to the requirements set forth below and eligible for the equivalent of 5 years of estimated revenues generated by user fees up to the lesser of \$50,000 per project or the cost of the extension for the project. Disbursement of estimated revenues will be made once the extension is complete and accepted by the MSD Board.

- a. The development must meet the "Affordable Housing" criteria of the local governing jurisdiction.
- b. Cost recovery reimbursement will include construction and engineering costs.

- c. The recovery of costs by the District will be achieved solely from user fees and maintenance fees applied by the District over the five (5) year period.
- d. The recovery of cost to the District during the five (5) year period will be secured by a letter of credit or security acceptable to the District, from the Applicant, such security to remain in place until the expiration of the cost recovery period. Any shortfall of cost recovery shall be payable to the District by the Applicant directly or through such letter of credit or security at the expiration of the five (5) year period.
- e. No extension shall become a part of the District Sewerage System until it is accepted by the District Board in accordance with the provisions of its Bond Order and its policies and procedures for such acceptance.
- f. The District reserves the right to solely determine the size, extent, layout and details of any wastewater extension considered under this policy.
- g. The eligible extension for certified Affordable Housing projects will be all public sewer lines to be taken over by the District.
- h. Applications for Cost Recovery are to be submitted as described in Appendix C.

5. Revenue Sharing for Extension made by Others

These projects will be subject to the requirements set forth below and eligible for 50% of actual user charge revenues for 10 years to be disbursed semi-annually by MSD.

- a. Those who seek reimbursement pursuant to District policy shall submit an application for Revenue Sharing as described in Appendix D.
- b. This program and all of its offerings are subject to available funding. Any project that is eligible for reimbursement over \$50,000 will require approval of the MSD Board of Directors.
- c. Reimbursement under this section shall be limited to the lesser of the actual revenues generated from user fees during the designated time period or the cost of the eligible extension. The portion of extension eligible for reimbursement under this program is that portion of the sewer between the existing District sewer line and the property being developed. No portion of the sewer on the property being developed shall be eligible for reimbursement.
- d. All estimates of potential revenue shall be determined by MSD staff.
- e. Reimbursement shall be subject to completion of construction, acquisition of easements and final inspection and acceptance of the system for ownership by the District.
- f. Determination of how available funds will be allocated among reimbursement projects in a given year shall be in the sole and absolute discretion of the District and subject to available funding.

6. Developer to Developer Reimbursement

Any other potential beneficiaries of a system extension funded in whole or in part by the District, where such users were not identified in the original extension project, and such users desire service after the acceptance of the extension by the District, may be required to reimburse the original Petitioner a

portion of the cost paid by the original Petitioner to construct the extension. Such reimbursement shall be based on the ratio of the wastewater flows for the potential users to their total combined flow. The reimbursement shall apply to the common portion of the Petitioner run extension funded entirely by the Petitioner and not paid for by the District. To be eligible, the original extension must be at least 1000 feet. The actual amount of the reimbursement shall be determined in the sole and absolute discretion of the District. This requirement shall remain in effect for ten years after the date of acceptance of the system extension by the District Board.

D. Coordination with other District policies

The extension of the District's Sewerage System shall:

1. Be in accordance with and subject to the District's current *Policy and Procedures for the Extension of Sewer Service, Sewer Extension Manual, and Sewer Use Ordinance* and to rates and charges for sewer service then prevailing, provisions of the District's Bond Order dated April 21, 1999. All of the above documents are available at the office of the Metropolitan Sewerage District or on the District's website at www.msdbc.org.
2. Be made in a manner to serve users and to allow for future orderly development of the District Sewerage System.
3. Be in accordance with applicable laws and regulations, and policies of the District Board.

E. Ownership

The District shall be responsible for operation, maintenance, repair and replacement, if necessary, of all sewerage facilities transferred to and accepted by the District Board.

II. NEW PUBLIC SEWER LINE EXTENSION REQUIREMENTS

A. Allocations

Prior to the connection of any sewer lines to the District Sewerage System, or to any system or systems that discharge to the District Sewerage System, the Applicant must obtain an allocation for flow and treatment capacity in accordance with the District's *Sewer Extension Manual*. This requirement does not apply to individual residences.

B. The District will only consider Gravity Sewer extensions to the existing District Sewerage System.

Pump stations will only be allowed on extensions to the District Sewerage System where, in the opinion of the District, gravity service is not achievable. Pump Stations, if approved, are also subject to payment of a Pump Station Maintenance Fee as described in Appendix E.

Low pressure sewers, vacuum sewers and any other specialized modes of

**RIGHT OF WAY
COMMITTEE RECOMMENDATIONS
AND MINUTES
September 27, 2023**

I. Call To Order

The regular monthly meeting of the Right of Way Committee was held in the Boardroom of the William H. Mull Building and called to order at 9:00 a.m. on Wednesday, September 27, 2023. The following Right of Way Committee members were present: Glenn Kelly, Chairman; Matt Ashley, Jackie Bryson, Esther Manheimer, Chris Pelly, and Nathan Pennington. Al Whitesides was absent.

Others present: William Clarke, MSD Counsel; Angel Banks, Shaun Armistead, Wesley Banner and Pam Nolan, MSD.

II. Inquiry as to Conflict of Interest

Mr. Kelly inquired if anyone had a conflict of interest with Agenda items. There were none.

III. Consideration of Contract for Easement Services – Weaverville Pump Station and Force Main Improvements, Project Number 2019080:

BACKGROUND: This project will replace Weaverville Pump Stations 1 and 2. Heavy growth has led to an increased demand for sewer allocations in Weaverville and, as a result, both stations need to be upgraded. Design includes entire replacement of PS 1 and replacement of existing 12 and 18-inch force main with 24-inch force main, designed to pump directly to the WRF. PS 2 will be converted to a smaller residential pump station.

Requests For Proposals to acquire easements were sent to three easement acquisition companies and MSD received responses from two, Telics and Utility Land Services.

Staff considered strengths of each firm (i.e., experience with similar projects, qualifications of their project team, team's location, etc.), costs and availability. References for each firm were positive. Ultimately, Telics was chosen as the best fit for MSD's needs.

Telics: Not to exceed \$105,000 for estimated 30 parcels; \$3,500 per parcel.

Utility Land Services: Not to exceed \$120,000 for estimated 30 parcels; \$4,000 per parcel.

Telics has worked with MSD in the past, completing easement acquisitions for six projects, the last being Jarnaul Avenue Rehabilitation in 2019. The firm's performance has been good.

As this is a contract for services, not construction or materials, the General Manager has authority to execute. We bring this information to you to keep you informed; it requires no action.

As an aside, there is one unusual aspect to this project's acquisition. Typically, easements are acquired prior to project bidding. Due to the lead time for materials, pump instrumentation, and shop drawings, there will be a six-month administrative period between the bidding process and start of construction. Easement acquisition will begin during this admin period and continue on while construction begins on the pump station site. Acquisition is expected to take one year.

STAFF RECOMMENDATION: For information only. No action required.

Ms. Banks reviewed the above information. Ms. Banks pointed out that since this is a force main, which is a pressurized system, you generally don't have taps into a force main line. The servient properties across which this force main travels will not offer any additional benefit to the landowner for a tap onto

the line, beyond the benefit of the compensation they will get for the taking of the easement area. Mr. Kelly asked if MSD would file condemnations if property owners are not interested in signing these easements. Ms. Banks stated yes. Mr. Clarke asked if the property owners are served by some sort of existing sewer or not. Ms. Banks stated they are not served by the existing force main but it is on their property. Mr. Clarke asked if there was not a sewer line out there. Mr. Armistead stated there is no gravity line serving any of the housing along this route. There was some discussion regarding the existing and proposed force main locations. Mr. Armistead added that many of these property owners were spoken to during the design process and are aware of what is going on. Ms. Banks stated that in many instances we will be able to utilize the existing easement or at least a portion. Mr. Watts asked if, in the sections where you are obtaining new easements, will the old easement be relinquished? Ms. Banks stated yes, there will be abandonment language worked into the easement document. Mr. Kelly asked if any of these property owners will get to use the sewer line or derive any benefit from having it go across their property? Mr. Armistead stated that they will not get to use the sewer line and will derive no benefit from it crossing their property, and that is what will make easement acquisition difficult. There was no further discussion.

STAFF RECOMMENDATION: For information only. No action required.

IV. Consideration of Compensation Budget-

Weaverville Pump Station and Force Main Improvements, Project No. 2019080

The attached Compensation Budget is based on current ad valorem tax values and follows the MSD approved formula.

STAFF RECOMMENDATION: Approval of Compensation Budget.

Ms. Banks reviewed the above compensation budget, which is for the project just discussed. This project begins at the Weaverville Pump Station 1 off of New Stock Road and travels over to Riverside Drive, then to Weaverville Pump Station 2, and on to the Treatment Plant. The project consists of replacing Pump Station 1 entirely, converting Pump Station 2 to smaller residential use and laying approximately 18,000 linear feet of force main. There was some discussion regarding the amount of the compensation budget being enough. There was no further discussion.

Mr. Kelly made the motion to accept Staff's recommendation. Mr. Ashley seconded the motion. Voice vote was unanimous.

COMMITTEE RECOMMENDATION: Approval of Compensation Budget.

V. Other Business:

There being no further business, the meeting adjourned at 9:12 am.

Metropolitan Sewerage District of Buncombe County

BOARD ACTION ITEM

BOARD MEETING DATE: October 18, 2023

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: Intermediate Clarifier Trough Rehabilitation Ph 1, MSD Project No. 2022024

BACKGROUND: The intermediate clarifier was placed into service in 1990. Clarified water flows upward through one of four clarifier basins and overflows into a series of aluminum effluent troughs. These troughs are in poor condition and are leaking due to significant corrosion.

This project was originally planned and budgeted to include surface preparation and coating application to make the existing troughs watertight and resistant to further corrosion. After preparation work began in Spring 2023, MSD and its contractor, CMT realized that the existing troughs' structural condition was poorer than initial inspections had indicated. MSD Staff determined that the scope of the project should change to a full trough replacement. Fiberglass-reinforced polymer (FRP) troughs were chosen for superior corrosion resistance and equivalent strength when compared to aluminum troughs, at a comparable price point. Upon receiving initial material cost estimates from multiple FRP trough manufacturers, MSD Staff chose to bid the project as a lump sum for replacement of the troughs in one basin, with a bid alternate to replace troughs in a second basin if costs were favorable.

The intermediate clarifier rehabilitation project has been divided into multiple phases: Phase I, scheduled for completion in Spring 2024 will replace effluent troughs in the southwestern basin of the intermediate clarifier.

Phase 1 was advertised formally, and two bids were received on September 22, 2023. Per NCGS bidding requirements, the project was re-advertised, and two sealed bids were received on October 2, 2023, at 2:00 PM in the following amounts:

<u>Contractor</u>	<u>Base Bid</u>	<u>Alternate</u>	<u>Total Bid</u>
1) Cove Utility, LLC	\$534,000	\$513,000	\$1,047,000
2) Harper General Contractors, Inc.	\$577,900	\$501,000	\$1,078,900

The apparent low bidder is Cove Utility, LLC with a total base bid plus alternate amount of \$1,047,000.00. Cove Utility is a new contractor to MSD and a reference check was performed, and is attached.

FISCAL IMPACT: The FY 23-24 construction budget for this project is \$850,000.00. Only the Base Bid will be awarded in Ph. 1 (bid alternate will not be accepted).

STAFF RECOMMENDATION: Due to the total bid amount of base plus alternate exceeding the project budget, Staff recommends award of the Base Bid contract to Cove Utility, LLC, contingent upon review and approval by District Counsel.

Reference Review for Cove Utility

October 4, 2023

Cove Utility is a relatively young company, founded in Greenville, SC, in August 2022 by two former employees of Harper General Contractors. Jeff Caffery (President/Project Manager) was formerly the Pre-Construction Director and Paul Laughlin (Operations Manager) was formerly a Project Manager for Harper. In the year that they have been in business, they have performed a good number of jobs in the upstate and midlands areas of South Carolina. They are primarily targeting sub-\$1 million jobs, and references from past projects are positive. Below is a summary of several reference responses:

Tony Reid, PE, Project Manager Engineering, Goodwyn Mills & Cawood
(251) 689-3247 tony.reid@gmcnetwork.com

Tony only recently began a project with Cove Utilities, which has not yet reached completion. However, he has worked with Jeff Caffery (President/Project Manager) and Paul Laughlin (Operations Manager) in their previous roles as Director of Preconstruction and Project Manager, respectively. Tony rated the pair's work quality as excellent and believes due to the smaller size of Cove Utility, they will be able to respond to MSD's needs in a timely and efficient manner. He stated that, "Cove is a new company with a group of people who are hungry and desire to do good work and begin to build a resume of projects and a group of clients that can rely on Cove's service for water and wastewater needs. I believe you won't go wrong picking Cove and believe you will get a quality project solely based on Jeff's work ethic and character."

Scott Barnes, Wastewater Treatment Superintendent, Easley Combined Utilities
(864) 442-3292 sbarnes@easleyutilities.com

Cove Utility has completed several projects for Easley Combined Utilities over the past year, working closely with Scott Barnes. Scott has been pleased with the quality and timely completion of the work, already having Cove quote a price another CIP project for next year.

Dave Johnson, PE, Senior Project Manager, Highfill Infrastructure Engineering
(803) 250-6214 djohnson@hiepc.com

Dave Johnson and Highfill Infrastructure Engineering performed design work and construction oversight for installation of a new sludge dewatering building at the Easley Combined Utilities Middle Brach WWTP in summer 2023. Dave's experience with Cove Utility was overwhelmingly positive. He stated that Jeff (president/project manager) and his entire crew were conscientious in their work and quick to respond to the owner's or engineer's requests.

METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY, NORTH CAROLINA

Intermediate Clarifier Effluent Trough Rehab, Phase 1
Project No. 2022024

BID TABULATION
October 2, 2023

BIDDER	Bid Bond	MBE Form	Bid Forms (Proposal)	BASE BID	ALTERNATE BID ITEM	TOTAL BID AMOUNT
Harper General Contractors, Inc. Greenville, SC	5%	1	Yes	\$ 577,900.00	\$ 501,000.00	\$ 1,078,900.00
Cove Utility, LLC Greenville, SC	5%	2	Yes	\$ 534,000.00	\$ 513,000.00	\$ 1,047,000.00

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 PM on the 2nd day of October, 2023, 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 September 22nd. 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 2023 - 2024

PROJECT: Int. Clarifier Eff. Trough Rehab	LOCATION: MSD - Treatment Plant
TYPE: Treatment Plant	PIPE RATING: N/A
PROJECT NO.: 2022024	TOTAL LF: 0
PROJECT BUDGET: \$1,109,000.00	PROJECT ORIGIN: Aging Infrastructure, Poor condition

DESCRIPTION	ESTIMATED PROJECT COST	TOTAL EXPENDS THRU 12/31/22	EST. COST JAN - JUNE 2023	BUDGET FY 23-24
55310 - PRELIM. ENGINEERING				
55320 - SURVEY - DESIGN				
55330 - DESIGN				
55340 - PERMITS				
55350 - SPECIAL STUDIES				
55360 - EASEMENT PLATS				
55370 - LEGAL FEES				
55380 - ACQUISITION SERVICES				
55390 - COMPENSATION				
55400 - APPRAISAL				
55410 - CONDEMNATION				
55420 - CONSTRUCTION	\$1,107,000.00		\$257,000.00	\$850,000.00
55430 - CONST. CONTRACT ADM.				
55440 - TESTING	\$2,000.00			\$2,000.00
55450 - SURVEY - ASBUILT				
TOTAL AMOUNT	\$1,109,000.00	\$0.00	\$257,000.00	\$852,000.00

ENGINEER: MSD	SA	ESTIMATED BUDGETS - FY 25 - 33		
R.O.W. ACQUISITION: MSD	# PLATS: [0]	FY 24-25	\$0.00	
CONTRACTOR:		FY 25-26	\$0.00	
CONSTRUCTION ADM.: MSD		FY 26-27	\$0.00	
INSPECTION: MSD		FY 27-28	\$0.00	
		FY 28-29	\$0.00	
		FY 29-30	\$0.00	
PROJECT DESCRIPTION: The intermediate clarifier was placed into service in 1990. Clarified water flows upward through one of four clarifier basins and overflows into a series of aluminum effluent troughs. These troughs are in poor condition and are leaking. This project includes surface preparation and coating application to make the existing troughs watertight and resistant to further corrosion.		FY 30-31	\$0.00	
		FY 31-32	\$0.00	
		FY 32-33	\$0.00	
			\$0.00	

SPECIAL PROJECT NOTES: This project will be phased over two years to evaluate effectiveness of coating



**Intermediate Clarifier Effluent Trough Rehab
Project No. 2022024**

NOT TO SCALE



METROPOLITAN SEWERAGE DISTRICT
of
BUNCOMBE COUNTY, NORTH CAROLINA

Budget Map

Metropolitan Sewerage District of Buncombe County

Right-of-Way Committee - Information Item Only

COMMITTEE MEETING DATE: 9/27/23

BOARD MEETING DATE: 10/18/23

SUBMITTED BY: Tom Hartye, PE, General Manager

PREPARED BY: Angel Banks, Right of Way Manager

REVIEWED BY: Shaun Armistead, Project Engineer & Hunter Carson, PE, Director of CIP

**SUBJECT: Contract for Easement Services
Weaverville Pump Station and Force Main Improvements
MSD Project Number 2019080**

BACKGROUND: This project will replace Weaverville Pump Stations 1 and 2. Heavy growth has led to an increased demand for sewer allocations in Weaverville and, as a result, both stations need to be upgraded. Design includes entire replacement of PS 1 and replacement of existing 12 and 18-inch force main with 24-inch force main, designed to pump directly to the WRF. PS 2 will be converted to a smaller residential pump station.

Requests For Proposals to acquire easements were sent to three easement acquisition companies and MSD received responses from two, Telics and Utility Land Services.

Staff considered strengths of each firm (i.e., experience with similar projects, qualifications of their project team, team's location, etc.), costs and availability. References for each firm were positive. Ultimately, Telics was chosen as the best fit for MSD's needs.

Telics: Not to exceed \$105,000 for estimated 30 parcels; \$3,500 per parcel.

Utility Land Services: Not to exceed \$120,000 for estimated 30 parcels; \$4,000 per parcel.

Telics has worked with MSD in the past, completing easement acquisitions for six projects, the last being Jarnaul Avenue Rehabilitation in 2019. The firm's performance has been good.

As this is a contract for services, not construction or materials, the General Manager has authority to execute. We bring this information to you to keep you informed; it requires no action.

As an aside, there is one unusual aspect to this project's acquisition. Typically, easements are acquired prior to project bidding. Due to the lead time for materials, pump instrumentation, and shop drawings, there will be a six-month administrative period between the bidding process and start of construction. Easement acquisition will begin during this admin period and continue on while construction begins on the pump station site. Acquisition is expected to take one year.

STAFF RECOMMENDATION: For information only. No action required.

Ms. Banks reviewed the above information. Ms. Banks pointed out that since this is a force main, which is a pressurized system, you generally don't have taps into a force main line. The servient properties across which this force main travels will not offer any additional benefit to the landowner for a tap onto the line, beyond the benefit of the compensation they will get for the taking of the easement area. Mr. Kelly asked if MSD would file condemnations if property owners are not interested in signing these easements. Ms. Banks stated yes. Mr. Clarke asked if the property owners are served by some sort of existing sewer or not. Ms. Banks stated they are not served by the existing force main but it is on their property. Mr. Clarke asked if there was not a sewer line out there. Mr. Armistead stated there is no gravity line serving any of the housing along this route. There was some discussion regarding the existing and proposed force main locations. Mr. Armistead added that many of these property owners were spoken to during the design process and are aware of what is going on. Ms. Banks stated that in many instances we will be able to utilize the existing easement or at least a portion. Mr. Watts asked if, in the sections where you are obtaining new easements, will the old easement be relinquished? Ms. Banks stated yes, there will be abandonment language worked into the easement document. Mr. Kelly asked if any of these property owners will get to use the sewer line or derive any benefit from having it go across their property? Mr. Armistead stated that they will not get to use the sewer line and will derive no benefit from it crossing their property, and that is what will make easement acquisition difficult. There was no further discussion.

COMMITTEE RECOMMENDATION: For information only. No action required.

Metropolitan Sewerage District of Buncombe County
Board Action Item - Right-of-Way Committee

COMMITTEE MEETING DATE: 9/27//2023

BOARD MEETING DATE: 10/18/2023

SUBMITTED BY: Tom Hartye, PE, General Manager
PREPARED BY: Angel Banks, Right of Way Manager
REVIEWED BY: Hunter Carson, PE, Director of CIP

SUBJECT: Consideration of Compensation Budget-

**Weaverville Pump Station and Force Main Improvements
Project No. 2019080**

The attached Compensation Budget is based on current ad valorem tax values and follows the MSD approved formula.

STAFF RECOMMENDATION: Approval of Compensation Budget.

Ms. Banks reviewed the above compensation budget, which is for the project just discussed. This project begins at the Weaverville Pump Station 1 off of New Stock Road and travels over to Riverside Drive, then to Weaverville Pump Station 2, and on to the Treatment Plant. The project consists of replacing Pump Station 1 entirely, converting Pump Station 2 to smaller residential use and laying approximately 18,000 linear feet of force main. There was some discussion regarding the amount of the compensation budget being enough. There was no further discussion.

Mr. Kelly made the motion to accept Staff's recommendation. Mr. Ashley seconded the motion. Voice vote was unanimous.

COMMITTEE RECOMMENDATION: Approval of Compensation Budget.

Weaverville Pump Station Rehabilitation

Project Number: 2019080

Compensation Budget

13-Sep-23

PIN and Name		Acres	Parcel SF	Land Value	LV/SF	Net PE SF	PE Assd. Value	50% PE Assd. Value	TCE SF	TCE Assd. Value	10% Annl Return	Proj Time	TCE Rent Value	Total Comp. (Rounded)		
27 Pin	83 Pin															
	9722913904	Carscaddon	James	6.27	273,121.20	\$125,000.00	\$0.46	2,556.60	\$1,176.04	\$588.02	1,893.30	\$870.92	\$87.09	21	\$152.41	\$740
	9721759383	County of Buncombe		13.18	574,120.80	\$175,700.00	\$0.31							21		
	9721942726	County of Buncombe		96.50	4,203,540.00	\$810,700.00	\$0.19							21		
	9721959833	County of Buncombe		131.92	5,746,435.20	\$1,296,900.00	\$0.23							21		
	9722817329	Deweese	Timothy	5.00	217,800.00	\$106,500.00	\$0.49	376.70	\$184.58	\$92.29	0.00	\$0.00	\$0.00	21	\$0.00	\$92
	9721895852	Hurst	Jessie	0.67	29,185.20	\$37,600.00	\$1.29	0.00	\$0.00	\$0.00	230.80	\$297.73	\$29.77	21	\$52.10	\$52
	9722910554	Justice	Barbara	1.00	43,560.00	\$45,900.00	\$1.05	2,923.60	\$3,069.78	\$1,534.89	0.00	\$0.00	\$0.00	21	\$0.00	\$1,535
	9722900405	Kuhn	Justin	5.18	225,640.80	\$86,300.00	\$0.38	2,138.60	\$812.67	\$406.33	2,290.20	\$870.28	\$87.03	21	\$152.30	\$559
	9722805242	Kuhn	Justin	0.72	31,363.20	\$22,000.00	\$0.70	5,007.30	\$3,505.11	\$1,752.56	1,074.80	\$752.36	\$75.24	21	\$131.66	\$1,884
	9722900820	Kuhn	Randy	1.02	44,431.20	\$23,300.00	\$0.52	953.20	\$495.66	\$247.83	3,196.80	\$1,662.34	\$166.23	21	\$290.91	\$539
	9722938003	Lee	Carrie	0.77	33,541.20	\$131,200.00	\$3.91	131.20	\$512.99	\$256.50	619.90	\$2,423.81	\$242.38	21	\$424.17	\$681
	9722807885	Mcalister	John	2.00	87,120.00	\$43,900.00	\$0.50	4,077.70	\$2,038.85	\$1,019.43	0.00	\$0.00	\$0.00	21	\$0.00	\$1,019
	9722808027	Morris	Amanda	5.00	217,800.00	\$95,000.00	\$0.44	3,109.50	\$1,368.18	\$684.09	1,894.70	\$833.67	\$83.37	21	\$145.89	\$830
	9732136996	Nash	Trevor	5.11	222,591.60	\$85,100.00	\$0.38	4,764.70	\$1,810.59	\$905.29	3,587.20	\$1,363.14	\$136.31	21	\$238.55	\$1,144
	9732147694	Olup	John	3.49	152,024.40	\$76,500.00	\$0.50	4,995.50	\$2,497.75	\$1,248.88	4,784.50	\$2,392.25	\$239.23	21	\$418.64	\$1,668
	9732032354	Patti LN LLC		1.82	79,279.20	\$48,800.00	\$0.62	1,081.90	\$670.78	\$335.39	0.00	\$0.00	\$0.00	21	\$0.00	\$335
	9732031221	Patti LN LLC		1.82	79,279.20	\$57,100.00	\$0.72	741.30	\$533.74	\$266.87	2,808.40	\$2,022.05	\$202.20	21	\$353.86	\$621
	9722912640	Peasley	Amber	1.48	64,468.80	\$41,700.00	\$0.65	114.20	\$74.23	\$37.12	0.00	\$0.00	\$0.00	21	\$0.00	\$37
	9722911393	Peasley	Amber	1.86	81,021.60	\$64,100.00	\$0.79	1,418.30	\$1,120.46	\$560.23	1,826.30	\$1,442.78	\$144.28	21	\$252.49	\$813
	9732020975	Player	Michael	1.26	54,885.60	\$50,800.00	\$0.93	1,327.40	\$1,234.48	\$617.24	1,405.90	\$1,307.49	\$130.75	21	\$228.81	\$846
	9722802982	Plemmons	Mark	25.08	1,092,484.80	\$310,100.00	\$0.28	564.20	\$157.98	\$78.99	0.00	\$0.00	\$0.00	21	\$0.00	\$79
	9722903856	Plemmons	Wiley	8.30	361,548.00	\$123,900.00	\$0.34	352.90	\$119.99	\$59.99	1,855.80	\$630.97	\$63.10	21	\$110.42	\$170
	9722801322	Plemmons LE	Louise	1.50	65,340.00	\$45,700.00	\$0.70	3,482.70	\$2,437.89	\$1,218.95	226.20	\$158.34	\$15.83	21	\$27.71	\$1,247
	9732033152	Rhodes	Brenda	1.78	77,536.80	\$34,900.00	\$0.45	1,554.60	\$699.57	\$349.79	0.00	\$0.00	\$0.00	21	\$0.00	\$350
	9722924593	Rice	Harlan	12.07	525,769.20	\$223,400.00	\$0.42	5,134.30	\$2,156.41	\$1,078.20	13,298.60	\$5,585.41	\$558.54	21	\$977.45	\$2,056
	9732038528	Rice LE	Wanda	19.00	827,640.00	\$251,100.00	\$0.30	17,417.90	\$5,225.37	\$2,612.69	28,026.20	\$8,407.86	\$840.79	21	\$1,471.38	\$4,084
	9732033526	Smith	Michael	3.31	144,183.60	\$82,700.00	\$0.57	1,453.10	\$828.27	\$414.13	0.00	\$0.00	\$0.00	21	\$0.00	\$414
	9721894833	Stills	Valerie	0.79	34,412.40	\$40,800.00	\$1.19	0.00	\$0.00	\$0.00	431.20	\$513.13	\$51.31	21	\$89.80	\$90

Weaverville Pump Station Rehabilitation

Project Number: 2019080

Compensation Budget

13-Sep-23

PIN and Name		Acres	Parcel SF	Land Value	LV/SF	Net PE SF	PE Assd. Value	50% PE Assd. Value	TCE SF	TCE Assd. Value	10% Annl Return	Proj Time	TCE Rent Value	Total Comp. (Rounded)
27 Pin	83 Pin													

TOTALS:	\$21,884
Staff Contingency:	\$15,000
GM's Contingency Amendment	\$15,000
Total Budget:	\$51,884

PINS 9721-94-2726, 9721-75-9383 and 9721-95-9833 belong to the County of Buncombe and MSD typically does not pay compensation to state agencies, municipalities, etc.

Metropolitan Sewerage District of Buncombe County

BOARD ACTION ITEM

BOARD MEETING DATE: 10/18/23

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

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

SUBJECT: Consideration of Revenue Sharing Agreement - MSD Failing Septic Tank Emergencies Policy, MSD Project Number 2023076

BACKGROUND: Dulce Lomita, LLC owns six (6) existing mobile homes located at 15 and 17 Gatewood Road, adjacent to Emma Road in Asheville. The mobile homes are served by a shared septic system that is failing due to unsuitable soil conditions. Dulce Lomita, LLC was denied a permit by Buncombe County Health and Human Services (BCHHS) to improve or repair the septic system due to insufficient space on site and has applied for MSD's Failing Septic Tank Emergencies reimbursement program.

The Failing Septic Tank Emergencies program was developed to assist owners of failing septic systems in the extension of public sewer to their respective site(s). Dulce Lomita, LLC is the first applicant since the program's inception. MSD participates by pledging 10 years of estimated revenues generated by user fees (from affected residences) once the extension is complete and accepted by the MSD Board. Policy also requires MSD to provide design and right of way acquisition services, and to administer the construction of the extension. The applicant is responsible for construction costs and system development fees.

Program eligibility is subject to the following requirements:

- Letter from BCHHS stating that onsite repair of the failed system is not possible.
- Agreement signed by both parties identifying each party's obligations and MSD's revenue sharing amount.

A letter from BCHHS has been received, and a copy of the Agreement is attached for review.

The 8-inch sewer extension will be approximately 800LF and will follow MSD's master plan alignment. Most of the proposed extension lies within NCDOT right of way; however, the lower portion of the project is on private property and will require one easement.

FISCAL IMPACT: Estimated generated revenue (i.e. reimbursement amount) is \$18,936.00. Reimbursement will not occur until the sewer extension is complete and has been accepted by the MSD Board. This is not anticipated until FY24-25 so sufficient funds will be allocated in the FY24-25 CIP Budget. Sufficient funds are available in the FY23-24 CIP budget for design and ROW acquisition services.

STAFF RECOMMENDATION:

Staff recommends that the District enter into a revenue sharing agreement with Dulce Lomita, LLC in the amount of \$18,936.00 subject to review and approval by District Counsel.



15 & 17 Gatewood Road
 Owner: Dulce Lomita, LLC
 Location of failing septic system

Proposed 8-inch sewer extension

STATE OF NORTH CAROLINA)	AGREEMENT REGARDING
COUNTY OF)	CONSTRUCTION OF AND
BUNCOMBE)	REVENUE SHARING FOR
)	FAILING SEPTIC SYSTEM
)	SERVING 15 & 17 GATEWOOD
)	ROAD – MSD PROJECT #2023076
)	(DULCE LOMITA)

THIS AGREEMENT, made this ____ day of _____, 2023, by and between the **METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY** (hereinafter sometimes called “**MSD**” or the “**District**”), a North Carolina public body and body politic and corporate created and established under the provisions of the North Carolina Metropolitan Sewerage Districts Act, Chapter 153, Article 25, Sections 153-295 to 153-324, inclusive (succeeded by Chapter 162A, Article 5, Sections 162A-64 to 162A-81, inclusive) of the General Statutes of North Carolina; and **Dulce Lomita, LLC** (hereinafter sometimes called “**Dulce**”), a limited liability corporation organized under the laws of the State of North Carolina with its principal office and place of business at 528 Emma Road, Asheville, N.C.

WHEREAS, the District, in May, 2015 adopted a Revenue Sharing Policy applicable to Failing Septic Systems wherein the **District** would participate in the extension of wastewater service by providing design and right of way acquisition services, and revenue sharing based on the expected user fees to be generated from **Dulce** by the extension; and

WHEREAS, **Dulce** owns two tracts (PINS 9639110614, 9639110522) totaling approximately 0.57 acres in the Camelot/Echo Hills Drainage Basin (the “Property”) that have shared ownership and use of a private septic system; and

WHEREAS, there are currently six mobile homes located on the property: and

WHEREAS, the subject septic system is failing due to unsuitable soil conditions; and

WHEREAS, **Dulce** was denied a permit by Buncombe County Health and Human Services to improve or repair the septic system due to insufficient space on site, and desires to connect the Property to the **District** Sewerage System; and

WHEREAS, MSD will prepare plans and specifications in accordance with **MSD** Standards for the construction of an eight-inch gravity sewer line of sufficient length and capacity to provide sewer service to the Property (the “Project”), and acquire all necessary easements and applicable permits; and

WHEREAS, Dulce is willing to pay the full cost of constructing the eight-inch gravity sewer line; and

WHEREAS, projected revenues from **Dulce**, over a period of ten years, are \$18,936.00.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and the covenants and conditions set forth herein, **MSD** and **Dulce** agree as follows:

1. **Dulce** will contract with a well-qualified, experienced, financially sound utility contractor currently licensed in North Carolina and satisfactory to **MSD**, to build the Dulce Lomita sewer extension, MSD Project No. 2023076. The Contractor shall be required to provide and maintain in force (until the project is complete) a payment bond and a performance bond in the amount of 100 % of the Dulce Lomita sewer extension construction contract amount. **Dulce** and **MSD** shall be named beneficiaries under said bond. The bonds shall meet the requirements of Chapter 44A of the North Carolina General Statutes.
2. Should MSD prepare the plans and specifications for the Project and **Dulce** does not proceed with construction, for any reason, **Dulce** will reimburse MSD for the cost of preparing plans and specifications and acquiring easements and permits. **Dulce** will secure this obligation with a Letter of Credit from an approved financial institution or other instrument satisfactory to MSD.

3. The Dulce Lomita sewer extension will be constructed in a good and workmanlike manner, in accordance with the plans and specifications prepared by **MSD** and in accordance with all permit and special provision requirements. A copy of all permits will be provided by **MSD** prior to scheduling of pre-construction meeting. **MSD** will issue an approved copy of plans and specifications to **Dulce**, and its contractor prior to the pre-construction meeting.
4. **Dulce** and **MSD** acknowledge and agree that the estimated projected ten year revenues are \$18,936.00. **MSD** and **Dulce** agree that **MSD** shall make no additional reimbursement or payments to **Dulce** except as set forth in this Agreement.
5. **MSD** agrees to reimburse **Dulce** the amount set forth in paragraph 4 upon full project completion. Full project completion for the Dulce Lomita sewer extension shall be defined as:
 - 1) All construction and testing are 100% complete and passing and final inspection approval has been issued by **MSD**.
 - 2) All applicable permitting requirements are satisfied.
 - 3) Final closeout documents including:
 - Engineer's Certification – provided by **MSD**
 - Engineering As-Built Drawings - provided by **MSD**
 - Contractor's Certification to include one-year warranty
 - Conveyance of Sewer System
 - 4) Conveyance of the Dulce Lomita sewer extension therefor to **MSD** and acceptance of same by the Board of Directors of **MSD**.

Completion shall be determined by the **MSD Planning and Development Section**. Upon full project completion, **MSD** shall notify **Dulce** in writing of such satisfactory completion of the work and **MSD** shall thereafter immediately reimburse **Dulce** as provided in paragraphs 2 and 4.

6. **MSD** will employ construction inspectors, at its expense, to inspect the construction of the Dulce Lomita sewer extension. **Dulce** and its contractor further agree to coordinate all sewer construction activities with **MSD** to facilitate timely completion of the work and restoration of affected areas.
7. Changes to the project made in the field must be reviewed and approved by **MSD** prior to implementation. It shall be the responsibility of **Dulce** and its contractor to make **MSD's** Construction Division aware of any proposed change(s) and to obtain approval for the change(s) from **MSD**. Upon receipt of a request for a change or changes in the project design and/or construction, **MSD** will promptly review such change(s) and indicate approval or denial of such change(s) within reasonable time from receipt. Any proposed change affecting the quality of the design, the integrity of the sewer system, resulting in additional costs to **MSD**, or any matter involving right of way revisions shall be submitted in writing by **Dulce** and shall be approved/disapproved in writing by **MSD** within a reasonable amount of time not to exceed five (5) business days.
8. Upon completion of construction, **Dulce** will convey the Dulce Lomita sewer extension to **MSD**. Such conveyance will be by instrument in form and content similar to Exhibit A attached hereto. Upon finding the conveyance is in accord with relevant provisions of its bond order and applicable law, **MSD** will issue approval to record the conveyance and accept such conveyance.
9. This Agreement shall be governed by and under the laws of the State of North Carolina and any litigation hereunder shall be in the General Court of Justice for the 28th Judicial District of North Carolina.
10. This Agreement represents the entire agreement between **MSD** and **Dulce** with respect to the subject matter hereof. Any amendment to this agreement shall be in writing and signed by the parties hereto.

IN WITNESS WHEREOF, the parties have executed this agreement by and through their respective, duly authorized representatives as the day and year first above written.

**METROPOLITAN SEWERAGE DISTRICT
OF BUNCOMBE COUNTY, NORTH
CAROLINA**

By: _____
Thomas E. Hartye, P.E. General Manager

Dulce Lomita LLC

By: _____
Ingrid Johnson for Developer, Managing
Member

EXHIBIT A

**Prepared By and Return to: Owner's Attorney and
Metropolitan Sewerage District of Buncombe County
Attn: Planning and Development Manager
2028 Riverside Drive
Asheville, NC 28804**

**STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE**

**CONVEYANCE OF SEWER SYSTEM
AND EASEMENT FOR MSD Project Name and #**

THIS CONVEYANCE OF SEWER SYSTEM AND EASEMENT made this the ____ day of _____, 20__, from _____, hereinafter referred to as the Grantor, to the **METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY, NORTH CAROLINA**, a public body and body politic and corporate, created and established by the North Carolina State Stream Sanitation Committee by Resolution adopted on January 19, 1962, under the provisions of the North Carolina Metropolitan Sewerage Districts Act, now codified as Chapter 162A, Article 5, of the General Statutes of North Carolina, hereinafter referred to as Grantee (the designations Grantor and Grantee as used herein shall include said parties, their heirs, successors and assigns and shall include singular, plural, masculine, feminine and neuter as required by context).

WITNESSETH:

THAT WHEREAS, the Grantor has developed property known as _____ as shown on plats recorded in Plat Book _____ at Page _____ of the Buncombe County, North Carolina Registry and has sold lots with reference to said Plat; and

WHEREAS, the Grantor installed sewer lines and sewer related improvements (hereinafter Sewer Lines and Sewer Related Improvements) according to plans and specifications prepared by _____, an engineer licensed in the State of North Carolina and pursuant to permits issued by the Metropolitan Sewerage District of Buncombe County, North Carolina; and

WHEREAS, the Sewer Lines and Sewer Related Improvements constructed by the Grantor are shown on as-built drawings prepared by _____, entitled _____, dated _____, reference to which drawings is made for a complete description of the Sewer Lines and Sewer Related Improvements; and

WHEREAS, the Grantor retained easements for the Sewer Lines and Sewer Related Improvements and said easements are shown on a plat map entitled _____, prepared by _____, PLS, dated _____ and recorded in Plat Book at _____ Page _____ of the Buncombe County, North Carolina Registry, reference to which map is made for a more particular description of the exact location of the Sewer Lines and Sewer Related Improvements and easements therefor; and

WHEREAS, the Grantor now desires to convey to the Grantee and the Grantee is willing to accept the Sewer Lines and Sewer Related Improvements together with the easements therefore.

NOW, THEREFORE, the Grantor, for and in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, has given, granted and conveyed, and by these presents does give, grant and convey unto the Grantee, its successors and assigns, the Sewer Lines and Sewer Related Improvements together with easements therefor, together with the full right of reasonable access to and egress from said permanent easement over and upon the above-referenced Property or other property of Grantor from the nearest public road to have access to the Sewer Lines and Sewer Related Improvements in order to properly operate and maintain the Sewer Lines and Sewer Related Improvements and to repair and replace the Sewer Lines and Sewer Related Improvements as necessary. Such sewer system and easements being as shown on the maps and plats previously referred to herein. The easement being conveyed by the Grantor is a twenty foot permanent easement, the centerline of which is shown on the Plat Map at the Book and Page previously referred to herein. The twenty foot easement is such that it extends ten feet from the center point of the sewer line from any given point as the sewer line crosses the Grantor's property. The Grantor conveys an easement to the District such that, at any point along the sewer line crossing the Grantor's property, the District will have an easement extending ten feet from the center point of the sewer line whether the ten feet extends in a perpendicular direction from the center line, parallel to the boundary line of the Grantor's property, or in such other direction as is necessary to convey an easement extending ten feet from the center point of the sewer line at any point crossing the Grantor's property.

IT IS UNDERSTOOD BY AND BETWEEN THE GRANTOR AND THE GRANTEE:

1. That the Grantee shall have the right, but not the obligation, to clear the permanent easement as shown on the maps and plats and the right, but not the obligation, to keep the permanent easement clear at all times, and the right, but not the obligation, to remove from the permanent easement all brush, trees and other obstructions, and to go upon said easement whenever necessary for the purpose of clearing the same and removing therefrom all brush, trees and other obstructions of any kind.

2. That the Grantor shall at all times, other than while the Sewer Lines and Sewer Related Improvements are under actual construction, have the right to use said permanent easement in the same manner as has been heretofore done; provided such use shall in no manner interfere with or be inconsistent with the use thereof by Grantee as provided herein. Prohibited uses of the permanent easement by the Grantor include, but are not limited to, the following: the erection of a shed, building, structure or other obstruction within the permanent easement by the Grantor shall not be allowed; the planting of trees within the permanent easement by the Grantor shall not be allowed; additional fill cannot be placed within the permanent easement except after prior written consent from the Grantee; and other utility lines, including but not limited to, electric, gas, telephone, cable, or water lines, cannot be constructed within the permanent easement except after prior written approval by the Grantee.

3. That the Grantee agrees to restore the topography of the easement area after any necessary repair or replacement of the Sewer Lines and Sewer Related Improvements to approximately the same condition as existed prior to the repair or replacement.

4. That the Grantor shall have the rights to pass over and upon said permanent easement with appropriate roadways for the full use of its property, provided, however, that the construction, maintenance and use of said roadways shall in no way interfere with the Sewer Lines and Sewer Related Improvements constructed within said permanent easement. As to paved roads, the Grantee, in future repairs or maintenance of said Sewer Lines and Sewer Related Improvements, shall only be responsible for regravelling, tamping and patching the portion of said paved roads disturbed in connection with any repairs or maintenance. As to non-paved roads, the Grantee shall only be responsible for regravelling and tamping in connection with any repairs or maintenance.

5. During the time the Grantor owns the property on which the permanent sewer easement is located, the Grantor agrees to indemnify, defend and hold harmless the Grantee from and against any claim for injury to person or property arising out of the use of the easement for walking trails or greenways provided such injury does not proximately result from the negligence, gross negligence or intentional act of the Grantee, its agents or employees. Should a deed conveying the subject walking trail or greenway containing the sewer easement be conveyed to a Property Owner's Association, the Association agrees to indemnify, defend and hold harmless the grantee from and against any claim for injury to person or property arising out of the use of the sewer easement for walking trails or greenways provided such injury does not proximately result from the negligence, gross negligence or intentional act of the Grantee, its agents or employees.

TO HAVE AND TO HOLD said Sewer Line and Sewer Related Improvements together with the easements therefor unto said Grantee, its successors and assigns, forever upon the terms set forth herein.

The Grantor covenants to and with the Grantee, its successors and assigns, that the Grantor is the owner of the Sewer Lines and Sewer Related Improvements and the easements therefor, and that said Sewer Lines and Sewer Related Improvements and the easements therefor are free from any and all liens and encumbrances, and that they will and their successors and assigns shall forever warrant and defend the title to said Sewer Lines and Sewer Related Improvements and easements therefor unto the Grantee, its successors and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set its hands and seals, or if corporate, has caused this document to be executed by its duly authorized officers, and its seal to be hereunto affixed, as of the day and year first above written.

_____(SEAL)
Grantor

_____(SEAL)
Grantor

**STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE**

I, a Notary Public of the State and County aforesaid, certify that _____ personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official stamp or seal, this _____ day of _____, 20__.

NOTARY PUBLIC

My Commission Expires:

Metropolitan Sewerage District of Buncombe County

Board Action Item

BOARD MEETING DATE: October 18, 2023

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 Fountain Park Phase 2 Sewer Extension, MSD Project No. 2020026

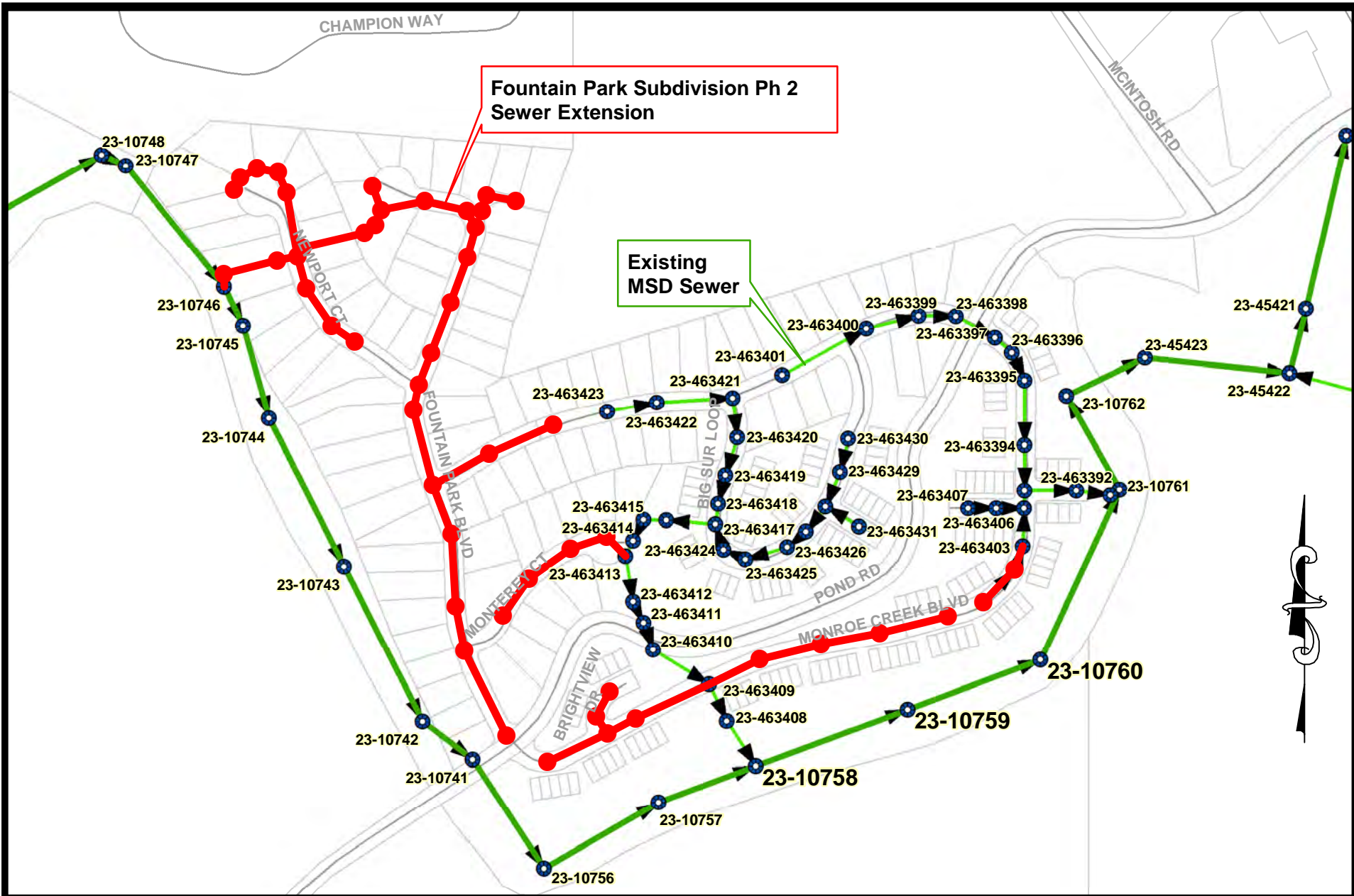
BACKGROUND: This project is located inside the District boundary off Pond Road in Buncombe County. The developers of the project is Ralph Spano of Spano and Associates, LLC and Brian Etheridge of D.R. Horton, Inc.

This phase of the project included extending approximately 4,590 linear feet of 8-inch public gravity sewer to serve the Single-Family Residential Development.

A wastewater allocation was issued in the amount of 36,000 GPD for the 120 residential units in Phase 2 of this project. The estimated cost of the sewer construction is \$605,000.00.

All MSD requirements have been met.

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



MSD
Engineering Division

**Fountain Park Subdivision Ph 2 Sewer Extension
MSD Project # 2020026**

Metropolitan Sewerage District of Buncombe County

10/04/2023

Metropolitan Sewerage District of Buncombe County

Board Action Item

BOARD MEETING DATE: October 18, 2023

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 Schwan's Sewer Extension, MSD Project No. 2021261

BACKGROUND: This project is located inside the District boundary at Sand Hill Road and Jacob Holm Way in Buncombe County. The developer of the project is Martin Lewis of Marion Associates, LLC.

The project included extending approximately 145 linear feet of 8-inch public gravity sewer to serve the Commercial Development.

A wastewater allocation was issued in the amount of 1,000 GPD for the two commercial buildings associated with this project. The estimated cost of the sewer construction is \$40,000.00.

All MSD requirements have been met.

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

Existing
MSD Sewer

23-85156

Schwan's Sewer Extension

JACOB HOLM WAY



MSD
Engineering Division

Schwan's Sewer Extension
MSD Project # 2021261

Metropolitan Sewerage District of Buncombe County

10/04/2023

Metropolitan Sewerage District of Buncombe County

Board Action Item

BOARD MEETING DATE: October 18, 2023

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 Wolf Tract Cottages Sewer Extension, MSD Project No. 2017029

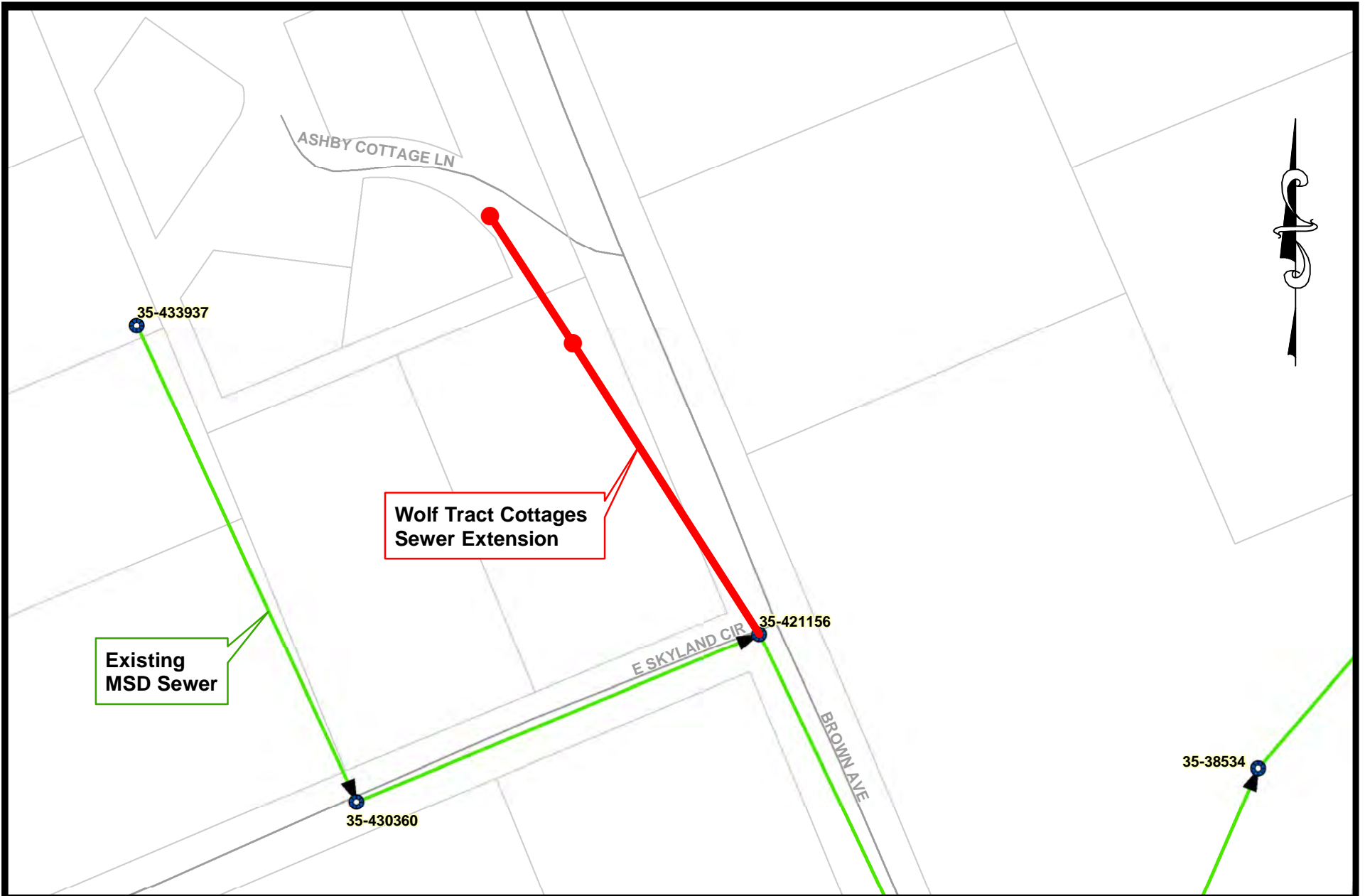
BACKGROUND: This project is located inside the District boundary at E. Skyland Circle and Brown Avenue in the Town of Woodfin. The developer of the project is Isaac Grossman.

The project included extending approximately 183 linear feet of 8-inch public gravity sewer to serve the Single-Family Residential Development.

A wastewater allocation was issued in the amount of 1,400 GPD for the six (6) cottages in this residential development. The estimated cost of the sewer construction is \$22,500.00.

All MSD requirements have been met.

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



MSD
Engineering Division

Wolf Tract Cottages Sewer Extension MSD Project # 2017029

Metropolitan Sewerage District of Buncombe County

10/04/2023

Metropolitan Sewerage District of Buncombe County Board Action Item

Meeting Date: October 18, 2023

Subject: Procurement of (3) New 2023 Compact Utility Vehicles

Submitted by: Tom Hartye, General Manager

Reviewed by: Scott Powell, CLGFO; Finance Director
Billy Clarke, District Counsel

Prepared by: Heather Young; Purchasing Supervisor

Background: The District's policy is to annually evaluate the condition of fleet vehicles and purchase replacements when the estimated cost of repair and maintenance will exceed the cost of a new vehicle. At the March 13, 2023, Equipment Replacement Committee meeting, the members recommended the purchase of three (3) New 2023 Compact Utility Vehicles, as presented to this Board for approval. Funds for this purchase were included in the 2023-2024 Budget.

Discussion: Pursuant to North Carolina Purchasing Statute G.S. 143-129 and MSD Purchasing Procedures, formal bids were solicited, and Friendship Ford was the lowest, responsive, responsible bidder. Cost per vehicle is \$34,875.00 with the total cost for (3) vehicles being \$104,625.00. Because the cost of (3) vehicles exceed \$90,000.00, the procurement requires Board approval.

Fiscal Impact: The total cost of this contract will be \$104,625.00.

Staff Recommendation: Staff recommends that the bid from Friendship Ford of Bristol, TN be awarded.

**ROBERTS
& STEVENS**
ATTORNEYS AT LAW

WILLIAM CLARKE
VINCENT D. CHILDRESS, JR.
GREGORY D. HUTCHINS
WYATT S. STEVENS
DAVID L. ENGLISH
KENNETH R. HUNT
DENNIS L. MARTIN, JR.
ANN-PATTON HORNTAL
PHILLIP T. JACKSON
JAMES W. K. WILDE
MARY ROBINSON HERVIG
JOHN D. NOOR
KATHRYN MAULTSBY MADISON
L. ASHLEY SAVILLE-AMTOWER
SUSAN RUSSO KLEIN
STEVEN W. SIZEMORE

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ABBIE N. HORNBERGER
JORDAN P. BARNETTE
SAMANTHA G. JENKINS

FOUNDERS
LONDON ROBERTS
(1921-2007)
JOHN S. STEVENS
(1933-2019)

*Writer's Direct No.: 828/258-6919
Writer's E-mail: bclarke@roberts-stevens.com*

October 5, 2023

Heather Young
MSD Purchasing Supervisor
2028 Riverside Drive
Asheville, NC 28804

Via E-mail: HYoung@msdbc.org

Re: 2023 Compact Utility Vehicles (3)

Dear Heather:

We have received and reviewed bid documents and a proposal received by the District for the purchase of three (3) new 2023 compact utility vehicles. The District received one proposal from Friendship Ford of Bristol, TN.

Friendship Ford of Bristol, TN	Base Cost:	\$34,875.00
	# of Vehicles:	3
	Total:	\$104,625.00

This proposal is satisfactory in form and content. As this is a purchase of equipment (not construction or repair), there is no requirement to receive three bids. The District may award the contract for the three compact utility vehicles to Friendship Ford of Bristol, TN.

Sincerely,

ROBERTS & STEVENS, P.A.



William Clarke

BC/sh

Metropolitan Sewerage District of Buncombe County

BOARD INFORMATIONAL ITEM

Meeting Date: October 18, 2023
 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 August 31, 2023

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 August 31, 2023 were \$82,699,724. The detailed listing of accounts is available upon request. The average rate of return for all investments is 4.127%. 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 August 31, 2023 do not reflect contractual commitments or encumbrances against said funds. Shown below are the total investments as of August 31, 2023 reduced by contractual commitments, bond funds, and District reserve funds. The balance available for future capital outlay is \$23,034,825.

Total Cash & Investments as of 08/31/2023		82,699,724
Less:		
Budgeted commitments (required to pay remaining FY24 budgeted expenditures from unrestricted cash		
Construction Funds	(22,770,755)	
Operations & Maintenance Fund	<u>(18,869,411)</u>	
		(41,640,166)
Bond Restricted Funds		
Bond Service (Funds held by trustee):		
Funds in Principal & Interest Accounts	(70,411)	
FY24 Principal & Interest Due	<u>(8,735,380)</u>	
		(8,805,791)
District Reserve Funds		
Fleet Replacement	(1,237,289)	
Pump Replacement	(229,635)	
WWTP Replacement	(337,896)	
Maintenance Reserve	<u>(1,248,973)</u>	
		(3,053,793)
District Insurance Funds		
General Liability	(112,399)	
Worker's Compensation	(501,014)	
Post-Retirement Benefit	(2,690,816)	
Self-Funded Employee Medical	<u>(2,860,920)</u>	
		<u>(6,165,149)</u>
Designated for Capital Outlay		<u>23,034,825</u>

Meeting Date: October 18, 2023

Subject: Cash Commitment/Investment Report-Month Ended August 31, 2023

Page 2

Staff Recommendation

None - Information Only.

Action Taken

Motion by:

to

Approve

Disapprove

Second by:

Table

Send to Committee

Other:

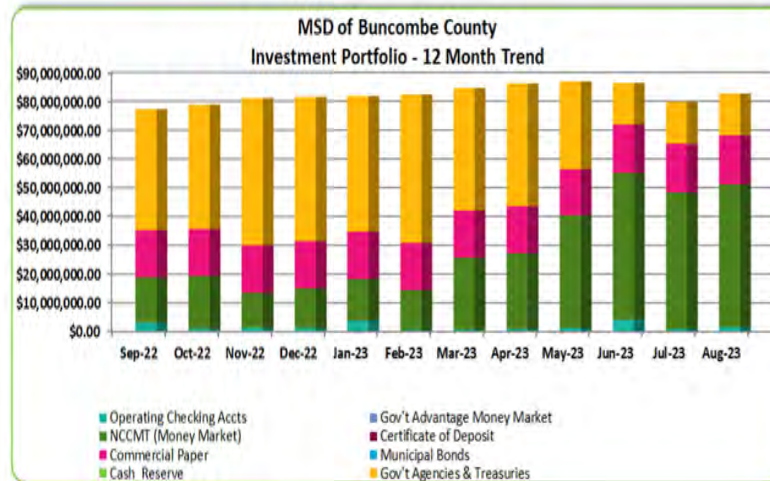
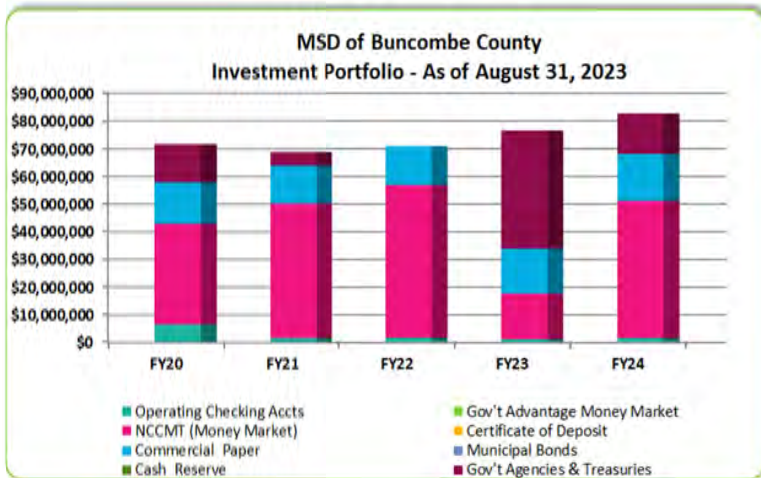
Follow-up required:

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	\$ -		\$ 70,411			\$ -	\$ -		\$ 70,411
Held by MSD	1,612,863	46,702	49,412,444	-	16,967,215	-		14,590,089	82,629,313
	\$ 1,612,863	\$ 46,702	\$ 49,482,855	\$ -	\$ 16,967,215	\$ -	\$ -	\$ 14,590,089	\$ 82,699,724

Investment Policy Asset Allocation	Maximum Percent	Actual Percent	
U.S. Government Treasuries,			
Agencies and Instrumentalities	100%	17.64%	No significant changes in the investment portfolio as to makeup or total amount.
Bankers' Acceptances	20%	0.00%	
Certificates of Deposit	100%	0.00%	
Commercial Paper	20%	19.24%	
Municipal Bonds	100%	0.00%	
North Carolina Capital Management Trust	100%	61.11%	All funds invested in CD's, operating checking accounts, Gov't Advantage money market are fully collateralized with the State Treasurer.
Checking Accounts:	100%		
Operating Checking Accounts		1.95%	
Gov't Advantage Money Market		0.06%	



Meeting Date: October 18, 2023

Subject: Cash Commitment/Investment Report-Month Ended August 31, 2023

Page 4

Metropolitan Sewerage District Investment Managers' Report On August 31, 2023

Summary of Asset Transactions

	Original		Interest
	Cost	Market	Receivable
Beginning Balance	\$ 71,942,857	\$ 72,065,351	\$ 157,615
Capital Contributed (Withdrawn)	1,852,416	1,852,416	
Realized Income	219,280	219,280	(36,250)
Unrealized/Accrued Income		78,695	59,561
Ending Balance	<u>\$ 74,014,553</u>	<u>\$ 74,215,742</u>	<u>\$ 180,926</u>

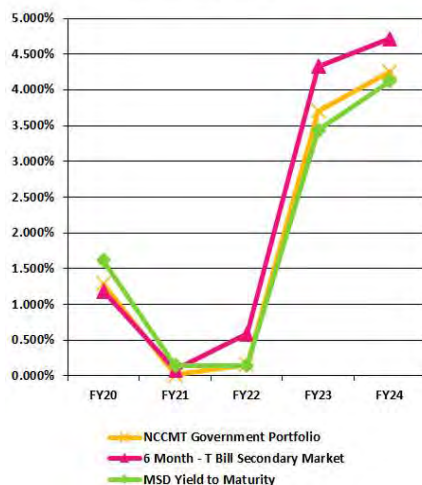
Value and Income by Maturity

	Original Cost		Income	
Cash Equivalents <91 Days	\$ 59,424,464		\$ 257,953	
Securities/CD's 91 to 365 Days	9,548,853		41,450	
Securities/CD's > 1 Year	5,041,236		21,883	
	<u>\$ 74,014,553</u>		<u>\$ 321,286</u>	

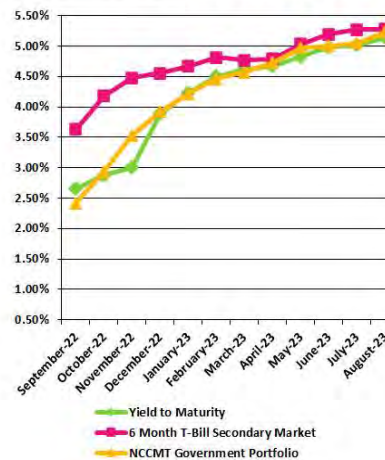
Month End Portfolio Information

Weighted Average Maturity	71
Yield to Maturity	5.14%
6 Month T-Bill Secondary Market	5.28%
NCCMT Government Portfolio	5.23%

Metropolitan Sewerage District
Annual Yield Comparison



Metropolitan Sewerage District
Yield Comparison - August 31, 2023

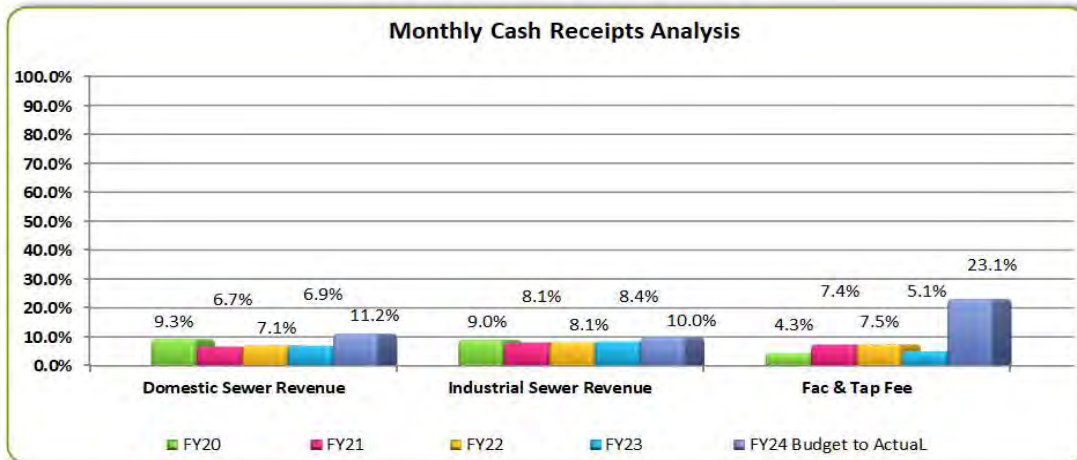


Meeting Date: October 18, 2023

Subject: Cash Commitment/Investment Report-Month Ended August 31, 2023

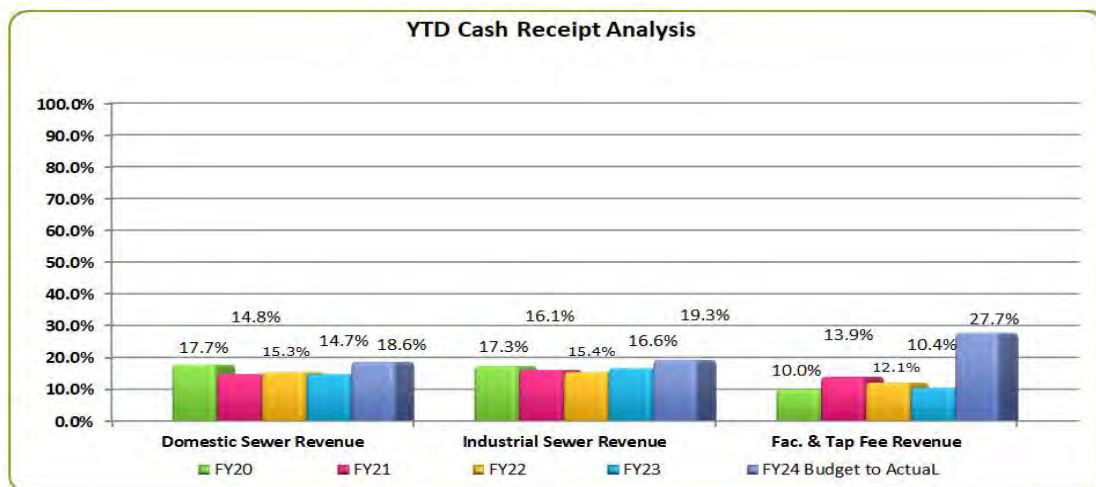
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Metropolitan Sewerage District Analysis of Cash Receipts As of August 31, 2023



Monthly Cash Receipts Analysis:

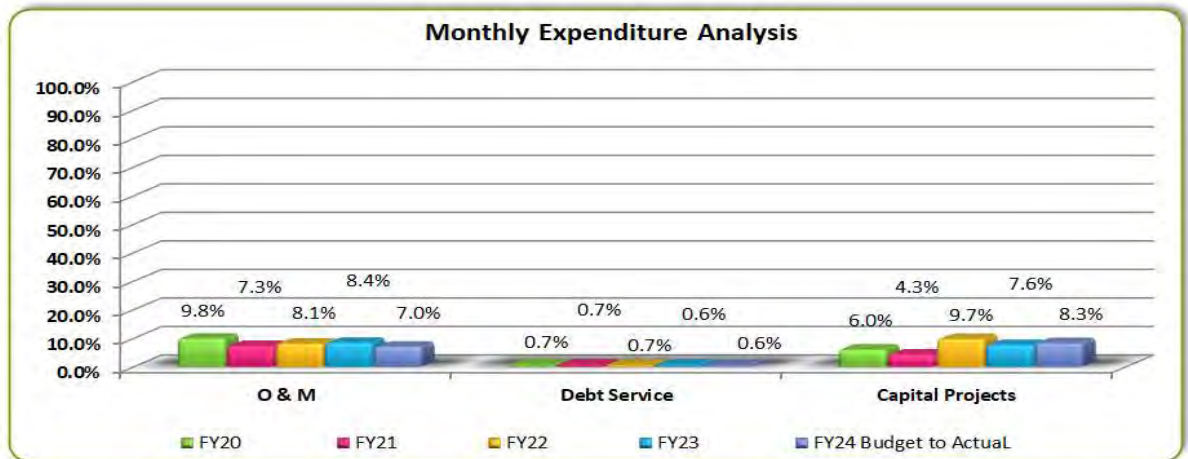
- * Monthly domestic sewer revenue is considered reasonable based on timing of cash receipts in their respective fiscal periods.
- * Monthly industrial sewer revenue is reasonable based on historical trends.
- * Due to the unpredictable nature of facility and tap fee revenue, staff considers facility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



YTD Actual Revenue Analysis:

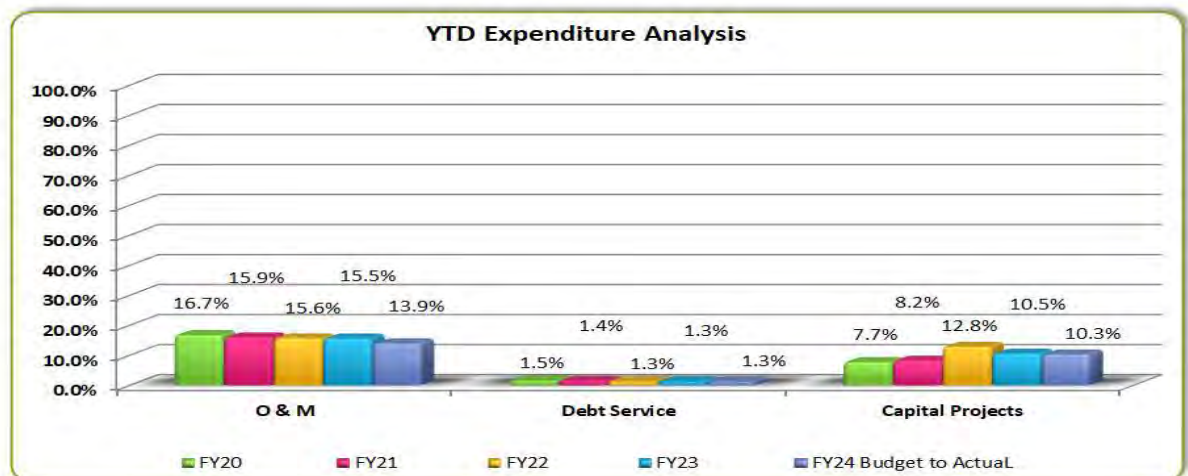
- * YTD domestic sewer revenue is considered reasonable based on historical trends.
- * YTD industrial sewer revenue is reasonable based on historical trends.
- * Due to the unpredictable nature of facility and tap fee revenue, staff considers facility and tap fee revenue reasonable.

Metropolitan Sewerage District Analysis of Expenditures As of August 31, 2023



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:

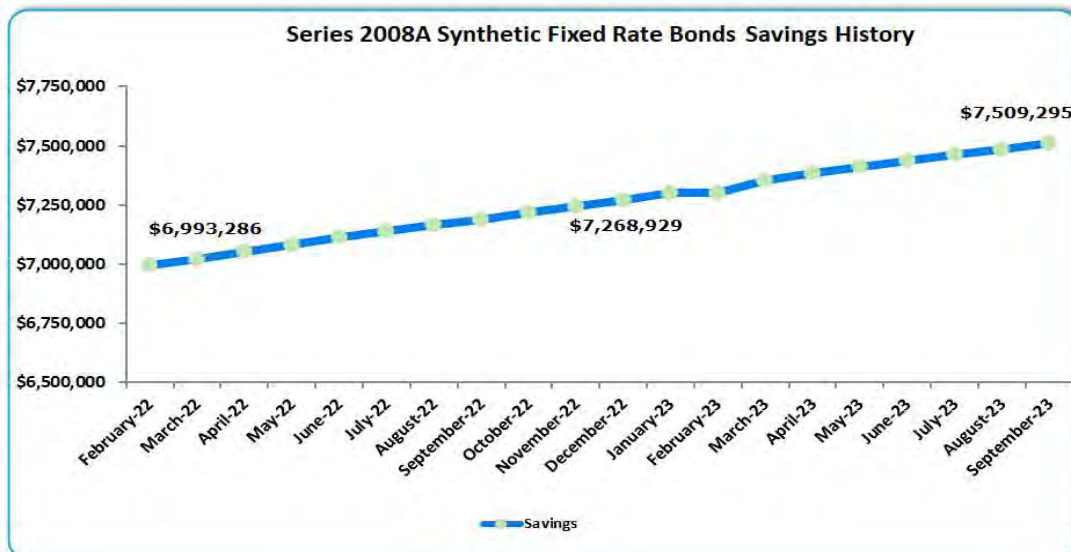
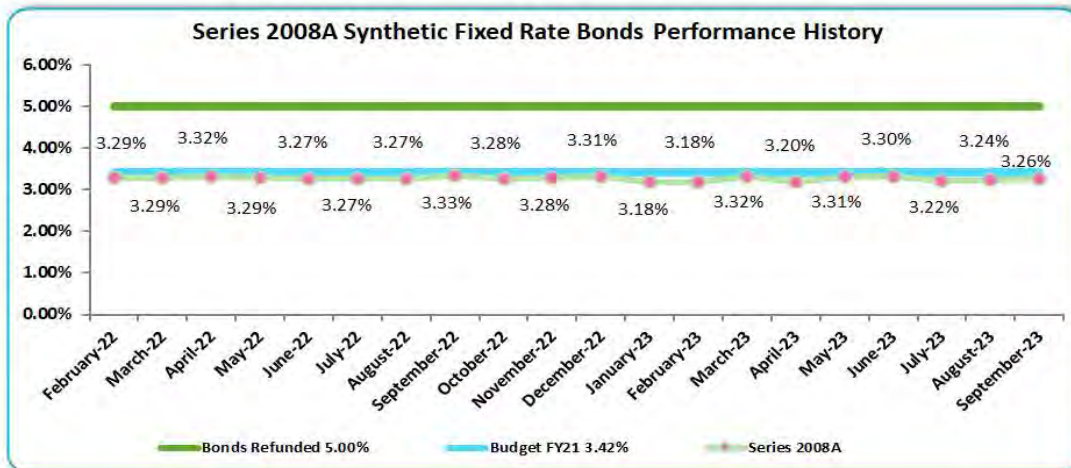
- * YTD O&M expenditures are considered reasonable based on historical trends.
- * Due to the nature of the variable rate bond market, YTD expenditures can vary year to year. Based on current variable interest rates, YTD debt service expenditures are considered reasonable.
- * Due to nature and timing 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: October 18, 2023

Subject: Cash Commitment/Investment Report-Month Ended August 31, 2023

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Metropolitan Sewerage District Variable Debt Service Report As of September 30, 2023



Series 2008A:

- * Savings to date on the Series 2008A Synthetic Fixed Rate Bonds is \$7,509,295 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 receive \$31,355 to terminate the existing Bank of America Swap Agreement.

STATUS REPORTS

**MSD System Services In-House Construction
FY 2023-2024**

PROJECT NAME	LOCATION	ZIP CODE	ESTIMATED FOOTAGE	ESTIMATED PROJECT DATES	WO#	CREW	COMPLETION DATE	ACTUAL FOOTAGE	NOTES
573 Merrimon Ave Construction Rehabilitation	Asheville	28804	120	7/27/2023	297830	Cantrell	7/27/2023	120	Complete
Briarcliff Dr at Oakwilde Dr Construction Rehab Ph. 2	S. Asheville	28803	257	7/31/23 - 8/4/23	285342	McDevitt	8/8/2023	115	Complete
298 Hazel Mill Road	Asheville	28806	94	8/15/2023	298011	Cantrell	8/15/2023	94	Complete
Independence Boulevard IRS Rehabilitation	E. Asheville	28805	318	8/4/23 - 8/25/23	287247/297426	Matthews	8/21/2023	318	Complete
96 Lookout Road Sewer Rehabilitation	Woodfin	28804	100	8/28/23 - 9/8/23	292101	McDevitt	8/28/2023	225	Complete
712 N Rugby Road Construction (Point Repair) Rehabilitation	Hendersonville	28791	660	9/5/2023	298698	G. Hensley	9/5/2023	660	Complete
19 Independence Blvd IRS Rehabilitation	E. Asheville	28805	113	9/7/2023	298714	Matthews	9/7/2023	113	Complete
6 Cottage Street Sewer Rehabilitation	Woodfin	28748	250	9/4/23--9/15/23	287819	Matthews	9/15/2023	100	Complete
Somerset Place Sewer Rehabilitation	Arden	28704	633	9/6/23 - 10/1/23	298716	McDevitt	9/28/2023	567	Complete
Onterora Blvd @ Cleveland Avenue Ph. I	Asheville	28803	157	8/28/23 - 10/10/23	292512	McDevitt			Construction 95% complete
Onteora Blvd @ Cleveland Ave Ph. II	Asheville	28803	500	10/2/2023 - 10/13/23	299035	McDevitt			Construction just underway
3 Frontier Court IRS Rehabilitation	E. Asheville	28805	137	10/16/2023	298396	Matthews			Ready for construction
Stuyvesant Road Rehabilitation	Biltmore Forest	28803	752	10/16/23-11/15/23	298321	McDevitt			Ready for construction
5 Golf Street	Asheville	28801	240	11/16/23 - 12/1/23	284586	Matthews			Ready for construction
Grindstaff Dr @ McDowell St	Asheville	28803	603	FY 23-24	284606	McDevitt			Ready for construction
19 Independence Boulevard IRS Rehabilitation	E. Asheville	28805	111	FY 23/24	298714	Matthews			Ready for construction
135 Aurora Drive Sewer Rehabilitation	Asheville	28803	1183	FY 23/24	28731	McDevitt			Ready for Construction
Baker Place @ Carrier Street Sewer Rehabilitation	Asheville	21	1300	FY 22-24	284574	TBA			Ready for construction
Old Fairview Rd @ Willington Road	Asheville	28803	732	FY 23/24	276005	TBA			Ready for construction
44 Galax Sewer Rehab	Asheville	28806	294	FY 23/24	280827	TBA			Ready for Construction
Naples PS Elimination and Gravity Conversion Ph. 2	Cane Creek	28760	422	FY 23/24	285603	TBA			Ready for construction
Norwood Ave Sewer Rehabilitation	Asheville	28804	1022	FY 23/24	275810	TBA			Ready for construction
Maple Springs Road at Knauth Rd Rehabilitation	Asheville	28805	893	FY 23/24	275867	TBA			In ROW
350 Old Haw Creek Road Sewer Rehabilitation	Asheville	28805	1300	FY 23/24	47802	TBA			In Design
28 Woodward Avenue Sewer Rehabilitation	Asheville	28804	660	FY 23/24	249386	TBA			In Design
11 Shenandoah Rd Sewer Rehabilitation	Asheville	28805	1600	FY 23/24	275804	TBA			In Design
10 Balsam Rd Sewer Rehabilitation	Ridgecrest	28770	410	FY 23/24	275803	TBA			Preliminary Engineering
48 Clarendon Road Sewer Rehabilitation	Asheville	28806	500	FY 23/24	258562	TBA			Preliminary Engineering
55 Congress Street Sewer Rehabilitation	Asheville	28801	823	FY 23/24	247631	TBA			Preliminary Engineering
15 Haith Drive	Asheville	28801	204	FY 23/24	285381	TBA			Preliminary Engineering
Wellington Street	Asheville	28806	865	FY 23/24	280245	TBA			Preliminary Engineering
Rhodes Street at Union Street	Woodfin	28804	230	FY 23/24	284578	TBA			Preliminary Engineering



CONSTRUCTION TOTALS BY DATE COMPLETED - Monthly

From 7/1/2023 to 8/31/2023

	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 2023	15	5	173	490	22	20	9,974	0	120	0	0	0	120
August 2023	25	9	46	950	8	32	20,859	318	115	225	6	94	752
Grand Totals	40	14	219	1,440	30	52	30,833	318	235	225	6	94	872

* 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, 2023	94	28	35
	August, 2023	112	23	32
		206	25	33
NIGHT 1ST RESPONDER				
	July, 2023	27	36	26
	August, 2023	26	28	17
		53	32	22
ON-CALL CREW *				
	July, 2023	21	45	31
	August, 2023	13	74	44
		34	56	36
Grand Totals:		293	30	32

* 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, 2023 to August 31, 2023

	Main Line Wash Footage	Service Line Wash Footage	Rod Line Footage	Cleaned Footage	CCTV Footage	Smoke Footage	SL-RAT Footage
2023							
July	134,561	1,149	580	135,141	10,100	0	36,583
August	160,454	1,303	2,633	163,087	16,079	1,298	9,969
Grand Total:	295,015	2,452	3,213	298,228	26,179	1,298	46,552
Avg Per Month:	147,508	1,226	1,607	149,114	13,090	649	23,276

CAPITAL IMPROVEMENT PROGRAM

STATUS REPORT SUMMARY

October 11, 2023

PROJECT	LOCATION OF PROJECT	CONTRACTOR	AWARD DATE	NOTICE TO PROCEED	ESTIMATED COMPLETION DATE	*CONTRACT AMOUNT	*COMPLETION STATUS (WORK)	COMMENTS
CHEROKEE ROAD	Asheville 28801	Terry Brothers Construction Co.	9/20/2023	10/2/2023	12/31/2023	\$704,257.00	15%	Construction is progressing well. Pipebursting underway.
CHRISTIAN CREEK INTERCEPTOR	Buncombe County	Buckeye Bridge LLC	12/15/2021	3/14/2022	12/3/2023	\$6,663,329.70	88%	Contractor working on final bore. Another crew mobilizing to project this week.
ERWIN HILLS ROAD @ HIGH SCHOOL	Asheville 28806	Burrell's Utilities & Excavating, Inc.	7/24/2023	TBD	TBD	\$61,285.00	0%	Materials on order. Work to begin soon.
LINING CONTRACT NO. 9	Buncombe County	Terry Brothers Construction Co.	1/18/2023	3/20/2023	3/14/2024	\$2,262,890.00	60%	Remaining pipe lining work is being scheduled.

*Updated to reflect approved Change Orders and Time Extensions

Planning & Development Project Status Report

Active Construction Projects Sorted by Work Location and Project Number

October 5, 2023

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	North Bear Creek Subdivision Ph. 1	2018117	Asheville	28806	5	105	9/6/2023	Waiting on Final Inspection
6	Pineview Subdivision	2018185	Asheville	28806	4	91	5/30/2023	Final Inspection complete, awaiting close-out docs
7	Lake Julian Crossing Phase I	2018271	Asheville	28704	Comm.	1,004	11/30/2022	Final Inspection complete, awaiting close-out docs
8	Timber Hollow Subdivision	2019049	Asheville	28805	18	525	7/28/2020	On hold
9	Millbrook Cottages	2019066	Asheville	28806	7	322	2/15/2022	Pre-con held, construction not yet started
10	3927 Sweeten Creek Rd (Rumi Way)	2019076	Asheville	28704	16	590	2/1/2023	Installing
11	UNC-A Edgewood Road Parking Lot	2019078	Asheville	28801	Comm.	373	7/19/2019	Final Inspection complete, awaiting close-out docs
12	Julian Woods Retirement Relocation	2019112	Asheville	28704	Comm.	1,083	3/17/2022	Installing
13	Ironwood Sewer Relocation	2019123	Asheville	28801	554	227	4/23/2021	Waiting on Testing
14	Burton Street	2021048	Asheville	28806	4	64	10/29/2021	Pre-con held, construction not yet started
15	Ingles #31 - Sherwin Williams	2021049	Asheville	28806	Comm.	200	5/23/2023	Waiting on Final Inspection
16	Beloved Asheville	2021070	Asheville	28805	12	272	4/29/2022	Waiting on Testing
17	Busbee Ph. 1	2021245	Asheville	28803	210	4,245	4/26/2022	Installing
18	MAHEC Parking Deck	2021083	Asheville	28803	Comm.	550	6/1/2022	Final Inspection complete, awaiting close-out docs
19	Old Home Road Subdivision	2021094	Asheville	28804	21	1,790	5/4/2022	Installing
20	Woodfield (RAD Lofts)	2021063	Asheville	28801	235	403	6/8/2022	Installing
21	Reed Creek Mixed Use	2022008	Asheville	28801	49	295	2/23/2023	Final Inspection complete, awaiting close-out docs
22	Oak Hill Development	2022065	Asheville	28806	10	313	3/23/2023	Pre-con held, construction not yet started
23	Crossroads Community Ph1 Apartments	2022068	Asheville	28806	660	595	8/25/2022	Final Inspection complete, awaiting close-out docs
24	Reddick Road	2021108	Asheville	28805	5	507	9/2/2022	Pre-con held, construction not yet started
25	Randolph Avenue Commercial	2021149	Asheville	28806	Comm.	650	6/30/2022	Final Inspection complete, awaiting close-out docs
26	The Ramble - Block K	2022015	Asheville	28803	38	4,516	1/25/2023	Installing
27	Long Shoals Apartments (The Meridian)	2022039	Asheville	28704	3	400	6/14/2023	Waiting on Testing
28	Habitat New Heights Phase 2	2022042	Asheville	28806	60	1,810	6/9/2023	Waiting on Testing
29	16/18 Spring Drive	2022125	Asheville	28806	2	70	4/18/2023	Final Inspection complete, awaiting close-out docs
30	Holiday Villa	2022172	Asheville	28704	7	355	2/15/2023	Final Inspection complete, awaiting close-out docs
31	Lake Julian Crossing Phase II	2023178	Asheville	28704	Comm.	130	11/30/2022	Installing
32	808 Montreat Road	2015126	Black Mountain	28711	4	371	4/18/2017	Final Inspection complete, awaiting close-out docs
33	Givens Highland Farms-Cottage Development	2018272	Black Mountain	28711	16	1,355	9/13/2019	Final Inspection complete, awaiting close-out docs
34	Sweet Birch Lane Phase 3	2020151	Black Mountain	28711	20	800	6/30/2021	Waiting on Final Inspection
35	Old Toll Road Subdivision	2020182	Black Mountain	28711	14	637	8/17/2021	Waiting on Final Inspection
36	Tudor Croft - Phase 2D	2018004	Black Mountain	28711	5	224	6/8/2022	Waiting on Final Inspection
37	NC DOT I-5504 NC 191/I-26 Interchange	2016132	Buncombe Co.	28806	0	355	10/23/2017	Installing
38	Liberty Oaks Ph. 1B	2018063	Buncombe Co.	28715	24	615	11/5/2021	Final Inspection complete, awaiting close-out docs
39	Upper Grassy Branch Road	2018087	Buncombe Co.	28805	6	250	8/31/2018	Final Inspection complete, awaiting close-out docs
40	Rockdale Subdivision	2018145	Buncombe Co.	28778	9	630	3/17/2020	Final Inspection complete, awaiting close-out docs
41	The Ramble - Tea House Ridge	2019159	Buncombe Co.	28803	22	8,050	9/21/2021	Waiting on Final Inspection
42	841 Charlotte Hwy	2019222	Buncombe Co.	28730	Comm.	110	4/20/2021	Pre-con held, construction not yet started
43	Fisher Mill Road	2020015	Buncombe Co.	28704	3	380	10/20/2020	Final Inspection complete, awaiting close-out docs
44	CMH Avery Creek	2020080	Buncombe Co.	28704	10	580	2/8/2022	Final Inspection complete, awaiting close-out docs
45	Town Mountain Preserve Ph. 2	2020197	Buncombe Co.	28804	6	1,210	5/28/2021	Waiting on final inspection
46	Rockberry Apartments	2021116	Buncombe Co.	28704	420	2,420	6/13/2023	Pre-con held, construction not yet started
47	Village at Bradley Branch Ph. 4B	2021120	Buncombe Co.	28704	16	393	11/2/2021	Final Inspection complete, awaiting close-out docs
48	Hominy Creek Multi-Family	2021195	Buncombe Co.	28715	216	1,310	9/7/2023	Pre-con held, construction not yet started
49	Biltmore Terrace Development Phase 4	2021208	Buncombe Co.	28803	31	400	6/14/2023	Waiting on Paving
50	Hawthorne at Holbrook	2021229	Buncombe Co.	28806	350	1,876	6/20/2023	Installing
51	Belle Meadow Phase 1	2021235	Buncombe Co.	28806	74	1,730	6/9/2023	Installing
52	Schwan's Extension	2021261	Buncombe Co.	28715	Comm.	145	4/27/2023	Final Inspection complete, awaiting close-out docs
53	Asheville West Subdivision Ph. 2	2022032	Buncombe Co.	28806	50	1,570	7/26/2023	Installing
54	Brooks Cove Road	2022045	Buncombe Co.	28715	141	2,357	5/3/2023	Installing
55	Creekside Community (2177 Brevard Rd)	2022046	Buncombe Co.	28704	0	3,267	7/18/2023	Pre-con held, construction not yet started
56	Clayton Crossing	2022089	Buncombe Co.	28704	70	2,420	6/13/2023	Installing
57	Creekside - Onsite	2023012	Buncombe Co.	28704	502	1,885	9/26/2023	Pre-con held, construction not yet started
58	Collett Industrial (Banner Farm)	2020108	Cane Creek	28759	Comm.	255	11/20/2020	Final Inspection complete, awaiting close-out docs
59	Tap Root Ph. 1	2020024	Fletcher	28732	198	8,397	4/29/2022	Installing
60	Taproot Subdivision Phase 2A	2021161	Fletcher	28732	151	2,462	6/6/2023	Waiting on Testing
61	Mills River Townhomes (Jeffress Road)	2021253	Mills River	28759	150	3,267	6/6/2023	Installing
62	Palisades at Reems Creek	2020066	Weaverville	28787	132	1,020	3/24/2022	Waiting on Final Inspection
63	Union Chapel (Views at Reems Creek)	2021030	Weaverville	28787	11	650	8/2/2022	Final Inspection complete, awaiting close-out docs
64	Stoney Knob Commercial	2021102	Weaverville	28787	3	273	1/26/2023	Final Inspection complete, awaiting close-out docs
65	18 Wildwood Park Sewer Relocation	2021129	Weaverville	28787	1	147	2/22/2022	Final Inspection complete, awaiting close-out docs
66	Crest Mountain Phase 3B	2013041	Woodfin	28806	69	1,329	10/15/2013	Final Inspection complete, awaiting close-out docs
67	Serenity Townhomes	2020037	Woodfin	28804	8	480	7/14/2020	Final Inspection complete, awaiting close-out docs
68	Weaverville Road Subdivision	2020123	Woodfin	28804	4	600	4/6/2021	On hold
69	Rydele Heights	2021098	Woodfin	28804	73	1,880	3/1/2023	Installing
			TOTAL			4,787	81,689	