



Metropolitan Sewerage District  
of Buncombe County, NC

AGENDA FOR 1/25/2023  
9:00 A.M.

**ROW COMMITTEE**

	Agenda Item	Presenter
	01. Call to Order	Kelly
	02. Inquiry as to Conflict of Interest	Kelly
	03. Consideration of Condemnation – Elk Mountain Place GSR - Clement	Banks
	04. Consideration of Compensation Budgets – 6 Cottage Street SSR; Buchanan Avenue GSR	Banks
	05. Quarterly Report – Second Quarter	Banks
	06. Other business – 2023 Right of Way Committee Meeting Schedule	Banks
	07. Adjourn	Kelly
	Date of next meeting: February 22, 2023 @ 9:00 a.m.	

Committee Members: Glenn Kelly, Chairman  
Matt Ashley Jr.  
Jackie Bryson  
Esther Manheimer  
Chris Pelly  
Nathan Pennington  
Al Whitesides

# Metropolitan Sewerage District of Buncombe County

## Board Action Item - Right-of-Way Committee

COMMITTEE MEETING DATE: 1/25/2023

BOARD MEETING DATE: 2/15/2023

SUBMITTED BY: Tom Hartye, PE, General Manager

PREPARED BY: Angel Banks, Right of Way Manager  
Wesley Banner, Right of Way Agent

REVIEWED BY: Hunter Carson, PE, Director of CIP

**SUBJECT: Consideration of Condemnation –  
Elk Mountain Place GSR  
MSD Project Number 2010094**

**Property Owner: Billy R. & Peggy H. Clement, Pin 9730-44-1125**

Subject parcel is currently unimproved. The existing sewer line is located on an adjacent property due east and cannot be replaced in the same trench due to close proximity to an existing mobile home dwelling. The proposed sewer line was shifted to run along the eastern portion of subject property. Negotiations with the owner began on August 1, 2022 and have progressed very slowly. A response was received after two months, and the owner stated that she will not allow MSD to perform any work on her property. Standard compensation amount is \$2152, and the owner refused to provide a compensation counteroffer when asked. Negotiations have stalled with the owner.

Contacts: 4

**STAFF RECOMMENDATION: Authority to obtain appraisal and proceed with condemnation, if necessary.**

**COMMITTEE RECOMMENDATION:**

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

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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 Budgets-**

**6 Cottage Street SSR, Project No. 2022090  
Buchanan Avenue GSR, Project No. 2014023**

The attached Compensation Budgets are based on current ad valorem tax values and follow the MSD approved formula.

**STAFF RECOMMENDATION: Approval of Compensation Budgets.**

**COMMITTEE RECOMMENDATION:**

## 6 Cottage Street Sanitary Sewer Rehabilitation

Project Number: 2022090

### Compensation Budget

05-Jan-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															
	9730548464	Durr	William	0.13	5,662.80	\$63,300.00	\$11.18	145.80	\$1,630.04	\$815.02	0.00	\$0.00	\$0.00	1	\$0.00	\$815
	9730546590	Hill	Brian	0.36	15,681.60	\$72,800.00	\$4.64	3,979.30	\$18,463.95	\$9,231.98	4,618.30	\$21,428.91	\$2,142.89	1	\$178.57	\$9,411
	9730546623	Rice	Benny	0.07	3,049.20	\$14,500.00	\$4.76	1,109.30	\$5,280.27	\$2,640.13	1,044.60	\$4,972.30	\$497.23	1	\$41.44	\$2,682
	9730547489	Smith	Robert	0.15	6,534.00	\$64,500.00	\$9.87	1,002.10	\$9,890.73	\$4,945.36	981.50	\$9,687.41	\$968.74	1	\$80.73	\$5,026
	9730547366	Young	Steven	0.97	42,253.20	\$83,500.00	\$1.98	2,214.80	\$4,385.30	\$2,192.65	3,322.20	\$6,577.96	\$657.80	1	\$54.82	\$2,247
	9730548439	Young, Trustee	Kimberly	0.10	4,356.00	\$61,000.00	\$14.00	958.10	\$13,413.40	\$6,706.70	520.30	\$7,284.20	\$728.42	1	\$60.70	\$6,767
													<b>TOTALS:</b>	\$26,948		
													<b>Staff Contingency:</b>	\$5,000		
													<b>GM's Contingency</b>	\$5,000		
													<b>Amendment</b>			
													<b>Total Budget:</b>	\$36,948		

# Buchanan Avenue GSR

Project Number: 2014023

## Compensation Budget

05-Jan-23

PIN and Name								Net PE	PE Assd.	50% PE		TCE Assd.	10% Annl	Proj	TCE Rent	Total Comp.
27 Pin	83 Pin		Acres	Parcel SF	Land Value	LV/SF	SF	Value	Assd. Value	TCE SF	Value	Return	Time	Value	(Rounded)	
	9648465868	Al-Saadi	Jassim	0.17	7,405.20	\$139,800.00	\$18.88	0.00	\$0.00	\$0.00	694.00	\$13,102.72	\$1,310.27	5	\$545.95	\$546
	9648465881	Baliles	Paul	0.35	15,246.00	\$154,500.00	\$10.13	0.00	\$0.00	\$0.00	535.00	\$5,419.55	\$541.96	5	\$225.81	\$226

<b>TOTALS:</b>	\$772
<b>Staff Contingency:</b>	\$5,000
<b>GM's Contingency</b>	\$5,000
<b>Amendment</b>	
<b>Total Budget:</b>	\$10,772

Metropolitan Sewerage District of Buncombe County  
**Information Item - Right-of-Way Committee**

COMMITTEE MEETING DATE: 1/25/2023

BOARD MEETING DATE: 2/15/2023

SUBMITTED BY: Tom Hartye, PE, General Manager

PREPARED BY: Angel Banks, Right of Way Manager

REVIEWED BY: Hunter Carson, PE, Director of CIP

**SUBJECT: Quarterly Report – Second Quarter**

Attached you will find a Project Status Summary for all active acquisition projects. This report provides information on percentage of easements complete, percentage of compensation expended and comments on condemnations. This information is provided for your review.

**STAFF RECOMMENDATION: For information only. No action required.**

***Right of Way Section  
2nd Quarter Summary  
Open Projects***

<b><i>Project</i></b>	<b><i>Total ROW Budget</i></b>	<b><i>Total Expends to Date</i></b>	<b><i>Comment</i></b>
Bell Road @ New Haw Creek Road Rehabilitation	\$19,680	\$10,220	Project 100% complete with 52% of Total Budget expended and no condemnations.
Cherokee Road GSR	\$142,404	\$39,806	Access 71% complete with 28% of Total Budget expended to date. Community-wide opposition to the project. Four condemnations anticipated.
Christian Creek Interceptor	\$100,477	\$85,427	Access 100% complete with 85% of Total Budget expended to date. Two condemnations filed. One case closed by Default Judgment. One case pending with Regal Hospitality.
Elk Mountain Place GSR	\$153,253	\$114,155	Access 95% complete with 74% of Total Budget expended to date.
Sweeten Creek Rd @ Buck Shoals Rd	\$22,554		Negotiations just begun on 11/4/22.

## Right of Way Committee Meetings for 2023

Wednesday at 9:00 a.m.

January	25
February	22
March	22
April	26
May	24
June	28
July	26
August	23
September	27
October	25
November	22

Note: The December Meeting is cancelled due to the Holidays.