

# **BOARD OF THE METROPOLITAN SEWERAGE DISTRICT**

**AUGUST 16, 2000**

**1. Call to Order and Roll Call:**

The regular monthly meeting of the Board of the Metropolitan Sewerage District was held in the Boardroom of MSD's Administration Building at 2:00 p.m., Wednesday, August 16, 2000. Chairman Blackburn presided with the following members present: Bryson, Field, Gantt, Graham, Kelly, Pace, Sobol, Spell and Venable. Mr. Aceto was absent.

Others present were: William Clarke, General Counsel, W. H. Mull, General Manager, Danny Bridges of McGill Associates, Jim Fatland, Tom Hartye, Ann LeMieux, Stan Boyd, Sharon Walk and Sondra Honeycutt, MSD.

**2. Approval of Minutes of July 19, 2000 Meeting:**

Mr. Kelly moved that the minutes of the July 19, 2000 meeting be approved as presented. Mr. Venable seconded the motion. Voice vote was unanimous in favor of the motion.

**3. Public Comment:**

None

Mr. Blackburn presented a letter from the Market Place commending staff for their quick response to a sewer problem.

**4. Discussion and Adjustment of Agenda:**

None

**5. Report of General Manager:**

**Consolidated Motion Agenda**

**a. Consideration of Amended Compensation Budget - London Road Pilot Basin - Phase 2b:**

The Right of Way Committee recommends increasing the former budget of \$70,500.00 by \$17,500.00 to include compensation for seven additional parcels, creating an amended budget of \$88,000.00.

**b. Consideration of Compensation Budget - Sweeten Creek MSR Projects:**

The Right of Way Committee recommends approval of the Compensation Budget for the Sweeten Creek MSR Projects, which is based on 1999 tax values and follows the MSD approved formula.

**c. Consideration of Compensation Budget - Middlebrook AMP Project:**

The Right of Way Committee recommends approval of the Compensation Budget for the Middlebrook AMP Project, which is based on 1999 tax values and follows the MSD approved formula.

**d. Consideration of Annual Contract for Restoration of Streets and Sidewalks:**

Staff recommends approval of the contract renewal with APAC estimated at \$292,954.50.

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**e. Consideration of Developer Constructed Sewer Systems: Biltmore Grove Subdivision and Devonshire Subdivision - Phase 7:**

Staff recommends acceptance of the developer constructed sewer systems for Biltmore Grove Subdivision and Devonshire Subdivision Phase 7. All MSD requirements have been met.

**f. Consideration of Resolution Closing Out Construction III Fund:**

Staff recommends approval of the Resolution closing out the Construction III Fund and transfer of the fund balance to General Fund (Construction).

**g. Consideration of Investment Report for Period Ended 6/30/00:**

Presented as information only.

With no discussion, Mr. Spell moved that the Board approve the Consolidated Motion Agenda as presented. Mr. Pace seconded the motion. Roll call vote was as follows: 9 Ayes; 0 Nays. Ms. Graham was absent during the vote.

Mr. Mull presented a memorandum regarding smoke testing for the Unauthorized Connections Program scheduled to begin in September. He also presented the minutes of the Construction Committee and

recommendation with regard to the bids/piggy-back purchasing for furnishings for the consolidated office facility.

**1. Consideration of Bids for Furnishings for Consolidated Office Facility:**

Mr. Venable reported that the Construction Committee met August 14, 2000 to consider the one (1) bid received for furnishings for the consolidated office facility. He further reported that the bid of Office Environments in the amount of \$352,928.62 was received and opened August 11, 2000. Mr. Mull stated that the Committee recommends that the contract be awarded to Office Environments of Asheville in the amount of \$352,928.62, with a contingency of 10% by approval of the General Manager, The contract is subject to attorney review and approval. Mr. Gantt questioned why Office Environments was the only bid received. Ms. Walk explained that when a furniture company has been involved in a project for a long period of time, other companies will not try to underbid. Also, other furniture companies were aware that Office Environments planned to give the District GSA pricing and couldn't compete. Mr. Venable stated that another reason is the way the specifications were written, which was legal according to the District's General Counsel. Mr. Sobol stated that he agreed that it would have been difficult to get the quality of furniture for the price from another vendor, but as far as the seating, he felt there are other companies that could have provided an equal product for a lower cost. Mr. Venable moved that the Board approve the recommendation of the Construction Committee. Mr. Pace seconded the motion. Mr. Sobol asked who would be responsible for storage of the furniture if there is a delay in completion of the building. Mr. Clarke stated that a contract has not been drafted, but he would check into it. Ms. Field stated that if the contractor caused the delay, then it's the contractor's responsibility to store the furniture. With no further discussion, roll call vote was as follows: 9 Ayes; 1 Nay (Mr. Sobol).

Mr. Venable reported that in addition to the furniture for the new facility, the Committee discussed a Change Order for Porcelain Tile in the Atrium. Mr.

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Mull reported that the Architect said the price of the tile would be approximately \$2.00 per square foot. Therefore, he requested that the Board approve the change order for the porcelain tile in the amount of \$17,332.00, along with the addition of seven (7) days for installation. Following a discussion regarding the cost, Mr. Pace moved that the Board approve the change order in the amount of \$17,332.00.

Mr. Venable seconded the motion. Roll call vote was as follows: 9 Ayes; 1 Nay (Mr. Sobol).

**2. Committee Reports:**

Right of Way Committee

Mr. Pace reported that in addition to the previously discussed compensation budgets, the Committee considered three (3) condemnations on the North Swannanoa Interceptor, Phase II, Section 3 project. He reviewed the condemnations and stated that it was the Committee's recommendation to obtain appraisals and proceed with condemnations if necessary. No action by the Board was necessary. As a matter of information, he noted the Quarterly Report on the various projects.

Construction Committee

No further report.

Mr. Blackburn asked for a report on the Partnership in the Community Committee. Mr. Hartye stated that Mr. McGill organized a meeting, which was held last month and that the next meeting is scheduled for September.

Mr. Blackburn asked if the By-laws Committee met regarding the structure of the Board Agenda. Mr. Clarke stated that he would schedule a meeting.

**3. New Business:**

Mr. Sobol asked about the schedule for interceptor projects in Black Mountain. Mr. Hartye stated that staff is finalizing rights-of-ways and No-rise Flood Certifications for the next Phase of the project. He further stated that when the model is complete, the project would go out to bid in November.

With regard to smoke testing, Mr. Sobol asked if this program includes testing for stormwater runoff as well as unauthorized connections. Mr. Mull stated that smoke testing will be done in connection with the rehabilitation program and will cover all aspects of inflow. Mr. Hartye reported that ARCADIS identified several hot spots in the system for inflow, which will be done first. Mr. Sobol requested that this information be provided to the CIP Committee in the fall. Mr. Blackburn suggested that Ms. Field and Mr. Spell start a dialogue with the Partnership Committee regarding the issue of stormwater. Ms. Field expressed her concern regarding the direction of the Committee, and felt that the scope of the problem should be identified first, since this is an issue the City cannot resolve any time soon. She further stated that the City is in the process of doing an EPA Phase II Stormwater Study. Mr. Sobol requested that City staff share this information with the MSD staff.

**4. Old Business:**

Mr. Clarke reported that MSD was successful in its appeal of the decision of the Town of Woodfin to deny a Conditional Use Permit for a cell tower. He

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stated that MSD received a lease from Crown Atlantic, which will be negotiated with staff and presented to the Board at the next meeting. Mr. Mull stated that the tower will be used for cell phone communication and that the MSD can install an antenna for radio/telephone if necessary.

Mr. Mull reported that the previous employee who was suspect in embezzling property from the District has been arrested.

**5. Other Business:**

Regarding the CIP Status Report, Mr. Venable asked why Construction on the State Street, Magill Road and COA Sidewalk projects has been delayed. Mr. Hartye stated that the delay was due to the contractor's (Hobson Construction) heavy workload, but that they are now mobilized to the project sites. Considering the rate of construction projects, Mr. Blackburn asked if there is a need for another Bond Issue in 2001. Mr. Hartye stated that a new Bond Issue will be necessary by next summer or fall. Regarding the Remote Telementary - SCADA project, Mr. Venable asked if there is a delay problem. Mr. Hartye stated that this project is near completion, but there have been some rain delays.

Mr. Sobol asked what the 4" and 6" lines shown on projects such as the Banks Town Road represent. Mr. Hartye stated that these lines are not mains, but residential and building service lines.

Ms. Field reported on a comment made at a recent meeting that "every time it rained, the MSD opened the gates and let all the sewerage flow into the French Board River." She requested that Mr. Mull contact the responsible party and explain what the District is doing to prevent this from happening.

**6. Adjournment:**

At 2:45 p.m., Mr. Pace moved for adjournment. Ms. Field seconded the motion. Voice vote was unanimous in favor of the motion.

Jackie W. Bryson, Secretary/Treasurer