

# **BOARD OF THE METROPOLITAN SEWERAGE DISTRICT**

**MARCH 21, 2001**

## **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, March 21, 2001. Chairman Blackburn presided with the following members present: Aceto, Ball, Bryson, Field, Graham, Gantt, Kelly, Pace, Sobol and Venable.

Others present were: Thomas E. Hartye, General Manager, William Clarke, General Counsel, Gary McGill and Danny Bridges of McGill Associates, P.A., Jim Fatland, Ann LeMieux, Ed Bradford, Stan Boyd, Sharon Walk and Sondra Honeycutt, MSD.

## **2. Approval of Minutes of the February 21, 2001 Meeting:**

Mr. Clarke noted a couple of grammatical errors on page 2, item 6, paragraph 2 (Planning Committee). He recommended that line 20 and 21 of the same paragraph be changed to read: "the Chairman stated that a representative from Henderson County would be invited to sit on the Planning Committee as an ex-officio member." With no further additions or corrections, Mr. Venable moved that the minutes of the February 21, 2001 meeting be approved as corrected. Mr. Aceto seconded the motion. Voice vote was unanimous in favor of the motion.

## **3. Discussion and Adjustment of Agenda:**

Mr. Blackburn presented an article regarding women's representation on governmental boards and commissions and expressed his appreciation to Cathy Ball, Jackie Bryson, Barabara Field and Elizabeth Graham who serve on the MSD Board.

## **4. Public Comment:**

None

## **5. Report of General Manager:**

Mr. Hartye presented information regarding the Consolidated Office Building; NPDES (plant discharge) Permit Renewal; New Maintenance Facility; Wellness Grant; Joint Local Government Meeting; BASF, and \$2Million Grant Application. He reported that dedication of the new

Consolidated Office Building is tentatively scheduled for April 27, 2001 in the afternoon. Mr. Sobol asked staff to provide figures on the total cost of the building and land.

Regarding BASF, Mr. Hartye presented a map showing the location of Enka Village. He stated that in the past, BASF provided sewerage treatment services to some 100 Enka Village residents for free, but plans are underway to sever this relationship and construct a new line from the village to the District's system. Mr. Aceto asked if this would mean additional individual customers on the system and whether the District would take over maintenance. Mr. Clarke stated the District would not accept the Enka Village system for maintenance, since the collection lines are outside District boundaries, but an agreement to treat the waste is necessary.

With regard to the Master Plan, Mr. Hartye reported Camp, Dresser & Mckee (CDM) is utilizing the computerized flow model developed by Arcadis and has come up with some scenarios for storage and replacement of interceptors to handle a two-year design storm. Also, a performance check is being done at the treatment plant, running 20mgd through the plant using only 1/2 of its capacity to

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test the performance of the plant at maximum capacity. He stated that recommendations incorporating some of the Master Plan projects into the five-year CIP program would be presented to the Board in April. He further reported that he, John Kiviniemi, Stan Boyd and Tom Hall of CDM recently visited Chattanooga, Tennessee to look at Combined Sewer Overflow systems at the Mocassin Bend WWTP.

Mr. Hartye presented a map showing public and private lines at the Eastview Homes Condominiums in Oakley. He stated that although the District maintains two lines in the area the line that is leaking belongs to the Eastview Condominium Association not the MSD, based on the SSES Maps. He expressed his appreciation to Ann LeMieux for a good job in dispatching MSD workers to the site in an effort to repair the leak, even though the MSD is not responsible to maintain the line.

Mr. Hartye announced the following upcoming Meetings:

- March 22 - Master Plan Meeting
- March 28 - Personnel Committee
- March 28 - Meet with Industries
- April 5 - Planning Committee
- April 16 - Personnel Committee
- April 17 - CIP & Partnership in the Community Committees
- April 17 - Meet with City Council
- April 18 - Board of Directors
- April 25 - ROW Committee
- April 25 - Finance Committee

**6. Report of Committees:**

None

**7. Consolidated Motion Agenda:**

Mr. Hartye presented the following Consolidated Motion Agenda items:

- a. **Consideration of Developer Constructed Sewer Systems - Oakbrook Section 2 at Biltmore Park; Garden Homes at Biltmore Park; Somerset Place Subdivision:**

Staff recommends acceptance of the Developer Constructed Sewer Systems. All MSD requirements have been met.

- b. **Consideration of Resolution for \$2 Million Grant:**

Mr. Hartye noted a minor change in the Resolution for the \$2 Million Grant. He stated that staff recommends approval and signature of the Resolution, in order that the grant application may be processed.

- c. **Status of Sweeten Creek Apartments - Off-site Sewer Rehabilitation:**

Presented as information only.

Regarding project cost sharing, Mr. Venable asked if developers pay their share of the cost in advance. Mr. Hartye stated an estimate of the developer's

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share is made according to a formula, and the developer pays that cost in advance. A discussion was held regarding whether the District should continue to accept payment from developers in advance of receiving bids on projects. Mr. Sobol suggested that this issue be brought to the Board for discussion.

**d. Cash Commitment/Investment Report for Period Ended 1/31/01:**

Mr. Pace asked if Total Unencumbered Funds for Construction IV (\$679,640.24) is correct. Mr. Fatland confirmed that the figure is correct.

Mr. Pace moved that the Board approve the Consolidated Motion Agenda as presented. Mr. Gantt seconded the motion. Mr. Aceto ask Mr. Fatland for a perspective on overages in Construction costs. Mr. Fatland stated that although the District has \$30,531,659 in cash investments, it has committed to contracts exceeding that amount. He added that the approved budget has sufficient revenue to meet current obligations. Mr. Hartye stated these overages would be made up with funds from the upcoming Bond Issue. With no further discussion, roll call vote was as follows: 11 Ayes; 0 Nays.

**7. Consideration of Bids for Black Mountain Downtown Project:**

Mr. Hartye presented staff's recommendation and bid tabulation for the Black Mountain Downtown Project received March 16, 2001. The bids are as follows: Buckeye Construction Company with a total base bid of \$1,068,388.50; T&K Utilities with a total base bid of \$535,517.50; Wheeler Construction Company with a total base bid of \$498,836.00; Terry Brothers Construction Company with a total base bid of \$457,415.50 and Hobson Construction Company with a total base bid of \$447,302.00. A discussion was held regarding the average cost per foot. Mr. Bradford stated that the average cost per foot for the last 10 MSD projects was \$152.64, but the average total cost per foot for this project is \$140.80. Mr. Hartye stated the cost for asphalt repairs on this project is slightly higher because of paving and milling of asphalt. He further stated that funds are included in the current FY budget and the next FY budget for this project. Mr. Sobol asked if timetables for completion of work have been discussed with the Mayor and Town Manager. Mr. Bradford stated that it was decided to complete work in the CBD before June 1, 2001 so as not to interfere with prime commercial activities of Downtown Merchants. With no further discussion, Mr. Pace moved that the Board approve staff's recommendation to award the contract to Hobson Construction Company, Inc. in the amount of \$447,302.00, contingent upon attorney review and approval. Mr. Aceto seconded the motion. Roll call vote was as follows: 11 Ayes; 0 Nays.

**8. Old Business:**

Mr. Venable asked about the status of the East Kenilworth project. Mr. Clarke stated that all the easement claims have been settled but one. Mr. Hartye stated that the MSD did accommodate the Association's concern by moving the lines in the street for removal of trees, which still remain along the lake.

Ms. Field expressed her opinion regarding a newspaper article about Henderson County suing the City of Asheville. She further stated that because the suit is over one word in the conveyance of a deed, she warned the District Attorney to be very careful in dealing with Henderson County with regard to written agreements.

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**9. New Business:**

Mr. Blackburn expressed his appreciation to Ann LeMieux and Tom Hartye for their positive input and handling of the Eastview Condominiums issue.

Mr. Sobol expressed his appreciation to Ann LeMieux and her staff for working so well with the public.

Mr. Blackburn asked if another Plumbers Breakfast is planned. Mr. Hartye stated that a breakfast would be planned sometime May after everyone settles in the new facility.

Mr. Venable expressed his appreciation to the Furniture Committee for their efforts in furnishing the new facility while saving the District money.

**10. Adjournment:**

With no further business, Ms. Graham moved for adjournment. Mr. Pace seconded the motion. Voice vote was unanimous in favor of the motion.

Jackie W. Bryson, Secretary/Treasurer

