

**BOARD OF THE METROPOLITAN SEWERAGE DISTRICT  
OCTOBER 8, 2003**

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

The regular monthly meeting of the Metropolitan Sewerage District Board was held in the Boardroom of MSD's Administration Building at 2:05 p.m., Wednesday, October 8, 2003. Chairman Blackburn presided with the following members present: Aceto, Bryson, Gantt, Graham, Kelly, Sobol and Venable. Ms. Ball, Ms. Field and Mr. Pace were absent.

Others present were: Thomas E. Hartye, General Manager, William Clarke, General Counsel, Gary McGill of McGill Associates, Larry Frost with NCDENR, Bette Jackson, representing the League of Women Voters, Martha Zeigler, Ann LeMieux, Stan Boyd, Ed Bradford, John Kiviniemi, Peter Weed and Sondra Honeycutt.

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

None

**3. Informal Discussion and Public Comment:**

None

**4. Approval of Minutes of the September 17, 2003 Meeting:**

Mr. Kelly moved that the minutes of the September 17, 2003 meeting be approved as presented. Mr. Venable seconded the motion. Voice vote in favor of the motion was unanimous.

**5. Report of General Manager:**

Mr. Hartye presented information regarding WEFTEC, NCAWWA/WEA Conference, Metro-Lite, United Way and Board/Committee Meetings.

Mr. Hartye reported that the WEFTEC Conference will be held in Los Angeles October 11-15th and the NC AWWA/WEA Annual Conference will be held in Greensboro November 16-19th.

Mr. Hartye expressed his appreciation to all the writers of the Metro-Lite for a job well done.

Regarding the United Way Campaign, Mr. Hartye reported that the annual Golf Tournament will be held October 10th in Black Mountain and the Book Fair is scheduled for October 20th.

Mr. Hartye reported the next meeting of the Right of Way Committee is scheduled for

October 22nd at 2:00 p.m. and a joint Planning & Finance Committee meeting is tentatively scheduled for November 4th from Noon till 2 p.m. The purpose of this meeting is to discuss the idea of a residential flat rate, the Sewer Service Policy and its relationship to the District's liability insurance and the Investment Policy. The next meeting of the MSD Board is scheduled for November 12th at 2 p.m.

Mr. Hartye reported that the District received its first delivery of bio-diesel fuel, which was mixed on-site. He stated that MSD is the only utility in Western North Carolina to use it. Mr. Weed stated that it was working very well.

Mr. Hartye presented information from the Asheville Area Chamber of Commerce regarding Age Groups & the Asheville Economy.

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## **6. Report of Committees:**

Right of Way Committee

In the absence of Mr. Pace, Mr. Hartye reported that the Right of Way Committee met September 24, 2003 to consider Indemnification regarding joint use sewer easements and greenways on private development projects and Condemnations on the Hi-Alta and Merrimon Avenue/Reed Creek Rehabilitation projects. Also, the Committee considered the Compensation Budget for the Roberts Street Rehabilitation project. Mr. Venable asked if the Indemnification language added to conveyance documents means the District would be held liable if an injury occurs on property conveyed to it by a private developer. Mr. Clarke stated that the additional language does not expand the liability in any way, but provides additional protection to MSD in the event someone gets hurt.

## **7. Consolidated Motion Agenda:**

a. Consideration of Developer Constructed Sewer Systems:

1. 64 Peachtree (Nettlewood Proff. Park)
2. Cotton Creek Subdivision
3. Reem's Creek Golf Club 35 Acre Site
4. Gray Eagle Estates

Mr. Hartye reported that staff recommends acceptance of the developer constructed sewer systems and that all MSD requirements have been met.

b. Consideration of Compensation Budget - Roberts Street Rehab.

Mr. Hartye reported that the Right of Way Committee recommends acceptance of the Compensation Budget for Roberts Street Rehabilitation project.

c. Cash Commitment/Investment Report for Period Ended 8/31/03:

Presented as information only.

Mr. Gantt moved that the Board approve the Consolidation Motion Agenda as presented. Ms. Graham seconded the motion. Roll call vote was as follows: 8 Ayes; 0 Nays.

**8. Old Business:**

None

**9. New Business:**

None

**10. Adjournment:**

With no further business, Mr. Graham moved for adjournment at 2:14 p.m. Ms. Bryson seconded the motion. Voice vote in favor of the motion was unanimous.

Jackie W. Bryson, Secretary/Treasurer