

**BOARD OF THE METROPOLITAN SEWERAGE DISTRICT  
OCTOBER 18, 2006**

**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 on Wednesday, October 18, 2006. Chairman Aceto presided with the following members present: Bellamy, Bisette, Bryson, Gantt, Kelly, Pace, Sobol, VeHaun and Venable. Mr. Creighton and Mr. Newman were absent.

Others present were: Thomas E. Hartye, General Manager, William Clarke, General Counsel, Gary McGill with McGill Associates, Joseph Martin with Woodfin Sanitary Water & Sewer District, Leah Karpen with the League of Women Voters, Martha Zeigler, Stan Boyd, Ed Bradford, Marsha Kiser, Angel Banks, John Kiviniemi, Peter Weed, Ken Stines, Shannon Aiken, Karl Deking, Rodney Smith and Sondra Honeycutt, MSD.

**2. Inquiry as to Conflict of Interest:**

Mr. Aceto asked if there were any conflicts of interest with the agenda items. Mr. Bisette stated that he had a conflict with Item e. of the Consolidated Motion Agenda. Mr. Aceto pulled Item e. for separate consideration and excused Mr. Bisette from deliberation and vote on this item. No other conflicts were reported.

**3. Approval of Minutes of the September 20, 2006 Meeting:**

Ms. Bellamy moved that the Minutes of the September 20, 2006 Meeting be approved as presented. Mr. Venable seconded the motion. Mr. Aceto called for discussion. With no discussion, Mr. Aceto called for the question. Voice vote in favor of the motion was unanimous.

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

None

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

Mr. Aceto welcomed Ms. Karpen and Mr. Martin.

**6. Report of General Manager:**

Mr. Hartye presented a letter from NCDENR-DWQ expressing appreciation to System Services and CIP staff for a job well done during the annual Collection System Permit Inspection.

Mr. Hartye reported that a call was received from Ms. Marilyn Schlosser at 89 Lakewood Drive who expressed her appreciation to Herman Shelton, Jesse Hunter and Randy Mull for a job well done. In addition, a letter was received from Ms. Margaret Fisher of 169 Elkwood Avenue who expressed her appreciation to Jesse Hunter, Grady Brooks, Eric Sams, Mitch Hawes, Mike Rice and Anthony England for a job well done.

Mr. Hartye presented an article from the Asheville Citizens Times regarding the role MSD plays in planning and development.

Mr. Hartye announced that the District has again received the Distinguished Budget Presentation Award for FY07. He expressed his thanks to Martha Zeigler, Scott Powell and Teresa Gilbert.

Mr. Hartye reported that the next Planning Committee Meeting will be held November 6<sup>th</sup> at noon. The next ROW Committee Meeting will be held October 25<sup>th</sup> at 2PM and the next regular Board Meeting will be held November 15<sup>th</sup> at 2PM.

Ms. Bellamy reported that while at the North Carolina League of Municipalities, she had an opportunity to talk to the Insurance Underwriters who praised Martha Zeigler for the high quality of financial information constantly provided and for their relationship with MSD. Ms. Zeigler expressed her appreciation to Teresa Gilbert for putting this information together.

Mr. Hartye reported that MSD is fortunate to have high caliber IT staff on board and has asked Karl Deking, Network Manager, Shannon Aiken, GIS Analyst and Rodney Smith, Database Manager, to give a presentation on some of MSD's current IT projects. He stated that in general terms, there is an ongoing effort on two levels; integration of data and application into a business data management system and customized end user applications that provide continuing service to in-house staff and those out in the field. He introduced Mr. Deking.

Mr. Deking reported that the general role of IT is to maintain all computers and peripherals by keeping them running, updating hardware and software and protecting the systems from viruses by utilizing multiple layers of Spyware and virus protection. He explained the various levels of protection and how they work. He further reported that another area of concentration is improving the ergonomics of workstations with adjustable chairs, wrist rests, mice, keyboards as well as larger LCD monitors that emit less harmful radiation and ease eye strain. Mr. Deking stated that MSD has 20 servers including file, database, email and web servers and they currently maintain approximately 100 desktops, 50 laptops and 70 printers and faxes. He further stated that this infrastructure is necessary to provide the backbone to support the services that Ms. Aiken and Mr. Smith will address. Mr. Deking reported that the MSD has 3 SQL servers; one specifically for financials, one for GIS and SDE connectivity and one that runs the majority of business applications.

Ms. Aiken reported that during the past two years they have been working on data integration that runs on the SQL server. Some of these applications include: GIS (SDE), MP2 and System Services Work Order system, all of which are easy to access. She demonstrated how ROW integration works and the data that is available. She further reported that the Work Order system is integrated with the GIS system and gave an example of how work order information associated with a particular pipe is available along with information on SSO's. Mr. Venable asked if work orders are updated in the field. Ms. Aiken stated that work orders are written in the field and input into the system later. Mr. Smith stated that some of System Services staff have laptops to use in the field in order to keep information as current as possible. Ms. Aiken gave examples of the following applications used by field crews and in-house staff: Maintenance Tracking, Mobil GIS/Video Tracking, Mapping Corrections/Defect Coding and Pipe Defect Visualization.

Mr. Smith reported that he has been involved in the ongoing development of the Project Management System (PMS). He explained that the PMS is not just a database, but a concept of managing data, which includes databases, mapping software, policy and procedure. He stated that a large component of the system is using a central location (SQL) to warehouse all of MSD's business data, where it can be more easily cross-referenced. In turn, this will allow for faster, more accurate reporting as well as "real-time" data updates for everyone at MSD who needs access. In addition, it will expedite the delivery of accurate information to MSD's external clients. He demonstrated how PMS is used in the Planning & Development application. Mr. Venable asked what kind of education is available for employees that use this system. Mr. Hartye stated that Mr. Smith has taught employees a variety of software programs, which is done in-house.

Mr. Pace asked how much of this information is available to the public. Ms. Aiken stated that the mapping system is available on the MSD web site, but the ROW and System Services work order information is not. Mr. Hartye stated that the most prevalent use of the mapping system is from realtors. Mr. Stines stated that plumbers are using this information as well. Mr. Gantt asked if staff meets with IT people from other sewerage districts and if there is a state organization for IT. Ms. Aiken stated MSD does exchange information and that there is a state GIS users group for water/wastewater. Ms. Banks noted that the exchange of information is also on a national level and stated that Ms. Aiken recently did a paper for a national group in California about the ROW application she wrote for MSD, which was included in the September Manager's Report. Mr. Kelly asked if MSD staff, when called, have the ability to tell the general public about projects that are taking place. Mr. Hartye stated that these calls are referred to dispatch since they have this information. Mr. Aceto stated that he is impressed with this program and expressed his appreciation to the IT staff for its presentation.

Mr. Venable stated that at one time, staff looked at the possibility of putting information on laptops for the Board in lieu of sending out Board books and suggested that the Board reconsider this option. Ms. Bellamy stated that this method is more effective and very accessible to the public. The Board agreed that staff should look into the costs.

**7. Report of Committees:**

**Right of Way Committee**

Mr. Pace reported that the Right of Way Committee met September 27, 2006 to consider compensation budgets on the Old Home @ Weaverville Highway PRP and Evergreen Avenue Replacement Project. The Committee also considered Compensation Budget amendments on Neil Price Avenue because of the need for additional easements and Merrimon Avenue @ Beaverdam Creek because of a \$2,219.00 overage in the negotiated compensation. Mr. Pace further reported that the Committee heard an update on the Buncombe County Greenways Master Plan and considered condemnations on the Sweeten Creek @ Rock Hill Road and Long Shoals Road PRP.

**8. Consolidated Motion Agenda:**

**a. Consideration of Compensation Budgets: Old Home @ Weaverville Highway PRP and Evergreen Avenue Replacement Project:**

Mr. Hartye reported that the Right of Way Committee recommends approval of the Compensation Budgets for the Old Home@ Weaverville Highway PRP and Evergreen Avenue Replacement Project.

**b. Consideration of Compensation Budget Amendment – US 70 @ Neil Price Avenue:**

Mr. Hartye reported that the Right of Way Committee recommends approval of the Compensation Budget Amendment for US 70 @ Neil Price Avenue Project.

**c. Consideration of Compensation Budget Amendment – Merrimon Avenue @ Beaverdam Creek:**

Mr. Hartye reported that the Right of Way Committee recommends the addition of \$2,219.00 to the project compensation budget for Merrimon Avenue @ Beaverdam Creek.

**d. Buncombe County Greenways Master Plan:**

Presented as information only.

**e. Consideration of Acceptance of Developer Constructed Sewer System – The Cliffs at Walnut Cove Phase IV (The Meadows):**

Pulled for separate vote.

**f. Consideration of Cost Participation for Kailee's Court:**

Mr. Hartye reported that staff recommends the General Manager be authorized to reimburse Paul Duval dba Duval Enterprises in the amount not to exceed \$48,446.26 for the District's share of the cost participation for the rehabilitation of the existing MSD sewer system. Mr. Hartye pointed out that the Reimbursement Project Summary shown for FY 06-07 was a cost recovery for Enka Land Subdivision in the amount of \$37,145.

**g. Minority Business Enterprise Report:**

Ms. Zeigler reported that the Minority Inclusion Committee comprised of staff, Board and community representatives was formed in 2002 to evaluate current and proposed future levels of minority participation in contracting, purchasing, and employment. She further reported that in May, 2002 the Board adopted the following goals of the Committee: that the District strive towards a 12% minority participation in purchasing and contracting and that the number of minority and women employees be increased to better reflect the makeup of the District as a whole. She stated that a public hearing was scheduled for July 17, 2002, to get additional input from citizens. With regard to purchasing, Ms. Zeigler reported that MSD is working with Ms. Brenda Mills with the Asheville-Buncombe Office of Minority Affairs to certify contractors and vendors and staff has been working with contractors, making sure that when MSD has a contract with them that they turn it back with their intentions as to minority subs. She further stated that she plans to meet with Ms. Mills next week to make sure MSD is still on track with the recent changes on moving over to State certification.

Ms. Kiser reported that MSD has hired 16 new employees since 2002, 3 of whom are minority; therefore, feels MSD's efforts have been successful. She further reported that she recently met with Ms. Mills and Ms. Pat Ezell of Human Resources with the City of Asheville to discuss more opportunities for minority outreach advertising, which includes civic groups, other publications/journals currently not being used, e-mail contacts/addresses, additional Job Fair opportunities and urban radio stations. Mr. Venable stated that in the past, it was MSD's policy when there was an opening that it looked within to fill openings before going outside, but now, MSD automatically advertises outside as well as trying to promote from within. Mr. Hartye stated that MSD has been reducing positions, so there has not been a lot of turnover for some period of time. He further stated that currently the employment target is at 150 and does not see it going much lower. Mr. Kelly asked what percent of employees are minority. Ms. Kiser stated that if you include women, 33 out of 150 employees are minority. Mr. Clarke stated that the State Statute specifies that women are included as minority. He further stated that when the Minority Inclusion Policy was adopted in 2002, the Board included a provision that it be reviewed every five years.

**h. Consideration of Resolution to Participate in NC Local Government Debt Setoff Program:**

Mr. Hartye reported that staff recommends the Board approve the District's participation in the NC Local Government Debt Setoff Program and authorize execution of the Memorandum of Understanding and Agreement with the NC Local Government Debt Setoff Clearinghouse Program and any other appropriate documents required for implementation.

**i. Cash Commitment/Investment Report – Month Ended August 31, 2006:**

Presented as information only.

Mr. Bisette moved that the Board approve the Consolidated Motion Agenda items a.b.c.d.f.g.h.i. Ms. Bellamy seconded the motion. Mr. Aceto called for discussion. With no discussion, Mr. Aceto called for the question. Roll call vote was as follows: 10 Ayes; 0 Nays.

Mr. Aceto called for a motion on Item e. (The Cliffs at Walnut Cove Phase IV – The Meadows). Ms. Bellamy moved that the Board approve the acceptance of the developer constructed sewer system. Mr. VeHaun seconded the motion. Mr. Aceto called for discussion. Mr. Pace asked if this project consist of all gravity sewer. Mr. Boyd said yes. With no further discussion, Mr. Aceto called for the question. Roll call vote was as follows: 8 Ayes; 0 Nays. Mr. Kelly was absent during the vote and Mr. Bisette was excused from voting on this item.

**9. Consideration of Acceptance of Enka Village Sewers:**

Mr. Boyd presented a map showing the location of the Enka Village Sewers and reported that BASF owned and operated a wastewater treatment plant on Hominy Creek that served both the plant as well as the residents of Enka Village. He stated that in 1998 BASF contacted MSD to evaluate connecting to the MSD sewer system and abandoning its plant, which was found to be more cost effective. As a result, BASF constructed a sewer extension to connect the existing sewers serving BASF and the residents in Enka Village to the MSD sewer system. He further stated that several meetings were held with the residents of Enka Village who were notified of the connection process and that a facility fee of \$600.00 would have to be collected from each.

Mr. Boyd reported that in 2001 the District received a petition from the Enka Park Commission requesting the inclusion of the Enka Village area into the District, which prompted inspection of the sewer system. Because of existing manholes being buried and inaccessible, it took several years for the District and the Enka Park Commission to coordinate the required inspection and repairs. He stated that the system is in good condition, but there are still three repairs that need to be made; adding a manhole, raising a manhole and repairing a segment immediately outside of an existing manhole, which the Commission will pay MSD for the cost of the repairs. In addition, there is an existing garage over a portion of one of the existing sewer lines and the property owners have agreed to give MSD an easement should future relocation of the line be necessary. Mr. Venable asked what the black, green and red lines represent. Mr. Boyd stated that the black lines are roads, green lines are existing MSD sewer lines and the red lines are the proposed lines to be taken over. Mr. VeHaun asked how MSD plans to collect the fees from those residents who have not paid. Mr. Boyd stated that staff will work with counsel to resolve this issue. Mr. Clarke stated that because the Enka Park Commission has done a lot of work and has addressed most of the problems in the system, he recommends that the Board agree to take over the sewer system with the provision that the Enka Park Commission make the remaining repairs, obtain a

commitment to provide rights of way around the garage that sits over an existing sewer line and that there be some agreement that MSD and the Enka Park Commission cooperate to try and collect the outstanding facility fees. A discussion was held regarding the best method to collect the facility fees. Mr. Aceto suggested that Mr. Clarke draft a resolution to address this issue. Mr. Clarke stated that the resolution should state that the MSD agreed to take over the Enka Park Sewer System provided that the conveyance documents include the three (3) provisions shown on page two of the handout in the Board notebook, except that the third provision should say “the District and the Enka Park Commission shall continue collection efforts for the outstanding facility fees”. Mr. VeHaun moved that the Board approve the Resolution based on the recommendation of Counsel. Ms. Bryson seconded the motion. Mr. Venable asked if there is any massive repair work that MSD will have to do. Mr. Boyd said no. With no further discussion, Mr. Aceto called for the question. Roll call vote was as follows: 9 Ayes; 0 Nays. Ms. Bellamy was absent during the vote.

**10. Old Business:**

None

**11. New Business:**

None

**12. Adjournment:**

With no further business, the meeting adjourned at 3:06 PM.

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Jackie W. Bryson, Secretary/Treasurer