

**BOARD OF THE METROPOLITAN SEWERAGE DISTRICT**  
**JUNE 11, 2008**

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

The regular monthly meeting of the Metropolitan Sewerage District Board and Public Hearing on the final Budget, Rates and Fees for FY 2008-2009 was held in the Boardroom of MSD's Administration Building at 2:00 PM, Wednesday, June 11, 2008. Chairman Aceto presided with the following members present: Bellamy, Bissette, Creighton, Gantt, Haner, Kelly, Russell, Sobol and VeHaun. Ms. Bryson and Mr. Metcalf were absent.

Others present were: Thomas E. Hartye, General Manager, William Clarke, General Counsel, Leah Karpen with the League of Women Voters, Bill Mull, Dave Gildersleeve with Wade Trim, Joseph Martin with Woodfin Sanitary Water & Sewer District, Stan Boyd, Ed Bradford, John Kiviniemi, Angel Banks, Peter Weed, Barry Cook, Scott Powell, Mike Butler, Julie Willingham, Monty Payne 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. No conflicts were reported.

**3. Approval of Minutes of the May 14, 2008 Board Meeting:**

Mr. Aceto asked if there were any objections to approving the Minutes of the May 14, 2008 meeting as presented. With no objections, the Minutes were approved by acclamation.

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

None

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

Mr. Aceto welcomed Ms. Karpen, Mr. Mull, Mr. Gildersleeve and Mr. Martin.

**6. Report of General Manager:**

Mr. Hartye reported that Ms. Katheryn Temple of 95 Houston Street called to say that Grady Brooks of System Services was awesome, super nice and gave great customer service. Mr. Harwood Bledsoe called from 239 Baird Cove Rd. to commend the following MSD employees for their help and great customer service on the dig-up at the street: Roy Lytle, Elton Camp, Eric Gillis, Shane Meadows, Eric Dawson, Chris Johnson and Linda Phillips. He further reported that a call was received from Ms. Genell Almond to thank Kay Farlow and the following system services crew who installed her sewer tap: Bobby Arrowood, McKinley Hensley, Lloyd Anders, Ray Lunsford, Randy Mull and Clement Crowe.

Mr. Hartye reported that MSD received the Platinum Peak Performance Award from NACWA for the eighth consecutive year with 100% NPDES compliance. He expressed his congratulations to the entire Wastewater Treatment Plant Staff.

Mr. Hartye reported that MSD has adopted a portion of the French Broad River extending through the MSD campus both to the north and to the south. He stated that on May 16<sup>th</sup> District employee volunteers pitched in to clean up along this area and picked up enough to fill 31 trash bags. He expressed his appreciation to all of the volunteers and especially to Jim Naber who headed up the effort and to the Woodfin Police who helped slow traffic along Riverside Drive.

Mr. Hartye reported that the Annual Industry (pretreatment) Meeting was held on May 21<sup>st</sup>. He stated that the meeting was well attended with 22 industries represented and 32 in attendance. The meeting covered regulations and their purpose, and such topics

as the Spill Control Response, Sampling Techniques and Confidentiality issues. He expressed his thanks to Monty Payne and Jon Van Hoff for both educating and providing an open venue for communication.

Mr. Hartye presented an article from the Asheville Citizen Times on Annexation; a NCLM Legislative Bulletin regarding proposed Drought legislation; a NY Times article regarding Los Angeles reuse of wastewater and a Southern City article on Wellness Programs featuring MSD.

Mr. Hartye reported that the Right of Way Committee meeting scheduled for June 25<sup>th</sup> at 9AM has been cancelled. The next regular Board Meeting will be held July 16<sup>th</sup> at 2PM.

**7. Report of Committees:**

**Right of Way Committee**

Mr. Kelly called on Mr. Sobol for a report. Mr. Sobol reported that the Right of Way Committee met May 28, 2008 to consider a Compensation Budget for the Delano Road 4" Main Rehabilitation Project and a Revised Compensation Budget for the Merrimon Avenue @ Ottari Road GSR Project. The Committee also considered Condemnation for the US 70 @ Parkway GSR Project and the Merrimon Avenue @ Ottari Road GSR Project. Regarding the Merrimon Avenue @ Ottari Road project, Mr. Sobol pointed out that Angel Banks and the Engineering Division worked very hard to address the concerns made by the property owner with revised alignments to improve ingress/egress to the owner's commercial property. Mr. Sobol stated that recommendations on these issues are addressed in the Consolidated Motion Agenda.

**8. Consolidated Motion Agenda:**

**a. Consideration of Bids for Sodium Hypochlorite Contract:**

Mr. Hartye reported that liquid Sodium Hypochlorite is used to disinfect the effluent prior to discharge into the French Broad River. He stated that the following bids were received on May 8, 2008: Whitaker with a total bid of \$0.890/gallon; Oltrin Solutions with a total bid of \$0.850/gallon; Brenntag SE with a total bid of \$0.720/gallon; Univar with a total bid of \$0.714/gallon and JCI Jones with a total bid of \$0.687/gallon. Staff recommends that the contract be awarded to the lowest bidder, JCI Jones of Charlotte, N.C. in the amount of \$0.687/gallon.

**b. Consideration of Bids for Sodium Bisulfite Contract:**

Mr. Hartye reported that Sodium Bisulfite is required to de-chlorinate the effluent prior to discharge into the French Board River. He stated that the following bids were received on May 8, 2008: Brenntag SE with a total bid of \$1.82/gallon; Whitaker with a total bid of \$1.79/gallon; Key Chemical with a total bid of \$1.4308/gallon; JCI Jones with a total bid of \$1.25/gallon and Univar with a total bid of \$1.10/gallon. Staff recommends that the contract be awarded to the lowest bidder, Univer of Spartanburg, S.C. in the amount of \$1.10/gallon.

**c. Consideration of Compensation Budget – Delano Road 4" Main Rehabilitation:**

Mr. Hartye reported that the Right of Way Committee recommends approval of the Compensation Budget for the Delano Road 4" Main Rehabilitation project.

**d. Consideration of Revised Compensation Budget – Merrimon Avenue @ Ottari Road GSR:**

Mr. Hartye reported that the Right of Way Committee recommends approval of the revised Compensation Budget for the Merrimon Avenue @ Ottari Road GSR project.

**e. Consideration of Condemnation – US 70 @ Parkway GSR:**

Mr. Hartye reported that the Right of Way Committee recommends authority to obtain appraisal, offer owner the appraised damages and if not accepted, proceed with condemnation filing two causes of action: one court requesting judicial determination of the validity of the old easement grant and one court per the Condemnation statutes to insure an immediate take and proper condemnation should the old easement grant fail.

**f. Consideration of Condemnation – Merrimon Avenue @ Ottari Road, GSR:**

Mr. Hartye reported that the Right of Way Committee recommends authority to obtain appraisal and proceed with condemnation on the Merrimon Avenue @ Ottari Road, GSR project.

**g. Consideration of Acceptance of Developer Constructed Sewer Systems – Tampa Boulevard Homes and Versant Subdivision Offsite:**

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

**h. Consideration of MSD Paving Restoration Contract:**

Mr. Hartye reported that this contract is for the restoration of roads, driveways and sidewalks resulting from District maintenance activities. He stated that the following bids were received on May 29, 2008: Moore & Son Site Contractors, Inc. with a total bid of \$983,965.00; APAC-Atlantic, Inc. with a total bid of \$970,560.00 and French Broad Paving, Inc. with a total bid of \$900,355.00. Mr. Hartye stated that French Broad Paving, Inc. is a minority-owned business and has performed numerous paving projects for the District and has an excellent performance history. Staff recommends award of this contact to French Broad Paving, Inc. in the amount of \$900,355.00, contingent upon review and approval by District Counsel. Mr. Sobol asked how much of an increase this would be over last year due to the increase in cost of petroleum products. Mr. Hartye said very little. He stated that last year's contact was \$897,000.00.

**i. Consideration of Intermediate Pump Replacement Project – Design Contract:**

Mr. Hartye reported that this project was identified in the Facilities Plan and 10-year CIP. He explained that the pumps are used to lift water from the last RBC basin to the intermediate clarifier and consist of three hydraulically driven 300Hp pumps. He stated that this method of pumping is not only inefficient, but also poses a risk of contaminating the effluent with hydraulic fluid. He further reported that in 2007, Black & Veatch was selected for the design of the Secondary Microscreen replacement project after careful review and consideration of several qualified firms. He stated that since this project is immediately adjacent to the pumps, and has some potential commonality of control systems, that Black & Veatch would be best to design this project also. After receiving initial proposals for the engineering design, staff met with Black and Veatch and negotiated a reduced design fee in the amount of \$177,282.00. Staff recommends the District exempt the Intermediate Pump Replacement project from the requirements of GS 143-64.31, based on the reasons and circumstances presented, and enter into an engineering design contract with Black & Veatch in the amount of \$177,282.00, subject to review and approval by District Counsel.

**j. Cash Commitment/Investment Report – Month ended April 30, 2008:**

Presented as information only.

Mr. Aceto called for a motion to approve the Consolidated Motion Agenda as presented. Mr. Haner made the motion. Mr. Bissette seconded the motion. With no discussion, roll call vote was as follows: 10 Ayes; 0 Nays.

**9. Public Hearing – Consideration of Resolution Adopting the Final Budget and Rates & Fees for Fiscal Year 2008-2009:**

**MINUTES OF PUBLIC HEARING**

At 2:23 PM, Mr. Aceto declared the Public Hearing open on the Budget, Rates & Fees for Fiscal Year 2008-2009.

Mr. Hartye noted a typographical error on Page 2, Item 4. first line of the Resolution that should read “Insurance Funds” instead of “Internal Service Funds”. He stated that the format of the resolution is based on the flow of funds required in the District Bond Order. He further noted that a copy of the Final Budget was included with the Board Book. Mr. Hartye called on Mr. Powell for a report.

Mr. Powell referred to the Budget Summary on page 11, showing the sources and uses of the \$41,021,895 Budget for FY 2008-09. He reported that included in these numbers is a 3% sewer rate increase and a 2.5% rate of return on available funds. On the expenditure side, is an \$18.8 million CIP budget, a \$13.3 million O&M budget, which includes a 5% merit increase, a 6.4% increase in the self-insurance fund, a 5.6% increase in materials, supplies and services, that include a 44.5% increase in chemicals for the new de-chlorination treatment required by the NPDES Permit as well as a 54% increase in fuel costs for the coming year.

Mr. Aceto called for public comment on the proposed Budget, Rates & Fees for Fiscal Year 2008-2009. With no comment, Mr. Kelly moved that the hearing be closed at 2:26 PM. Mr. Haner seconded the motion. Voice vote in favor of the motion was unanimous.

Mr. Aceto called for a motion to approve the Resolution adopting the Final Budget, Rates & Fees for FY 2008-2009. Mr. Kelly moved that the Board approve the Resolution adopting the budget with the typographical correction noted by Mr. Hartye. Mr. VeHaun seconded the motion. With no discussion, Mr. Aceto called for the question. Roll call vote was as follows: 10 Ayes; 0 Nays.

**10. Old Business:**

None

**11. New Business:**

None

**12. Adjournment:**

With no further business, Mr. Aceto called for adjournment at 2:28 PM.

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Jackie W. Bryson, Secretary/Treasurer

# MSD

## Regular Board Meeting

Metropolitan Sewerage District  
of Buncombe County, NC

### AGENDA FOR 6/11/08

✓	Agenda Item	Presenter	Time	
	Call to Order and Roll Call	Aceto	2:00	
	01. Inquiry as to Conflict of Interest	Aceto	2:05	
	02. Approval of Minutes of the 5/14/08 Board Meeting.	Aceto	2:10	
	03. Discussion and Adjustment of Agenda	Aceto	2:15	
	04. Informal Discussion and Public Comment	Aceto	2:20	
	05. Report of General Manager	Hartye	2:30	
	06. Report of Committees:		2:45	
	a. Right of Way Committee – 5/28/08	Kelly		
	07. Consolidated Motion Agenda		2:55	
	a. Consideration of Bids for Sodium Hypochlorite Contract.	Hartye		
	b. Consideration of Bids for Sodium Bisulfite Contract	Hartye		
	c. Consideration of Compensation Budget – Delano Road 4" Main Rehabilitation.	Hartye		
	d. Consideration of Revised Compensation Budget – Merrimon Avenue @ Ottari Road GSR.	Hartye		
	e. Consideration of Condemnation – US 70 @ Parkway GSR.	Hartye		
	f. Consideration of Condemnation – Merrimon Avenue @ Ottari Road GSR.	Hartye		
	g. Consideration of Developer Constructed Sewer Systems: Tampa Boulevard and Versant Offsite.	Hartye		
	h. Consideration of MSD Paving Restoration Contract.	Hartye		
	i. Consideration of Intermediate Pump Replacement Project – Design Contract.	Hartye		
	j. Cash Commitment/Investment Report – Month ended April 30, 2008.	Hartye		
	08. Public Hearing: Consideration of Resolution Adopting the Final Budget and Rates & Fees for Fiscal Year 2008-2009.	Hartye	3:10	
	09. Old Business:	Aceto	3:25	
	10. New Business:	Aceto	3:35	
	11. Adjournment (Next Regular Meeting 7/16/08)	Aceto	3:45	

# **BOARD MINUTES**

**BOARD OF THE METROPOLITAN SEWERAGE DISTRICT  
MAY 14, 2008**

**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, Wednesday, May 14, 2008. Chairman Aceto presided with the following members present: Bellamy, Bisette, Bryson, Creighton, Haner, Sobol and VeHaun. Those members absent were: Gantt, Kelly, Metcalf and Russell.

Others present were: Thomas E. Hartye, General Manager, William Clarke, General Counsel, Gary McGill with McGill Associates, Leah Karpen with the League of Women Voters, Stan Boyd, Jim Hemphill, Scott Powell, Ed Bradford, John Kiviniemi, Angel Banks, Ken Stines, Peter Weed, Julie Willingham 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. Ms. Bellamy reported that she has a conflict with Item f. of the Consolidated Motion Agenda. Mr. Aceto excused Ms. Bellamy from voting on this item. No other conflicts were reported.

**3. Approval of Minutes of the April 16, 2008 Board Meeting:**

Mr. Aceto asked if there were any objections to approving the Minutes of the April 16, 2008 meeting as presented. With no objections, the Minutes were approved by acclamation.

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

None

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

Mr. Aceto welcomed Ms. Karpen. Ms. Karpen asked if the increase in fuel has affected the MSD. Mr. Hartye stated that it has, and the increase is reflected in the proposed budget.

**6. Report of General Manager:**

Mr. Hartye announced the upcoming WEFTEC Conference in Chicago, October 18<sup>th</sup> through the 22<sup>nd</sup>.

Mr. Hartye reported that a call was received from Ms. Peterson of 2 Appian Way to say how much she appreciated Ricky Bates for his great customer service. An e-mail was received from Ms. Anne Alston of 36 Forest Hill Drive expressing her appreciation to Lisa Tolley for assisting with a water leak caused by MSD. Also, a call was received from Mr. Skinner of 55 High View Drive in Black Mountain to express his appreciation to Robert Burnett who was dispatched to his home when there was a problem with a sewer line backing up below his house. He stated that "Robert was very knowledgeable, worked very hard to solve the problem and really knows what he is doing."

Mr. Hartye reported that MSD received a "pat on the back" from the WNC Regional Air Quality Agency for compliance with all air quality rules and regulations during 2007.

Mr. Hartye presented a nomination description for the Hoyt Abney Outstanding Community Service Award, which was recently presented to Jerry VeHaun by Buncombe County. He presented an article in the Mountain Express regarding Mr. Bisette's involvement in counseling non-profits and presented letters from a third grade class to Julie Willingham and Jon Van Hoff, thanking them for their presentations on grease.

Mr. Hartye reported that the Right of Way Committee will meet May 28<sup>th</sup> at 9AM. The regular monthly meeting of the Board and Public Hearing on the Budget will

be held June 11<sup>th</sup> at 2PM. He stated that a Planning Committee meeting will likely be scheduled prior to the June Board Meeting.

**7. Report of Committees:**

**Personnel Committee:**

Mr. VeHaun reported that the Personnel Committee met April 21, 2008 to consider the self-insured health plan and cost of living/merit pay plan and post-employment health benefits, GASB 45 liability. He stated that the Committee approved staffs recommendation of a 5.0% merit increase and a 6.4% increase in employee contributions for health insurance. The Committee also approved staff's recommendation to move MSD's vesting time from 5 to 10 years of service, link the vesting amount of subsidy to years of creditable service and to allow spouses or retirees access to health insurance at actuarial cost. Mr. Hemphill reported that in 1988 the Board provided a medical insurance benefit for retirees of MSD. He stated that at that time, the criteria were 55 years of age with five years of service. It was realized later that many of the employees would qualify for retirement benefits earlier than age 55, therefore, a scale plan was developed that allows employees to qualify for a post retirement health insurance benefit, i.e., 100% coverage for 30 years of service, 90% coverage for 25 years of service, etc. He further stated that the employees also requested that spouses of MSD employees be allowed access to health insurance at actuarial cost, which was included in staff's recommendation. Mr. Hemphill reported that Scott Powell did an excellent job of putting the numbers together and working with the actuaries to find out what it would cost to make sure it would not have any impact on rates. Mr. Haner asked if staff is looking at how a spouse can get into or out of the plan. Mr. Hemphill stated that MSD will follow the ERISA federal regulations governing this. He further stated that when a person reaches Medicare eligible age, then they would come off the plan. Mr. Haner asked if MSD is obligated to have open enrollment. Mr. Hemphill said yes, that major changes in the medical plan will require MSD to have an open enrollment period, which will result in an education process that will allow employees to make changes in the month of June.

**Right of Way Committee:**

Ms. Banks reported that the Right of Way Committee met April 23, 2008 to consider a compensation budget on the Merchant Street Sewer Rehabilitation Project; Condemnation on the Weaverville Highway @ Hillcrest Road Sewer Replacement Project and Construction without Easement or Condemnation on the Reems Creek Wet Weather Interceptor Project. Regarding condemnation on the Weaverville project, Ms. Banks stated that the property owner has no issues with the project itself, or the compensation being offered, but has a major concern pertaining to the property line boundary shown on the easement plat. Despite revision to the easement plat, the property owner will not sign due to the location of the western property line shown on the plat. Regarding the Reems Creek Wet Weather Interceptor, Ms. Banks reported that title to a landlocked area within the project lying along Reems Creek has been researched and ownership cannot be determined. Therefore, staff recommends authority to proceed with construction without an easement or condemnation at this time. If owners or heirs do come forth, staff will negotiate or condemn if necessary at that time. In other business, the Committee reviewed the Third Quarter Project Status Summary for all active acquisition projects.

**Finance Committee:**

Mr. Powell reported that the Finance Committee met April 23, 2008 to discuss several items. He stated that a third quarter review of the budget versus actual was presented and that the revenues and expenditures are in line. Regarding the self-insured health plan, Mr. Powell reported that there was an overall increase of 1.6% in expenses from the previous year. Although there was a decrease in medical claims of 20.5%, prescription costs increased 29.6% due to a large number of cancer diagnoses and an increase in utilization of generic drugs compared to last year. He further reported that



Mr. Hartye went over the MSD sewer rates compared to the CPI and NACWA. He stated that MSD rate increases in the last ten years stayed near or even with inflation, but track significantly lower than similar utilities within the EPA region IV. Mr. Hartye also went over MSD's business plan/financial forecast and how this document is used to plan for the future as far as the upcoming budget. A schedule of sewer rates and fees for FY 09 was presented showing a proposed 3% rate increase. Mr. Powell reported that the Committee was informed of the Personnel Committee's endorsement of a 5.0% merit increase, a 6.4% increase in the MSD contribution to the self-funded health insurance plan and modifications to the post-employment health benefits as reported by Mr. Hemphill. He stated that the fiscal impact to fund the initial year (FY09) is \$169,000, contributing a 1.25% increase to the O&M budget. He further stated that the Committee went over the budget in general and a summarization of the CIP budget for FY09 of \$18.8 million dollars.

**8. Consolidated Motion Agenda:**

**a. Consideration of Compensation Budget – Merchant Street Sewer Rehabilitation:**

Mr. Hartye reported that the Right of Way Committee recommends approval of the Compensation Budget for Merchant Street Sewer Rehabilitation.

**b. Consideration of Condemnation – Weaverville Highway @ Hillcrest Road Sewer Replacement Project:**

Mr. Hartye reported that the Right of Way Committee recommends authority to obtain appraisal and proceed with condemnation.

**c. Consideration of Construction without Easement or Condemnation – Reems Creek Wet Weather Interceptor:**

Mr. Hartye reported that the Right of Way Committee recommends authority to proceed with construction without an easement or condemnation at this time. If owners or heirs do come forth, Staff will negotiate or condemn if necessary at that time.

**d. Consideration of Sanitary Sewer Rehabilitation Project: Mardell Circle Four-inch Main:**

Mr. Hartye reported that this project is comprised of 1,000 LF of 8 inch DIP and is being coordinated with the City of Asheville Water Improvement Project. He further reported that the following bids were received on May 1, 2001: Thunder Disaster Services with a total bid of \$202,044.53; Carolina Specialties with a total bid of \$199,862.92; MacKenzie Company NC, LLC with a total bid of \$180,159.00; Wolfpen Developers with a total bid of \$166,040.00; Blythe Co. Construction, LLC with a total bid of \$160,994.00; Hobson Construction Company with a total bid of \$160,900.00; Bryant's Land & Development, Inc. with a total bid of \$160,615.06; BE&L Mechanicals with a total bid of \$159,800.00; Buncombe Construction with a total bid of \$137,400.00 and Terry Brothers Construction Co., Inc. with a total bid of \$123,015.50. Mr. Hartye stated that staff recommends award of this contract to Terry Brothers Construction Co., Inc., in the amount of \$123,015.50, subject to review and approval by District Counsel.

**e. Consideration of Sanitary Sewer Rehabilitation Project – Dunwell Avenue:**

Mr. Hartye reported that this project is comprised of 3,108 LF of 8-inch DIP and is being coordinated with a City of Asheville Water Improvement Project. He further reported that the following bids were received on May 1, 2008: Thunder Disaster Services with a total bid of \$714,563.19; Cooper Construction Co., with a total bid of \$688,308.20; Carolina Specialties with a total bid of \$659,832.73; Wolfpen Associates, Inc. with a total bid of \$571,687.60; Bryant's Land & Development, Inc. with a total bid of \$494,816.00; Hobson Construction Co. with a total bid of \$451,140.00; Blythe Co. Construction, LLC with a total bid of \$441,228.00;

Buncombe Construction Co. with a total bid of \$408,000.00 and Terry Brothers Construction Co., Inc. with a total bid of \$396,008.00. Mr. Hartye stated that staff recommends award of this contract to Terry Brothers Construction Co., Inc. in the amount of \$396,008.00, subject to review and approval by District Counsel.

**f. Consideration of Cost Recovery for Crowell Park Apartments (Mountain Housing Opportunities):**

Mr. Hartye reported that Crowell Park consists of 63 units to be rented by Mountain Housing Opportunities. The cost of the sewer extension was approximately \$75,642 and the net five-year revenue is \$78,582.00. He stated that staff recommends that the General Manager be authorized to disburse \$40,000 to Mountain Housing Opportunities for cost recovery for the Crowell Park Apartments upon acceptance of the sewer system extension by the Board and receipt of satisfactory security.

**g. Consideration of Developer Constructed Sewer Systems: Reems Creek Village Lots 18-40 and Curtis Affordable Housing:**

Mr. Hartye reported that Staff recommends acceptance of the developer constructed sewer systems. All MSD requirements have been met.

**h. Report on Third Quarter City of Asheville Billing:**

Mr. Hartye reported that a comparison of the first three quarters of FY 08 with the same time period in FY 07 reveals a good likelihood of all funds being remitted to MSD in a timely manner.

**i. Third Quarter Budget to Actual Review:**

Mr. Hartye reported that revenues appear to be on target and year-end amounts may be more or less than budgeted. He stated that industrial user fees were budgeted under the assumption that Anvil, Inc. would substantially wind down production and cease operations by early FY 08.

**j. Consideration of Self Insured Heal Plan & Cost of Living/Merit Pay Plan:**

Mr. Hartye reported that the Personnel Committee recommends that the Board grant staff's request of a 5.0% merit increase and a 6.4% increase in MSD contributions for the self-funded health insurance plan.

**k. Consideration of Post-Employment Health Benefit GASB 45 Liability:**

Mr. Hartye reported that the Personnel Committee recommends that the Board grant staff's request to change the vesting period for new employees from 5 to 10 years of service and 55 years of age; link the vesting amount of subsidy to years of creditable service, and to allow post employment spousal coverage with the retired employee paying full actuarial cost.

**l. Cash Commitment/Investment Report – Month Ended March 31, 2008:**

Presented as information only.

Mr. Aceto called for a motion to approve the Consolidated Motion Agenda, excluding Item f. Mr. Bissette made the motion. Ms. Bellamy seconded the motion. With no discussion, Mr. Aceto called for the question. Roll call vote was as follows: 8 Ayes; 0 Nays.

Mr. Aceto called for a motion to approve the Consolidated Motion Agenda Item f. (Cost Recovery for Crowell Park Apartments). Mr. VeHaun made the motion. Mr. Creighton seconded the motion. With no discussion, Mr. Aceto called for the question. Roll call vote was as follows: 7 Ayes; 0 Nays. Ms. Bellamy was excused from voting.

**9. Consideration of Schedule of Sewer Rates & Fees:**

Mr. Hartye reported that the Finance Committee went over the District's Financial Forecast. He stated that even with significant increases in fuel, chemicals, the addition of GASB 45 and medical increases, MSD has been able to keep the rate at 3%; given current revenue projections. Regarding sewer rates, Mr. Hartye reported that over the past 10 years the average CPI was at 2.5%. He stated that other sewer agencies in Region IV have run about 4.5% for the same period and that MSD sewer bills are below the average for the region.

Regarding facility fees for affordable housing, Mr. Hartye reported that the affordable housing break on these fees has typically been 70%. He stated that Mr. Sobol brought up the question of what the impact would be if MSD kept the fees for affordable housing at \$490 instead of the proposed \$580 for FY 09. Mr. Hartye reported that over the last four years MSD has averaged about 125 units per year, amounting to an estimated total rebate of about \$11,000, which was not significant enough to change the budget. Mr. Aceto asked if there are any issues with the fees for affordable housing. Mr. Clarke stated that there is some cause for concern and that he would be more comfortable if the affordable housing fee were increased. Ms. Bellamy stated that the City of Asheville recently passed the affordable housing resolution. Mr. Sobol moved that the Board approve the recommendation of the Finance Committee to adopt staff's recommendation to incorporate the FY 09 Schedule of Rates & Fees into the FY09 Budget and adopted at the June 11, 2008 Board Meeting, with the exception that there be no increase in fees for affordable housing. Ms. Bellamy seconded the motion. Mr. Haner stated that he is proud of MSD for having a lower rate increase next year, which shows it's responsive to the financial demands of the rate payers. Mr. Haner asked if MSD is open to legal action because of a reduction in fees for affordable housing. Mr. Clarke stated that MSD cannot discriminate among rate payers unless there is a compelling governmental interest. Ms. Bellamy stated that she supports the motion because of the orderly way MSD has gone about increasing its rates. With no further discussion, roll call vote was as follows: 8 Ayes; 0 Nays.

**10. Consideration of Resolution Adopting the Preliminary Budget for FY 2008-2009:**

Mr. Hartye called on Scott Powell for a report on the Preliminary Budget. Mr. Powell referred to the Budget Summary on page 11, showing the proposed FY 2008-2009 budget of \$41,021,895.

Regarding revenues, Mr. Powell noted that Domestic, Industrial, Billing and Collection, Facility and Tap fees are budgeted based on the schedule of sewer rates and fees, previously presented by Mr. Hartye. Interest Income is budgeted at a conservative 2.5% rate of return on available funds and employee contributions to the self-insured health fund is budgeted based on 12.6% increase.

Regarding expenditures, Mr. Powell noted that the estimated construction expenditures for FY 09 are \$18.8 million, which is comprised of an estimated \$17.2 million in construction, \$600,000 of reimbursement projects and \$1 million in contingency. He explained that the CIP budget helps MSD continue to rehabilitate the state-mandated 250,000 feet of sewer line every 5 years and other projects identified in the Master Plan, one of which is the design and procurement of the secondary microscreens in FY09, with construction expected to begin in FY10. The total cost of this project is estimated to be \$8.7 million. He stated that a detailed CIP budget can be seen on pages 21-23.

Regarding operations, Mr. Powell noted the Personnel Committee's recommendation of a 5% merit increase as well as a 6.4% increase in funding of the self-insured medical plan. He stated that the current funding for both of the plans is \$487,390 which represents a 4% increase of total operations. He reported that a new item this year is the funding of the post employment health benefit. He stated that an actuarial study was done to compare the cost of MSD's current plan to the current plans of the City of Asheville and Buncombe County. Based on the study it was determined that MSD could modify its plan to resemble the City of Asheville's post-employment health plan without

significantly impacting the current proposed rate structure. The current funding of \$169,000 represents 1.25% of total operations. He further reported that Materials, Supplies and Service expenditures increased 5.6% over last year. He stated that the driving factor of this increase was a 44.5% increase in chemicals or about \$135,000 due to new de-chlorination treatment required by the NPDES permit; 32.2% increase in motor fuel and lubricants or \$73,000 due to rising diesel and gas prices and a 96.6% increase in O&M capital equipment or about \$83,000 due to a proposed purchase of a compact hydraulic excavator for the System Services division. He stated that a detailed O&M budget can be seen on page 18.

Mr. Powell presented a Resolution adopting the Preliminary Budget for FY 2008-2009. Mr. Aceto called for a motion. Mr. Haner moved that the Board adopt the Resolution as presented. Ms. Bryson seconded the motion. Mr. Sobol asked if this cost for dechlorination is the first step of the process or the entire process. Mr. Hartye stated that the cost is for the chemicals used in the process. Mr. Sobol asked if this process is chlorine free. Mr. Kiviniemi said it is below 28 micrograms per liter. With no further discussion, Mr. Aceto called for the question. Roll call vote was as follows: 8 Ayes; 0 Nays.

**11. Old Business:**

None

**12. New Business:**

None

**13. Adjournment:**

With no further business, Mr. Aceto called for adjournment at 2:51PM.

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Jackie W. Bryson, Secretary/Treasurer

# **REPORT OF GENERAL MANAGER**

## MEMORANDUM

TO: MSD Board  
FROM: Thomas E. Hartye, P.E., General Manager  
DATE: May 8, 2008  
SUBJECT: Report from the General Manager

- Kudos

- Katheryn Temple at 95 Houston Street called (5/27) to say that Grady Brooks was awesome, super nice and gave great customer service.
- Harwood Bledsoe called from 239 Baird Cove Rd .commended the following MSD employees for their help and great customer service on the dig-up at the street . He was very pleased with the results and wanted to let MSD know. Thanks to Roy Lytle, Elton Camp, Eric Gillis, Shane Meadows, Eric Dawson, Chris Johnson, and Linda Phillips.
- Genell Almond called to thank Kaye Farlow and brag on the guys who installed her sewer tap. She said they were very nice to her kids that were watching them and what a great job they did! Her septic tank was failing and she was very grateful for getting her tap installed so fast. Thanks to Bobby Arrowood, Mckinley Hensley, Lloyd Anders, Ray Lunsford, Randy Mull, and Clement Crowe.

- NACWA Platinum Award

MSD has received the coveted Platinum Peak Performance Award for eight consecutive years with 100% NPDES permit compliance (letter attached). Congratulations to the entire Wastewater Treatment Plant Staff.

- French Broad River Cleanup

MSD has “adopted” the French Broad River to provide attention and care for an area extending through our campus both to the north and to the south. On May 16<sup>th</sup> District employee volunteers pitched-in to clean-up along the French Broad River and picked up enough to fill 31 trash bags. Thanks to all the Volunteers and especially to Jim Naber who headed up the effort and to the Woodfin Police who helped slow traffic along Riverside Drive.

- Annual Industry Meeting

MSD held its annual industry (pretreatment) meeting on May 21<sup>st</sup>. The meeting was well attended with 22 industries represented and 32 in attendance. The meeting covered the regulations and their purpose for the new folks in addition to such topics as Spill Control Response Plan, sampling techniques and confidentiality issues. Thanks to Monty Payne, Jon Van Hoff for both educating and providing an open venue for communication.

- **READING**

- AC-T article on annexation.
- NCLM Legislative Bulletin regarding Drought legislation being introduced.
- NY Times Article regarding Los Angeles reuse of wastewater.
- Southern City article on Wellness programs featuring MSD

- **Board/Committee Meetings**

The next Regular Board Meeting will be held July 16<sup>th</sup> at 2pm. The next ROW Committee will be held on June 25<sup>th</sup> at 9am..

EXECUTIVE COMMITTEE

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Public Works General Counsel  
City of Los Angeles  
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**Ken Kirk**

May 20, 2008

**Thomas Hartye**  
General Manager  
Metropolitan Sewerage District-Buncombe County  
2028 Riverside Dr  
WH Mull Building  
Asheville, NC 28804-3054

Dear Tom:

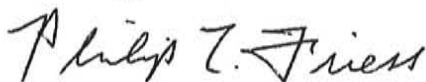
It gives us great pleasure to inform you that Metropolitan Sewerage District-Buncombe County's French Broad River Water Reclamation Facility has earned a *Platinum Peak Performance Award* for eight years of consecutive 100% NPDES permit compliance. Congratulations on receiving this prestigious honor.

As a multi-year *Platinum* honoree, your facility will be recognized in a slide presentation during the July 16 Awards Ceremony at the NACWA Summer Conference & 38<sup>th</sup> Annual Meeting being held in Anchorage, Alaska. The facility will also be recognized on the NACWA website and in the *July Clean Water Advocate*. If you are planning to attend the conference, your certificate will be available for pick-up after the ceremony; however, if you are unable to join us in Alaska, certificates will be mailed shortly thereafter.

In the coming weeks, we will provide you with an e-mail linking to an online publicity kit that will enable you to promote this great accomplishment with your local media. Also included with this communication will be information regarding award promotional items that may be purchased by the utility to celebrate your employees commitment to excellence. If you would like NACWA to notify your chief elected officials of this prestigious honor, please provide their names and addresses via e-mail to Kelly Brocato at [kbrocato@nacwa.org](mailto:kbrocato@nacwa.org).

Again, congratulations to you and all of the Metropolitan Sewerage District-Buncombe County employees on a job well done.

Sincerely,



Philip Friess  
Chair, NACWA Awards Committee  
Department Head, Technical Services  
Sanitation Districts of Los Angeles County, CA



Ken Kirk  
NACWA Executive Director



an average of 4.6 gang members per 1,000 residents, smaller communities have more gang members than police officers.

**Action needed:** Passage of anti-gang legislation is a priority on the League's municipal advocacy agenda. Please thank your Senate members for moving these bills forward and ask your House members to do the same. Both bills are needed, along with adequate funding, for a balanced approach to street gangs that combines stronger enforcement measures with prevention and intervention programs.

### **Proposals on infrastructure introduced**

Securing a dedicated source of revenue for local infrastructure needs -- including water, sewer, transportation, and stormwater -- remains our top priority for this two-year legislative cycle. Based on the advocacy agenda adopted by our membership, the League will continue to seek adequate permanent and dedicated sources of revenue for infrastructure needs; additional local option revenue sources that may be dedicated to infrastructure needs; and state bonds with significant funding for clean water projects and urban transportation needs.

At the recommendation of the 21<sup>st</sup> Century Transportation Committee, *HB 2363* and *SB 1894 - Congestion Relief/Intermodal Transport Fund* have been introduced by Reps. Becky Carney, Lucy Allen, Deborah Ross and Pricey Harrison and Sen. Richard Stevens respectively. The legislation would establish a fund for financing local government and transportation authority public transportation projects; and rail projects for improved freight service, multimodal facilities, and intercity passenger service. It also expands the local governments authorized to levy a one-half cent sales tax and vehicle rental and registration taxes for public transportation purposes.

Sen. David Hoyle has introduced *SB 1754 - Infrastructure Trust Fund* to create a special revenue fund within the state treasury to be used only for capital projects and to pay debt service on capital projects. The monies currently flowing to the Golden Leaf Foundation from the tobacco settlement master agreement would be redirected to the infrastructure fund, and funds could be expended only upon an act of appropriation by the General Assembly.

**Action needed:** We are encouraged to see these infrastructure proposals and look forward to working with legislators to secure funding for local needs. We urge you to continue talks with your legislators about your water, sewer and transportation needs.

### **Drought legislation introduced**

Companion bills containing the Governor's plan on drought were introduced this week. *HB 2499* and *SB 1879 - Drought/ Water Management Recommendations* were recommended by the Environmental Review Commission, but several members commented that the proposal needs additional work and may be the subject of a stakeholders' process. The bills as introduced include the following provisions:

- Removes an exemption for agriculture, so that agricultural water withdrawals over 100,000 gallons per day would have to be registered with the state.
- Removes existing "declaration of water emergency" power from the Environmental Management Commission and shifts it to the Governor upon the recommendation of the DENR Secretary. In doing so, removes existing requirements for a request from the affected local government and for public hearings. Requires only "consultation" with affected water systems. Once Governor declares emergency, Secretary can order diversion of water from one water system to another.
- Directs the EMC to adopt minimum conservation measures that must be implemented by local governments in areas designated as severe, extreme or exceptional drought. Local governments are authorized to apply the minimum measures to all water users within their general police power jurisdiction (including those on private wells or served by private water systems).
- Allows DENR to require weekly water use reports during drought. Requires reports to be submitted electronically unless water system lacks the capacity to do so.
- Requires local government water supply plans to include water audit and leak detection programs and identify existing and planned interconnections. Allows DENR to approve local water supply plans.



- Requires metering of all uses in a water system to maximum extent practicable. Requires local governments to mandate separate meters for in-ground irrigation systems.
- To be eligible for state water infrastructure funds, requires showing that system has leak detection program, approved water supply plan, and adequate rate structure. Gives priority to projects reducing vulnerability to drought, such as interconnection, repair of leaking water lines, and replacement of meters.
- Prohibits use of the declining block rate structure for residential customers.
- Allows use of gray water from sinks, tubs and showers for handwatering purposes.
- Directs the State Water Infrastructure Commission to develop guidelines for rate structures.
- Directs DENR to develop recommendations for water efficiency standards for fixtures and irrigation systems, to be submitted to the Building Code Council.

The League has concerns about key portions of the proposal and we will continue our discussions with legislators, the Governor's office and DENR about needed changes to the legislation. We'll share the specifics of our concerns in a future *Legislative Bulletin*.

### **Bill introduced to clarify PEG channel distributions**

Our thanks to Sen. Dan Clodfelter and Reps. Paul Luebke, Harold Brubaker, Dewey Hill and Danny McComas for introducing, at the request of the League and the Southeast Association of Telecommunications Officers and Advisors, companion bills on PEG channel funding. *HB 2342* and *SB 1716- Supplemental PEG Support* would clarify the definition of a public, educational or governmental (PEG) cable channel, a PEG channel operator and what a PEG channel must provide in programming to qualify for funding. The bill clears up points raised with the 2006 legislation that established state franchising of cable television services with cities and towns receiving a share of the sales tax on video programming in lieu of local cable franchise fees.

### **Another 25-year police retirement bill**

Several representatives have introduced *HB 2350 – Law Enforcement 25-Year Retirement*, which would allow law enforcement officers in the state and local retirement systems to retire with full pension benefits at age 50 with 25 years of service. Introdurers include Reps. Marian McLawhorn, Larry Bell, Tim Spear, and Ray Warren.

The League's core principles call for opposing special benefits for one class of employees and for authority for individual cities and towns to make personnel decisions based on local circumstances.

### **Town Hall Day on June 4**

The League's annual legislative action day will be held on Wednesday, June 4. House Speaker Joe Hackney will speak at the first Town Hall Day briefing at 10:30 a.m., and Senate leaders have been invited to speak at the second briefing at 1:00 p.m. Please make sure your city or town is represented at this important event. Town Hall Day events include the legislative briefings and a reception at 5:00 p.m., with plenty of time in between to meet with your legislators and observe the work of the General Assembly. These events will be held at the Local Government Federal Credit Union Conference Center, Quorum Center, 323 West Jones Street in Raleigh, adjacent to the League offices. See the League's website for details. We look forward to seeing you!

Following are some of the bills that were introduced or acted upon this week. If you need a copy of these or any other bills, please contact the Legislative Printed Bills Office at 919-733-5648 or the League office. Remember that bills and legislative calendars are now available on the Internet at <http://www.ncleg.net>. Please contact the League staff if you have any particular interest or concern regarding any piece of legislation.

### **ENVIRONMENT**

**Bill:** HB 2138  
**Sponsors:** Gibson (D69)  
**Title:** DISAPPROVE COASTAL STORMWATER RULE  
**Status:** House Environment  
Disapproves administrative rule 15A NCAC 02H .1005 (Stormwater Requirements: Coastal Counties) as adopted by the Environmental Management Commission on January 10, 2008, and approved by the Rules Review Commission on March 20, 2008.



May 16, 2008

## Los Angeles Eyes Sewage as a Source of Water

By **RANDAL C. ARCHIBOLD**

LOS ANGELES — Faced with a persistent drought and the threat of tighter water supplies, Los Angeles plans to begin using heavily cleansed sewage to increase drinking water supplies, joining a growing number of cities considering similar measures.

Mayor [Antonio R. Villaraigosa](#), who opposed such a plan a decade ago over safety concerns, announced the proposal on Thursday as part of a package of initiatives to put the city, the nation's second largest, on a stricter water budget. The other plans include increasing fines for watering lawns during restricted times, tapping into and cleaning more groundwater, and encouraging businesses and residents to use more efficient sprinklers and plumbing fixtures.

The move comes as California braces for the possibility of the most severe water shortages in decades.

Snowfall in the Sierra Nevada, which supplies about a third of Los Angeles's water, is short of expectations. At the same time, the Western drought has lowered supplies in reservoirs, while legal rulings to protect endangered species will curtail water deliveries from Northern California.

Worsening the problem, Los Angeles is expected to add 500,000 people by 2030, forcing the city to examine new ways to meet demand. One option off the table, Mr. Villaraigosa said, is a repeat of the city's troubled history, fictionalized in the movie "Chinatown," of diverting a distant river southward to slake the city's thirst.

The city, pushed by legal claims, is already paying millions to restore dried-up portions of the river, the Owens.

"There simply are no more holes or straws to pitch," Mr. Villaraigosa said at a news conference at a water plant.

Many cities and towns across the country, including Los Angeles, already recycle wastewater for industrial uses and landscaping.

But the idea of using recycled wastewater, after intense filtering and chemical treatment, to replenish aquifers and reservoirs has gotten more notice lately because of technological advances that, industry leaders say, can make the water purer than tap water. San Diego and South Florida are also considering or planning to test the idea, and Orange County, Calif., opened a \$481 million plant in January, without much community resistance, that is believed to be the world's largest such facility.

None of the proposals or recycling projects already under way send the treated water directly into taps; most often the water is injected into the ground and gradually filters down into aquifers.

That is what Los Angeles would do, too. But the city abandoned that idea seven years ago in the face of political opposition, and is likely to face some debate about it now.

Fran Reichenbach, a founder of the Beachwood Canyon Neighborhood Association, one of the groups that opposed the plan, said she remained unconvinced the water would be safe.

“I appreciate them trying to save us in a time of water shortage, but the fact remains the kind of toxins and chemicals that are created on daily basis cannot be tested for,” Ms. Reichenbach said, disputing industry claims to the contrary. She said the group would push for independent testing and analysis of the treated water.

But Mr. Villaraigosa and H. David Nahai, the general manager of the Department of Water and Power, said they would push forward.

It will cost about \$1 billion to retool the water works to treat the sewage, capture more rainfall and make other improvements. The money, city officials said, will come in part from state grants and fees on polluters, though they have not ruled out increases in water bills as well. The City Council must approve some of the changes.

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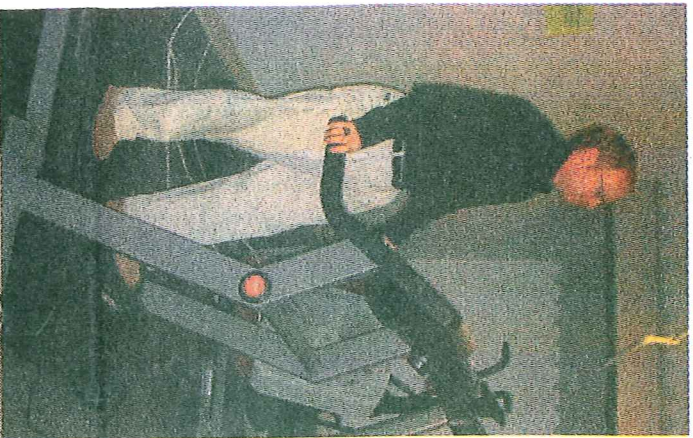
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# N.C. cities and towns offer unique wellness options

BY MATT LAIL

When she is talking and meeting with municipal wellness committees and employees across the state, Lisa Battaglia, the League's health/wellness and EAP consultant, stresses the importance for the respective wellness programs to fit that organization's size, culture and structure. What works in Charlotte or Greensboro, may not work in a smaller city — and vice versa.



groups has always been 'make it fun, and they will come.'

Here are some unique programs that have been successful across North Carolina. Not only have the employees turned out, but they've gotten healthier because of it.

## Bessemer City's 'Hand Washing Campaign'

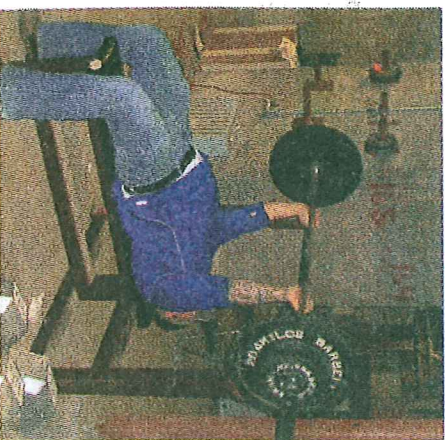
Sometimes it's the simple ideas that are the most effective. Bessemer City found this out with its "Hand Washing Campaign," which was funded by an NCLM Wellness grant. According to Adora Alford, the city's wellness coordinator, Bessemer City staff got together last year to discuss innovative wellness initiatives, deciding that they had already done most of the "typical" things.

"We [just] wanted to do something to promote not being sick all the time," said Alford. "It just seems like we had had a rash of colds."

The city ordered wall-mounted Purell (waterless disinfecting gel) dispensers, and then placed individual packs in city vehicles and gave it out to employees. The wall-mounted dispensers were placed at customer service areas and outside of restrooms, at the snack bar at city pools, among other places. Employees wipe their workspaces and phones down with it.

"People kept asking, 'Could we get one for here?'" recalls Alford. "It turned out we had to reorder twice.

"We ought to be real sanitized here."  
There may be no "hard" evidence that the



hand washing campaign was effective; however, Alford insists that the Purell led to cuts and wounds healing faster, and cut down on illnesses. Especially during flu season. "We've had very few people out with the flu. There was a really bad rash of that going around."

Staff members appear to have bought into the overall wellness concept in Bessemer City: The city conducts an annual wellness fair with help from medical staff from Gaston Memorial Hospital.

One city employee, a meter reader, was sent straight to the hospital when medical officials believed his blood pressure was too high. The employee was diagnosed with Type 2 Diabetes, and he's been on medication ever since.

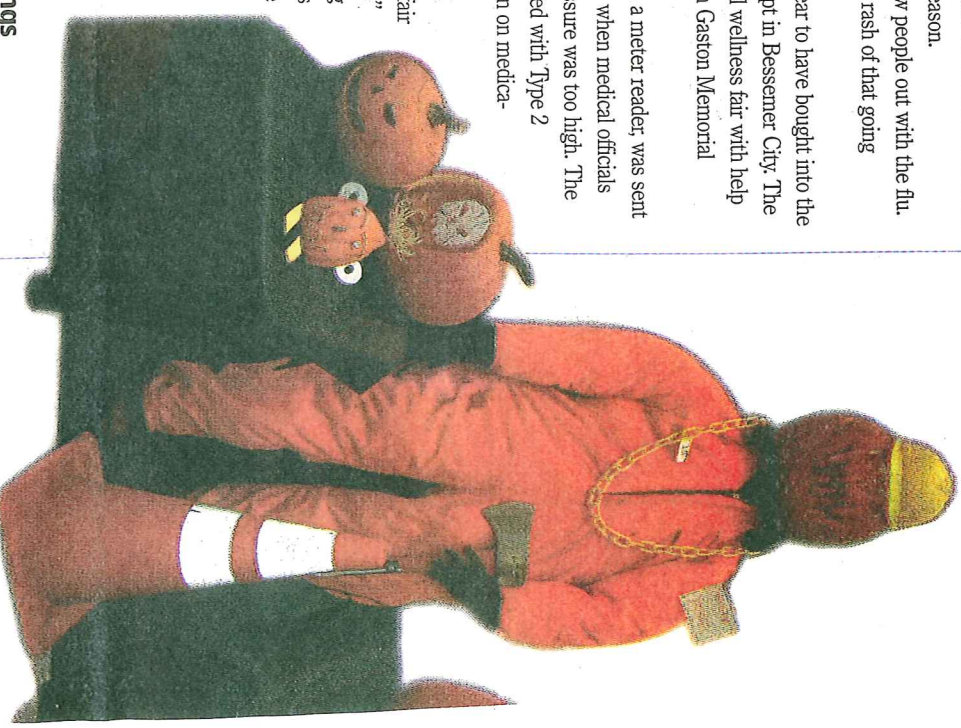
"They actually told him that the wellness fair probably saved his life," said Alford. "He's a big promoter of it. He tells other employees, 'The wellness fair's coming up. You need to go!'"

## Metropolitan Sewerage District: Talking advantage of your surroundings

Jin Hemphill had been at the Metropolitan Sewerage District (MSD) for about five months when, one day, he just had to go out to get some fresh air.

"We are, after all, a sewerage factory," said Hemphill, the MSD's human resources director. But, he is quick to point out, the MSD is also located on the banks of the French Broad River. Hemphill decided that the MSD employees should be able to take advantage of their surroundings. So a Contemplation Bench was set up, giving staff an area to relax, reflect and enjoy the river.

"We are interested in making this as nice a place as this can be," said Hemphill. There are now picnic tables along the river,



as well as basketball goals. Departments will sometimes have meetings outside on nice days. But the wellness ideas also are taking shape inside the MSD's offices, the Horace Mall Building. The basement now is basically a weight room, complete with free weights, a punching bag and more.

"There's no heat, it's a basement," admitted Hemphill. "[But] guys like it because it's cooler. For lifting weights it's a very comfortable environment."

Upstairs, on the third floor, is what is called the "Workout Room," a 20-by-40-foot area with two treadmills, a Bowflex machine and an elliptical bicycle — all equipment either donated by MSD employees or purchased by the organization.

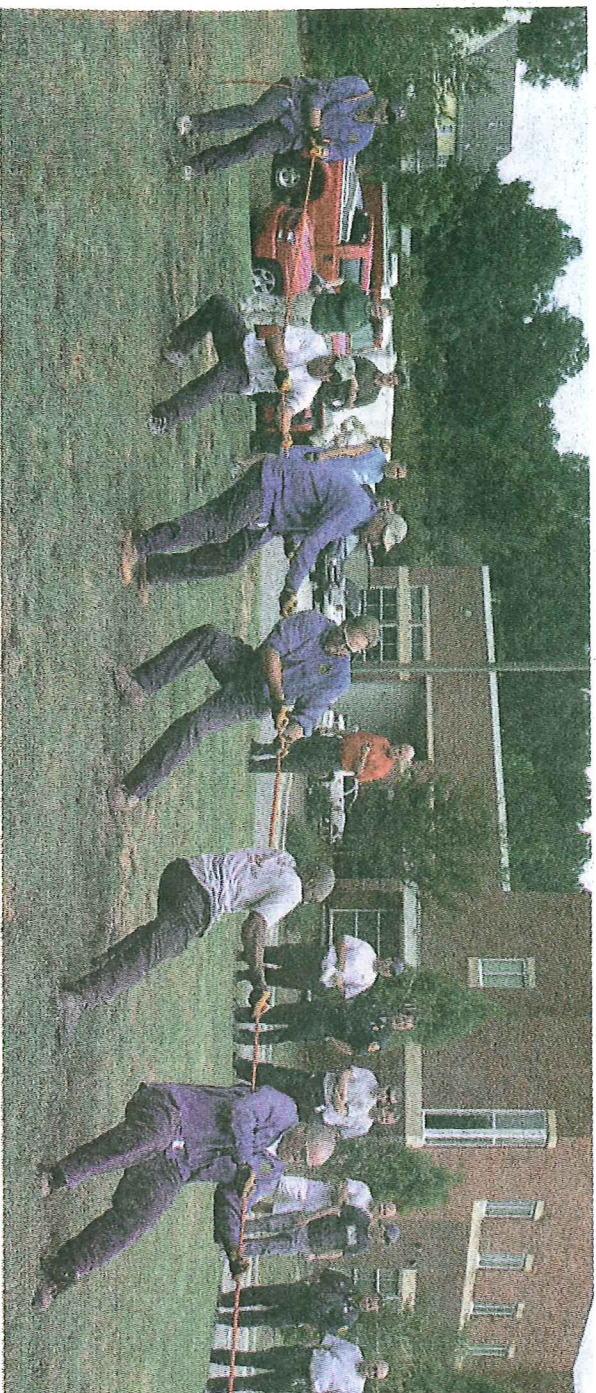
Hemphill said it's not uncommon to see the rooms occupied during the day and even at night, with some folks working out during their lunch breaks.

"The treadmills got so much use that we had to purchase another one," Hemphill added. "It broke down." [League Wellness money and funds from the MSD's health budget were used to purchase a commercial-grade treadmill that can handle more than 400 pounds. "We're anticipating 5-7 years of life out of that one."] The MSD also swears by its health fair, which Hemphill states has a participation rate of about 70 percent.

"We're like everybody else. We're trying to keep our insurance costs as low as possible. And it starts with preventive maintenance," he said. "For some of my employees, they rely on that

"I remind each group that one size does not fit all with any topic, and that each program appeals to a certain segment of the audience depending on how it's marketed to employees and supported by management," said Battaglia. "By surveying their employees annually about what they would like to participate in (and offering them a long laundry list of 'do-ables'), employees can tell you what they would be most interested in being a part of."

"I remind groups to sell good health to their employees by making it interesting, educational, convenient but most of all fun by throwing in health-related prizes for incentives and always providing healthy food. My motto to all of our





once-a-year assessment [because they do not have a family doctor].”

The Metropolitan Sewerage District held its first health fair in 2005, and 60 employees showed up. This past year, close to 120 took part.

“Employees are paying attention. They’re using the services that are available to them.”

Another service is a Weight Watchers program at MSD. Every Tuesday at 3 p.m., almost 30 people come out for the class — roughly 20 percent of the entire MSD workforce. Those employees commit to losing the Weight Watchers minimum of a half-pound a week. They are also required to stay for the nutritional portion of



the class at the end.

“If they don’t, they have to pay the fee,” said Hemphill.

That hasn’t stopped employees from participating. “We’ve had enough people to provide a class on site,” said Hemphill.

The first group of employees to go through the Weight Watchers program lost a combined 376 pounds.

### Carolina Beach shows it cares

Carolina Beach’s wellness team wanted to show those town employees that work in the elements that they are truly appreciated. So last August, town staff set up water, drinks and watermelon for the employees at the town’s operations center for an event called

“Beat the Heat.”

“We wanted to do something for the operations employees, the guys who are out there when it’s very hot,” said Sara Hartman, Carolina Beach’s human resources administrative support specialist. “It was a way to go to them and go into their territory and tell them that we appreciate everything they do.

“They need to be hydrated. [But] It’s health, because you are appreciated.”

The town also regularly conducts a “Bike-n-Picnic” lunch. Last year’s took place in September. A local businessman donated bicycles for the day, and a police escort led the riders to Carolina Beach State Park, where a healthy lunch awaited them.

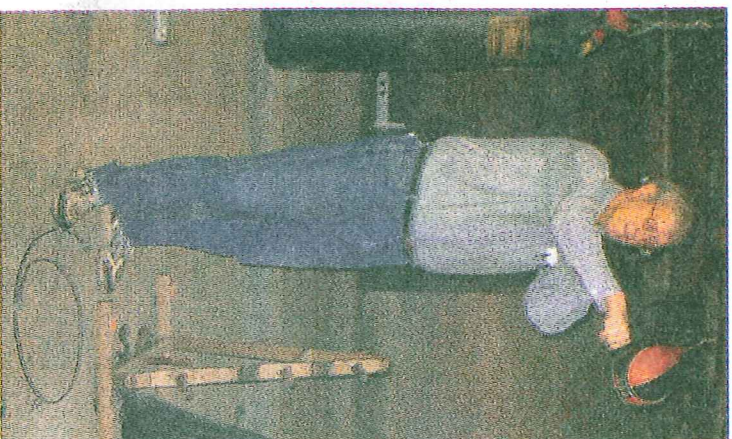
“It just got all of us from different depart-

ments together,” said Hartman.

Another unique wellness event presented by Carolina Beach was a pumpkin carving contest, held, naturally, in October. Certificates were given out to the most creative designs.

“It’s more morale,” said Hartman. “It’s more of that bringing everybody together.”

These activities, as well as classes on work zone safety conducted by OSHA and health



assessments, demonstrate the town’s appreciation for its employees.

“Employees tell us what their concerns are, and one is safety in the workplace. Just keeping our employees up-to-date on what you need to know along with working safely together is important.

“You want them to know they’re appreciated; you want them to know about their health,” said Hartman. “One of our supervisors wrote and said thanks for doing this; thank you for caring about us.

“It gave them the opportunity to come in and take advantage of this. A big thing is taking off

work to get this done. You’re also offering them a time to come together, which is really important. We do want to make this a nice place to work, a safe place to work and a healthy place.”

### Apex: The Peak of Wellness

It’s a wellness activity that can only be described as courageous. Apex employees were encouraged to watch what they ate

and to be healthy. During the holiday season.

“It was very daring, but it helped to keep folks in line,” said Amy Degen, Apex’s human resources analyst. “It helped them to be on their Ps and Qs. They were able to work through issues through the holidays. Around here they were munching on healthy things [instead of unhealthy snacks].

The “Healthy Holiday” program worked. Apex employees lost pounds, inches off their waists and improved their overall body mass index (BMI).

“We had a good network of employees who helped each other throughout the week and encouraged each other,” said Degen. “When they would get vulnerable, they would talk to someone to help them get through it. It helped them to improve or maintain their health through the holidays.”

Keeping an eye on overall weight gain and loss is taken seriously in Apex. The town works with a local dietitian, who, in turn, pays six visits a year to town offices to meet with employees to discuss diet and nutrition. Employees are evaluated before the program starts and afterwards, while doing quarterly check-ups throughout. Some employees have lowered their blood pressure. One diabetic employee improved so much that the person is no longer on medication.

“Polls are definitely improving their health,” said Degen.

The town is undertaking, for the second year in a row, its “Peak of Wellness” campaign.

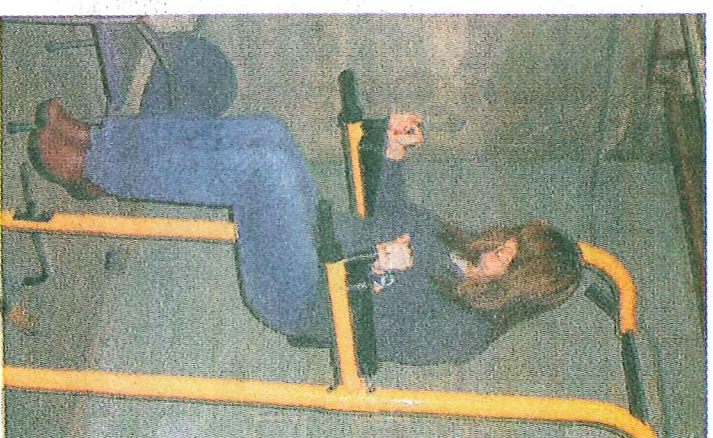
“We challenged everyone to be at their individual ‘Peak of Wellness,’” Degen said.

Employees were encouraged to come in for health screenings by being given leave time as a reward. Their individual health screenings were then entered into a Blue Cross/Blue Shield

health management program, and the employees were given individual health prescriptions.

This year’s program will tackle the same overall wellness issues as last year’s, but “Peak of Wellness” this time around is working with WakeMed to provide heart and vascular screenings, sleep disorder consultation and more.

Apex will also continue to offer competitive activities for its employees. [Apex rotates having a health fair one year and the Town of Apex



Employee Olympics every other year. Standard screenings are done yearly.]

“We found that our employees are very competitive,” said Degen.

Those activities include horseshoes, bocce ball, basketball, running, softball, ping pong, tug-of-war, obstacle courses and flag football — with team names such as the “Gravediggers,” “Mudsinners” and even “Extreme Excavators & Dirtdobbers.”

“It all shows that the town cares for them,” said Degen.

No doubt a common theme in cities and towns across the state.





# **REPORT OF COMMITTEES**

**RIGHT OF WAY  
COMMITTEE RECOMMENDATIONS  
AND MINUTES  
May 28, 2008**

**I. Call To Order**

The regular monthly meeting of the Right of Way Committee was held in the Boardroom of the William H. Mull Building and called to order at approximately 9:00 a.m. on Wednesday, May 28, 2008. The following Right of Way Committee members were present: Mike Sobol, Jackie Bryson, Jerry VeHaun and Jon Creighton.

Others present were: Steven Aceto, Chairman of the Board; Max Haner, Board member; Tom Hartye, Angel Banks, Ed Bradford, Shaun Armistead, Roger Watson, Wesley Banner and Pam Nolan, M.S.D.

In the absence of Glenn Kelly, Mike Sobol presided over the meeting.

**II. Inquiry as to Conflict of Interest**

Mr. Sobol inquired if anyone had a conflict of interest with Agenda items. There was none.

**III. Consideration of Compensation Budget – Delano Road 4” Main Rehabilitation, Project No. 2006018**

The attached Compensation Budget is based on current ad valorem tax values and follows the MSD approved formula.

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

Ms. Banks explained that this project is located just above the Beaucatcher Tunnel and that it consists of approximately 761 LF of ductile iron pipe to replace existing 4” clay pvc pipe. Ms. Banks stated that there were only 2 properties crossed and the remainder of the line is located in the road. Mr. Sobol asked if there were only 2 homes on this line. Mr. Bradford stated this portion of line services about ten homes. Jerry VeHaun made the motion to accept Staff’s recommendation. Jon Creighton seconded the motion. Voice vote was unanimous.

**COMMITTEE RECOMMENDATION: Approval of Compensation Budget.**

**IV. Consideration of Revised Compensation Budget – Merrimon Avenue @ Ottari Road GSR, Project No. 2004203**

Background: MSD engineer revised original alignments on this project to improve ingress/egress for local businesses and to aid with traffic control issues during construction. As a result of these alignment changes, easement square footages increased on two parcels, decreased on one parcel and was unchanged on one parcel. The project budget has been revised accordingly. Attached is the original budget and the revised budget; net change is + \$20,976.



The Revised Compensation Budget is based on current ad valorem tax values and follows the MSD approved formula.

**STAFF RECOMMENDATION: Approval of Revised Compensation Budget**

Ms. Banks explained the above item. There was discussion regarding the location of this project and the fact that some of the newer buildings were built on top of the sewerline. Jerry VeHaun made the motion to accept Staff's recommendation. Jackie Bryson seconded the motion. Voice vote was unanimous.

**COMMITTEE RECOMMENDATION: Approval of Revised Compensation Budget.**

**V. Consideration of Condemnation – US 70 @ Parkway GSR, Project No. 2004035**

**PIN No. 9668.11-76-0069** – Subject parcel is commercial property improved with retail use on one tract and the second tract is unimproved. The owner's primary concern is loss of potential building area on the unimproved tract. The owner also feels the compensation offered (\$3,963) is not adequate and insists that MSD purchase the undeveloped tract (0.41 Ac). He is not agreeable to execute the necessary easement.

There is an existing easement of record crossing this tract (and others on the project) but the description of the easement area is vague and no width is stipulated. Concerned with the validity of this old grant, our attorney suggested we discuss this existing easement with all affected property owners and if they agreed in principle, we would have them execute a new easement agreement accurately describing the easement's location.

Two of the three owners have agreed in principle and have executed new easements to clarify areas. The subject owner will not agree due to the issues described above. Per the attached letter from MSD Counsel, we cannot rely on the old easement grant due to the defects of description. Additionally, there is another line that must be connected to the rehabilitated main line that would not be covered by the old easement grant in any event.

Total Contacts: 19

**STAFF RECOMMENDATION: Authority to obtain appraisal, offer owner the appraised damages and if not accepted, proceed with condemnation filing two causes of action: one count requesting judicial determination of the validity of the old easement grant and one count per the Condemnation statutes to insure an immediate take and proper condemnation should the old easement grant fail.**

Ms. Banks explained the above situation. Mr. Sobol asked Mr. Aceto if he felt this was a reasonable action. Mr. Aceto stated yes. Mr. Haner asked if this same owner had granted the old easement, Ms. Banks stated no, the property had been subdivided and changed hands several times. Ms. Banks stated that Staff would keep Committee updated on the status along the way. Jackie Bryson made the motion to accept Staff's recommendation. Mike Sobol seconded the motion. Voice vote was unanimous.

**COMMITTEE RECOMMENDATION: Authority to obtain appraisal, offer owner the appraised damages and if not accepted, proceed with condemnation filing two causes of action: one count requesting judicial determination of the validity of the old easement grant and one count per the Condemnation statutes to insure an immediate take and proper condemnation should the old easement grant fail.**

**VI. Consideration of Condemnation – Merrimon Avenue @ Ottari Road GSR, Project No. 2004203**

**PIN No. 9740.18-42-2489** - This property is located along Merrimon Avenue and is a commercial property improved with retail use including a drive thru. The property owner's major concern pertaining to the project is the impact that the construction will have on the business. An alternate alignment requested by the property owner was approved by our engineer to ensure that the drive thru remains open during construction. The existing sewer line runs under the building thus MSD is actually improving this property by relocating the sewer away from the building.

The property owner has requested that the trench be temporally patched back if work occurs during winter months, and for advance notice prior to construction which MSD has made provisions for on the approved special provisions detail sheet. Despite the revised alignment and provisions being made to address concerns voiced by the property owner he is still not agreeable to sign at this time. The property owner has not expressed any concerns with the \$54,382.00 compensation offered for the required easement areas on his property.

Total Contacts: 14

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

Ms. Banks explained the above situation. Mr. Bradford pointed out that this building is also located over the existing sewer. As stated above, there have been alignment revisions to ensure the drive thru remains open. There was some discussion regarding loss of business income. Ms. Banks stated that MSD is not required to compensate for loss of business income. There was further discussion regarding the effects of design locations on damages to the remainder and how business income generated goes to valuation of land. Ms. Bryson asked what the estimated time was for this project. The project duration is approximately 3 months, this particular property owner will be affected for a couple of weeks. Jerry VeHaun made the motion to accept Staff's recommendation. Jackie Bryson seconded the motion. Voice vote was unanimous. Mr. Sobol stated that he appreciated the fact that staff has gone above and beyond to try to accommodate this property owner.

**COMMITTEE RECOMMENDATION: Authority to obtain appraisal and proceed with condemnation.**

**VII. Other business – Mr. Hartye reminded everyone that next month's Board Meeting is early – Wednesday, June 11 at 2pm.**

There being no further business the meeting adjourned at approximately 9:20 am.

# **CONSOLIDATED MOTION AGENDA**

## **Metropolitan Sewerage District of Buncombe County Board Action Item**

**Meeting Date:** June 11, 2008

**Subject:** Sodium Hypochlorite Contract

**Prepared by:** John Kiviniemi; Director – Water Reclamation Facility  
Julie Willingham, CLGPO; Purchasing Coordinator  
Charles Pertiller; Purchasing Agent

**Reviewed by:** Billy Clarke, District Counsel

**Background:** The Water Reclamation Facility is required to disinfect the effluent prior to discharge to the French Broad River. Liquid sodium hypochlorite is used for this purpose. In April of 2008, new bids for Sodium Hypochlorite were requested from various vendors as a method of keeping rising costs in line, as indicators showed that prices for this material had risen steadily since the previous contract was awarded. These price increases are directly tied to cost of fuels, as well as general price increases in the chemical market over the past year. It is recommended that the award be made to the lowest bidder – JCI Jones – who had been the supplier to MSD previous to Univar USA obtaining the contract in 2006.

**Discussion:** Bids were solicited in April. Five bids were received and the bid opening was held May 8, 2008. JCI Jones was the lowest bidder and agreed to hold their price firm for the total year contract irrespective of market changes. JCI Jones had been the supplier to MSD previous to Univar USA obtaining the contract in 2006, and MSD staff feels comfortable with both the quality of the chemicals and customer service.

Billy Clarke has reviewed the contract and has found nothing of concern to be modified prior to signing.

**Fiscal Impact:** This is a Unit Price Contract, without minimum or maximum quantities. Based on historical use, FY 09 expenditures for Sodium Hypochlorite is anticipated to be \$97,000.00, within the levels budgeted by the WRF. Annual savings under this contract over the next highest bidder are estimated at \$3780.00.

**Staff Recommendation:** Staff recommends that the contract with JCI Jones be awarded.

***Bid Tab:***

Vendor	Price per Gallon	Comments
Univar Spartanburg, SC	\$ 0.714	Price good for one year
Whitaker Spartanburg, SC	\$ 0.890	Price good for one year
Oltrin Solutions Hamlet, NC	\$ 0.850	Price good for one year
Brenntag SE Duncan, SC	\$ 0.720	Price good for one year
JCI Jones Charlotte, NC	\$ 0.687	Price good for one year

## Metropolitan Sewerage District of Buncombe County Board Action Item

**Meeting Date:** June 11, 2008

**Subject:** Sodium Bisulfite Contract

**Prepared by:** John Kiviniemi; Director – Water Reclamation Facility  
Julie Willingham, CLGPO; Purchasing Coordinator  
Charles Pertiller; Purchasing Agent

**Reviewed by:** Billy Clarke, District Counsel

**Background:** The Water Reclamation Facility is required to de-chlorinate the effluent prior to discharge to the French Broad River. Sodium Bisulfite is used for this purpose. In April of 2008, bids for Sodium Bisulfite were requested from various vendors in order to insure that MSD obtain the chemical at the best price currently available in the market. It is recommended that the award be made to the lowest bidder – Univar USA – who has previously supplied Sodium Bisulfite to MSD during the test phase of the de-chlorination project.

**Discussion:** Bids were solicited in April. Five bids were received and the bid opening was held May 8, 2008. Univar USA was the lowest bidder and agreed to hold their price firm for the total year contract irrespective of market changes. Univar USA has been a past supplier of this product to MSD, as well as Sodium Hypochlorite, and MSD staff feels comfortable with both the quality of the chemicals and customer service.

Billy Clarke has reviewed the contract and has found nothing of concern to be modified prior to signing.

**Fiscal Impact:** This is a Unit Price Contract, without minimum or maximum quantities. This will be the first complete year of usage of this product, so the estimation of a \$58,300.00 FY 09 expenditure for Sodium Bisulfite is based on chemical usage during the test phase of the de-chlorination process. This estimation is within the levels budgeted by the WRF. Annual savings under this contract over the next highest bidder are estimated at \$7950.00.

**Staff Recommendation:** Staff recommends that the contract with Univar USA be awarded.

***Bid Tab:***

Vendor	Price per Gallon	Comments
Univar Spartanburg, SC	\$ 1.10	Price good for one year
Whitaker Spartanburg, SC	\$ 1.79	Price good for one year
Key Chemical Waxhaw, NC	\$ 1.4308	Price good for one year
Brenntag SE Duncan, SC	\$ 1.82	Price good for one year
JCI Jones Charlotte, NC	\$ 1.25	Price good for one year

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

COMMITTEE MEETING DATE: 5/28/08

BOARD MEETING DATE: 6/11/2008

SUBMITTED BY: Tom Hartye, PE, General Manager  
 PREPARED BY: Angel Banks, Right of Way Manager  
 REVIEWED BY: Ed Bradford, PE, Director of CIP

**SUBJECT: Consideration of Compensation Budget – Delano Road 4” Main Rehabilitation,  
 Project No. 2006018**

The attached Compensation Budget is based on current ad valorem tax values and follows the MSD approved formula.

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

Ms. Banks explained that this project is located just above the Beaucatcher Tunnel and that it consists of approximately 761 LF of ductile iron pipe to replace existing 4” clay pvc pipe. Ms. Banks stated that there were only 2 properties crossed and the remainder of the line is located in the road. Mr. Sobol asked if there were only 2 homes on this line. Mr. Bradford stated this portion of line services about ten homes. Jerry VeHaun made the motion to accept Staff’s recommendation. Jon Creighton seconded the motion. Voice vote was unanimous.

**COMMITTEE RECOMMENDATION: Approval of Compensation Budget.**

<b>COMMITTEE ACTION TAKEN</b>	
Motion by: Jerry VeHaun	To: <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by: Jon Creighton	<input type="checkbox"/> Table <input type="checkbox"/> Send back to Staff
<input type="checkbox"/> Other	
<b>BOARD ACTION TAKEN</b>	
Motion by:	To: <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by:	<input type="checkbox"/> Table <input type="checkbox"/> Send back to Staff
<input type="checkbox"/> Other	



# Delano Road 4" Main

Project Number 2006018

## Compensation Budget

12-May-08

Pin Number and Name	Acres	Parcel SF	Land Value	LV/SF	PE	PE Assd. Value	50% PE Assd. Value	TCE SF	TCE Assd. Value	10% Annl Return	Proj Time (Months)	TCE Rent Value	Total Comp. (Rounded)
964808896531	0.39	16,988.40	\$42,000.00	\$2.47	2,134.00	\$5,270.98	\$2,635.49	1,880.00	\$4,643.60	\$464.36	4	\$154.79	\$2,790
964808896345	0.29	12,632.40	\$42,000.00	\$3.32	0.00	\$0.00	\$0.00	1,386.00	\$4,601.52	\$460.15	4	\$153.38	\$153
<b>TOTALS:</b>												\$2,944	
<b>Staff Contingency:</b>												\$5,000	
<b>GM's Contingency</b>												\$5,000	
<b>Amendment</b>													
<b>Total Budget:</b>												\$12,944	

# Metropolitan Sewerage District of Buncombe County

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

COMMITTEE MEETING DATE: 5/28/08

BOARD MEETING DATE: 6/11/2008

SUBMITTED BY: Tom Hartye, PE, General Manager  
 PREPARED BY: Angel Banks, Right of Way Manager  
 REVIEWED BY: Ed Bradford, PE, Director of CIP

**SUBJECT: Consideration of Revised Compensation Budget – Merrimon Avenue @ Ottari Road GSR, Project No. 2004203**

Background: MSD engineer revised original alignments on this project to improve ingress/egress for local businesses and to aid with traffic control issues during construction. As a result of these alignment changes, easement square footages increased on two parcels, decreased on one parcel and was unchanged on one parcel. The project budget has been revised accordingly. Attached is the original budget and the revised budget; net change is + \$20,976.

The Revised Compensation Budget is based on current ad valorem tax values and follows the MSD approved formula.

**STAFF RECOMMENDATION: Approval of Revised Compensation Budget**

Ms. Banks explained the above item. There was discussion regarding the location of this project and the fact that some of the newer buildings were built on top of the sewerline. Jerry VeHaun made the motion to accept Staff's recommendation. Jackie Bryson seconded the motion. Voice vote was unanimous.

**COMMITTEE RECOMMENDATION: Approval of Revised Compensation Budget.**

<b>COMMITTEE ACTION TAKEN</b>	
Motion by: Jerry VeHaun	To: <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by: Jackie Bryson	<input type="checkbox"/> Table <input type="checkbox"/> Send back to Staff
<input type="checkbox"/> Other	
<b>BOARD ACTION TAKEN</b>	
Motion by:	To: <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by:	<input type="checkbox"/> Table <input type="checkbox"/> Send back to Staff
<input type="checkbox"/> Other	

# Merrimon Ave @ Ottari Rd GSR

Project Number 2004203

## Compensation Budget

June 27, 2007

Pin Number and Name	Acres	Parcel SF	Land Value	LV/SF	PE	PE Assd. Value	50% PE Assd. Value	TCE SF	TCE Assd. Value	10% Annl Return	Proj Time (Months)	TCE Rent Value	Total Comp. (Rounded)
974018422327	0.97	42,253.20	\$970,000.00	\$22.96	4,239.00	\$97,327.44	\$48,663.72	4,488.00	\$103,044.48	\$10,304.45	3	\$2,576.11	\$51,240
974018424153	0.47	20,473.20	\$470,000.00	\$22.96	134.00	\$3,076.64	\$1,538.32	417.00	\$9,574.32	\$957.43	3	\$239.36	\$1,778
974018422489	0.53	23,086.80	\$530,000.00	\$22.96	5,245.00	\$120,425.20	\$60,212.60	4,066.00	\$93,355.36	\$9,335.54	3	\$2,333.88	\$62,546
974014420753	4.68	203,860.80	\$4,680,000.00	\$22.96	6,222.00	\$142,857.12	\$71,428.56	6,106.00	\$140,193.76	\$14,019.38	3	\$3,504.84	\$74,933
<b>TOTALS:</b>												\$190,497	
<b>Staff Contingency:</b>												\$5,000	
<b>GM's Contingency</b>												\$5,000	
<b>Amendment</b>													
<b>Total Budget:</b>												\$200,497	

**Merrimon Ave @ Ottari Rd GSR**

Project Number 2004203

**Compensation Budget - Revised**

07-May-08

Pin Number and Name	Acres	Parcel SF	Land Value	LV/SF	PE	PE Assd. Value	50% PE Assd. Value	TCE SF	TCE Assd.	10% Annl Return	Proj Time (Months)	TCE Rent Value	Total Comp. (Rounded)
974018422327	0.97	42,253.20	\$970,000.00	\$22.96	5,035.00	\$115,603.60	\$57,801.80	4,432.00	\$101,758.72	\$10,175.87	3	\$2,543.97	\$60,346
974018424153	0.47	20,473.20	\$470,000.00	\$22.96	134.00	\$3,076.64	\$1,538.32	417.00	\$9,574.32	\$957.43	3	\$239.36	\$1,778
974018422489	0.53	23,086.80	\$530,000.00	\$22.96	4,594.00	\$105,478.24	\$52,739.12	2,863.00	\$65,734.48	\$6,573.45	3	\$1,643.36	\$54,382
974014420753	4.68	203,860.80	\$4,680,000.00	\$22.96	7,984.00	\$183,312.64	\$91,656.32	5,767.00	\$132,410.32	\$13,241.03	3	\$3,310.26	\$94,967
<b>TOTALS:</b>												\$211,473	
<b>Staff Contingency:</b>												\$5,000	
<b>GM's Contingency</b>												\$5,000	
<b>Amendment</b>													
<b>Total Budget:</b>												\$221,473	

# Metropolitan Sewerage District of Buncombe County

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

COMMITTEE MEETING DATE: 5/28/08

BOARD MEETING DATE: 6/11/2008

SUBMITTED BY: Tom Hartye, PE, General Manager  
 PREPARED BY: Angel Banks, Right of Way Manager  
 REVIEWED BY: Ed Bradford, PE, Director of CIP

**SUBJECT: Consideration of Condemnation – US 70 @ Parkway GSR, Project No. 2004035**

**PIN No. 9668.11-76-0069** – Subject parcel is commercial property improved with retail use on one tract and the second tract is unimproved. The owner's primary concern is loss of potential building area on the unimproved tract. The owner also feels the compensation offered (\$3,963) is not adequate and insists that MSD purchase the undeveloped tract (0.41 Ac). He is not agreeable to execute the necessary easement.

There is an existing easement of record crossing this tract (and others on the project) but the description of the easement area is vague and no width is stipulated. Concerned with the validity of this old grant, our attorney suggested we discuss this existing easement with all affected property owners and if they agreed in principle, we would have them execute a new easement agreement accurately describing the easement's location.

Two of the three owners have agreed in principle and have executed new easements to clarify areas. The subject owner will not agree due to the issues described above. Per the attached letter from MSD Counsel, we cannot rely on the old easement grant due to the defects of description. Additionally, there is another line that must be connected to the rehabilitated main line that would not be covered by the old easement grant in any event.

Total Contacts: 19

**STAFF RECOMMENDATION: Authority to obtain appraisal, offer owner the appraised damages and if not accepted, proceed with condemnation filing two causes of action: one count requesting judicial determination of the validity of the old easement grant and one count per the Condemnation statutes to insure an immediate take and proper condemnation should the old easement grant fail.**

Ms. Banks explained the above situation. Mr. Sobol asked Mr. Aceto if he felt this was a reasonable action. Mr. Aceto stated yes. Mr. Haner asked if this same owner had granted the old easement, Ms. Banks stated no, the property had been subdivided and changed hands several times. Ms. Banks stated that Staff would keep Committee updated on the status along the way. Jackie Bryson made the motion to accept Staff's recommendation. Mike Sobol seconded the motion. Voice vote was unanimous.

**COMMITTEE RECOMMENDATION: Authority to obtain appraisal, offer owner the appraised damages and if not accepted, proceed with condemnation filing two causes of action: one count requesting judicial determination of the validity of the old easement grant and one count per the Condemnation statutes to insure an immediate take and proper condemnation should the old easement grant fail.**

<b>COMMITTEE ACTION TAKEN</b>	
Motion by: Jackie Bryson	To: XX Approve <input type="checkbox"/> Disapprove
Second by: Mike Sobol	<input type="checkbox"/> Table <input type="checkbox"/> Send back to Staff
<input type="checkbox"/> Other	
<b>BOARD ACTION TAKEN</b>	
Motion by:	To: <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by:	<input type="checkbox"/> Table <input type="checkbox"/> Send back to Staff
<input type="checkbox"/> Other	

ROBERTS  
&  
STEVENS

ATTORNEYS AT LAW

JOHN S. STEVENS  
JAMES W. WILLIAMS  
JOHN W. MASON  
MARC RUDOW  
SHERYL H. WILLIAMS  
WILLIAM CLARKE  
VINCENT D. CHILDRESS, JR.  
MARJORIE ROWE MANN \*  
GREGORY D. HUTCHINS  
JACKSON D. HAMILTON  
WYATT S. STEVENS  
MARK C. KURDYS  
JACQUELINE D. GRANT  
CHRISTOPHER Z. CAMPBELL  
PATSY BRISON MELDRUM

\*DRC CERTIFIED MEDIATOR

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M. FRANCES DURDEN  
KENNETH R. HUNT  
DENNIS L. MARTIN, JR.  
PETER B. MCGUIRE  
KEVIN P. KOPP  
REBECCA JOHNSTON REINHARDT  
K. DEAN SHATLEY, II  
ANN-PATTON NELSON  
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LANDON ROBERTS  
(1921-2007)

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E-mail: [mmann@roberts-stevens.com](mailto:mmann@roberts-stevens.com)

April 15, 2008

Ms. Angel Banks  
Metropolitan Sewerage District  
2028 Riverside Drive  
Asheville, NC 28804

Re: **US 70 at the Parkway Project**

Dear Angel:

I have now had an opportunity to review the map and documentation relative to any recorded easements pertaining to the above future project.

It is my opinion that the document between Paul and Mary Sellers and Buncombe County, dated August 19, 1964, and recorded in the Buncombe County Registry, purporting to grant the County a sewer easement, contains very serious defects and, in fact, most probably fails altogether. Pursuant to North Carolina law, any property right must be fully described and definable of record. The description contained in the recorded document is vague at best. It does not contain a description which allows for an interpretation of a definable easement area on the ground at any precise location and it also does not contain a description as to the extent of any easement granted. I understand that the road has been widened since 1964 which leaves no way to apply the easement description to the ground.

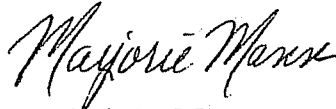
Additionally, it does not contain any of the usual standard easement terms such as what type of restoration is necessary and a detailed description of the limiting rights of the parties thereto as to its subsequent use. I would be very concerned that trespass or damage claims could be easily brought against MSD should it proceed without further documentation.

I cannot recommend that you rely upon the document to obtain your easements across any of the properties along this proposed line unless you can obtain an Easement Agreement from the current owner. I also note there will be a new line coming off the proposed renovated line that would not be covered by this recorded document in any event.

My suggestion is that if you cannot obtain Easement Agreements from the owners along the line, we should file a Complaint containing two causes of action: one count requesting judicial determination of the validity of the recorded easement and one count per the condemnation statutes to insure an immediate take and proper condemnation should the document fail.

Please call me with any questions or concerns. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Marjorie Mann".

Marjorie R. Mann

MRM/djp



# Metropolitan Sewerage District of Buncombe County

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

COMMITTEE MEETING DATE: 5/28/08

BOARD MEETING DATE: 6/11/2008

SUBMITTED BY: Tom Hartye, PE, General Manager  
 PREPARED BY: Angel Banks, Right of Way Manager  
 REVIEWED BY: Ed Bradford, PE, Director of CIP

**SUBJECT: Consideration of Condemnation – Merrimon Avenue @ Ottari Road GSR,  
 Project No. 2004203**

**PIN No. 9740.18-42-2489** - This property is located along Merrimon Avenue and is a commercial property improved with retail use including a drive thru. The property owner's major concern pertaining to the project is the impact that the construction will have on the business. An alternate alignment requested by the property owner was approved by our engineer to ensure that the drive thru remains open during construction. The existing sewer line runs under the building thus MSD is actually improving this property by relocating the sewer away from the building.

The property owner has requested that the trench be temporarily patched back if work occurs during winter months, and for advance notice prior to construction which MSD has made provisions for on the approved special provisions detail sheet. Despite the revised alignment and provisions being made to address concerns voiced by the property owner he is still not agreeable to sign at this time. The property owner has not expressed any concerns with the \$54,382.00 compensation offered for the required easement areas on his property.

Total Contacts: 14

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

Ms. Banks explained the above situation. Mr. Bradford pointed out that this building is also located over the existing sewer. As stated above, there have been alignment revisions to ensure the drive thru remains open. There was some discussion regarding loss of business income. Ms. Banks stated that MSD is not required to compensate for loss of business income. There was further discussion regarding the effects of design locations on damages to the remainder and how business income generated goes to valuation of land. Ms. Bryson asked what the estimated time was for this project. The project duration is approximately 3 months, this particular property owner will be affected for a couple of weeks. Jerry VeHaun made the motion to accept Staff's recommendation. Jackie Bryson seconded the motion. Voice vote was unanimous. Mr. Sobol stated that he appreciated the fact that staff has gone above and beyond to try to accommodate this property owner.

**COMMITTEE RECOMMENDATION: Authority to obtain appraisal and proceed with condemnation.**

COMMITTEE ACTION TAKEN	
Motion by: Jerry VeHaun	To: <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by: Jackie Bryson	<input type="checkbox"/> Table <input type="checkbox"/> Send back to Staff
<input type="checkbox"/> Other	
BOARD ACTION TAKEN	
Motion by:	To: <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by:	<input type="checkbox"/> Table <input type="checkbox"/> Send back to Staff
<input type="checkbox"/> Other	

# Metropolitan Sewerage District of Buncombe County

## Board Action Item

BOARD MEETING DATE: June 11, 2008

SUBMITTED BY: Thomas Hartye, P.E., General Manager

PREPARED BY: Kevin Johnson, David Monteith,

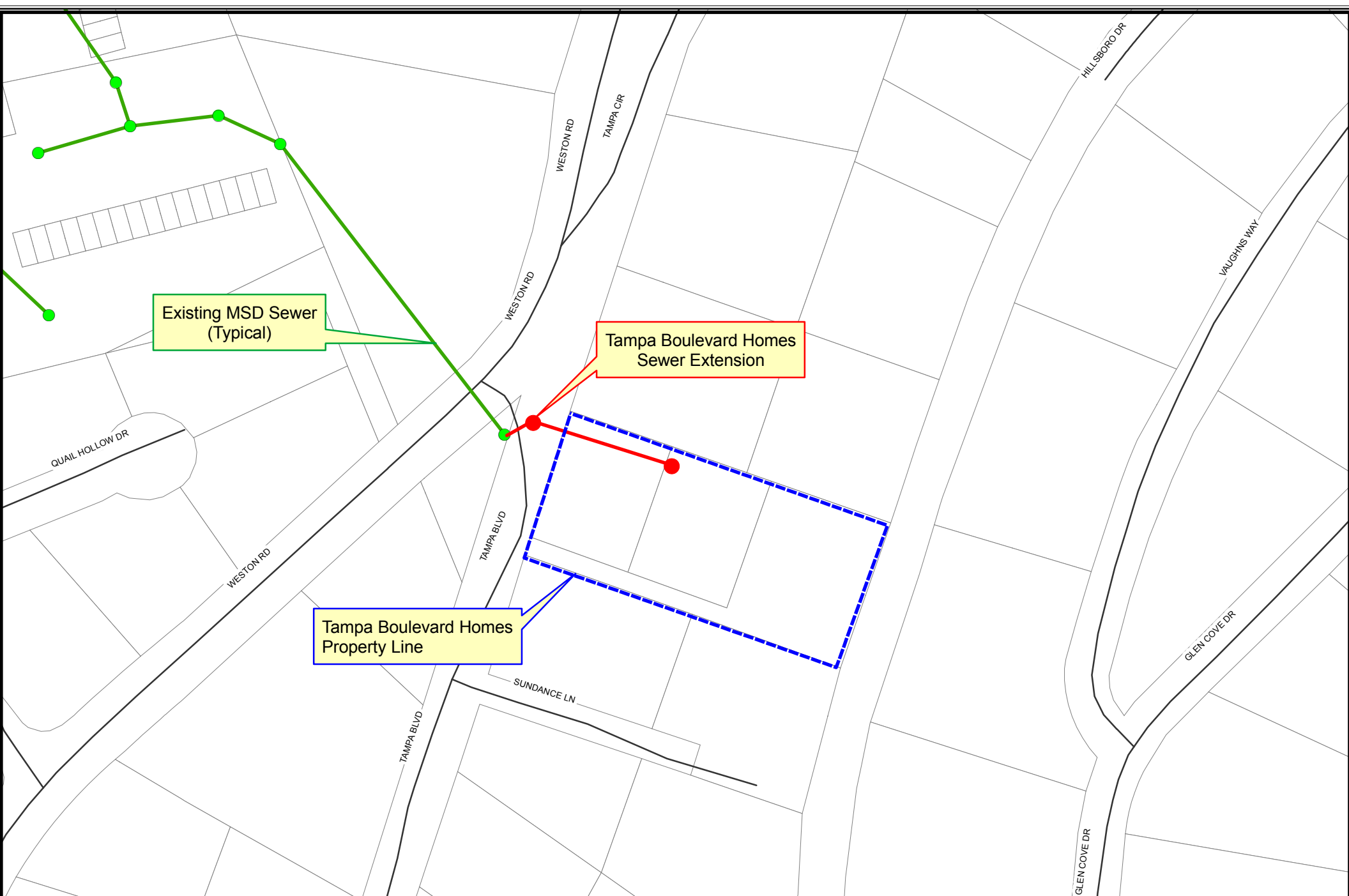
REVIEWED BY: Stan Boyd, PE, Engineering Director

SUBJECT: Acceptance of Developer Constructed Sewer System  
Tampa Boulevard Homes

BACKGROUND: This project is located inside the District boundary off Weston Road in Asheville, North Carolina. The developer of the project is Mr. Jeff Sweet. The project included the installation of approximately 48 linear feet of 8" gravity sewer extension to serve a residential development. A wastewater allocation was issued in the amount of 900 GPD for the project. The estimated cost of the sewer extension is \$18,000.00.

STAFF RECOMMENDATION: Acceptance of developer constructed sewer system.  
(All MSD requirements have been met)

<b>COMMITTEE ACTION TAKEN</b>	
Motion by :	To: <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by:	<input type="checkbox"/> Table <input type="checkbox"/> Send back to staff
<input type="checkbox"/> Other:	
<b>BOARD ACTION TAKEN</b>	
Motion by	To: <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by:	<input type="checkbox"/> Table <input type="checkbox"/> Send back to staff
<input type="checkbox"/> Other:	



Existing MSD Sewer  
(Typical)

Tampa Boulevard Homes  
Sewer Extension

Tampa Boulevard Homes  
Property Line



**Project # 2007218**

NOT TO SCALE



**METROPOLITAN SEWERAGE DISTRICT**  
of  
BUNCOMBE COUNTY, NORTH CAROLINA

---

**TAMPA BOULEVARD HOMES**  
Sewer Extension

# Metropolitan Sewerage District of Buncombe County

## Board Action Item

BOARD MEETING DATE: June 11, 2008

SUBMITTED BY: Thomas Hartye, P.E., General Manager

PREPARED BY: Kevin Johnson, David Monteith,

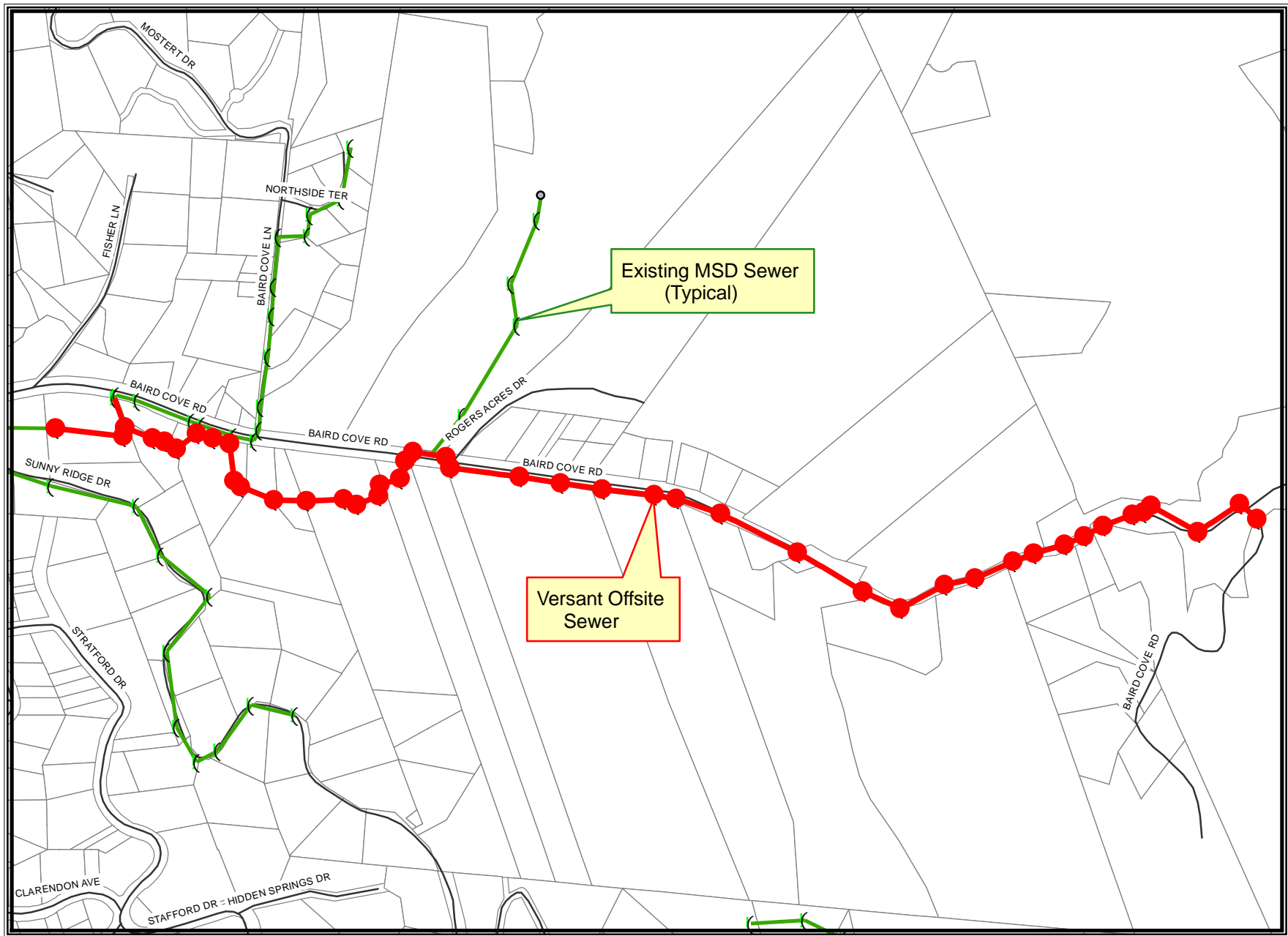
REVIEWED BY: Stan Boyd, PE, Engineering Director

SUBJECT: Acceptance of Developer Constructed Sewer System  
Versant Subdivision Offsite

BACKGROUND: This project is located inside the District boundary off Baird Cove Road in Buncombe County, North Carolina. The developer of the project is Mr. Robert Richey (Debaran Development Company). The project included the installation of approximately 4575 linear feet of 8" gravity sewer extension to serve a residential development. A wastewater allocation was issued in the amount of 130,800 GPD for the project. The estimated cost of the sewer extension is \$825,000.00.

STAFF RECOMMENDATION: Acceptance of developer constructed sewer system.  
(All MSD requirements have been met)

<b>COMMITTEE ACTION TAKEN</b>	
Motion by :	To: <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by:	<input type="checkbox"/> Table <input type="checkbox"/> Send back to staff
<input type="checkbox"/> Other:	
<b>BOARD ACTION TAKEN</b>	
Motion by	To: <input type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by:	<input type="checkbox"/> Table <input type="checkbox"/> Send back to staff
<input type="checkbox"/> Other:	



**Project # 2005090**

NOT TO SCALE



**METROPOLITAN SEWERAGE DISTRICT**  
of  
BUNCOMBE COUNTY, NORTH CAROLINA

**Versant Offsite  
Sewer Extension**

## Metropolitan Sewerage District of Buncombe County BOARD ACTION ITEM

**BOARD MEETING DATE:** 6/11/08

**SUBMITTED BY:** Tom Hartye, P.E. - General Manager

**PREPARED BY:** Barry Cook - Director of System Services  
Ed Bradford, P.E. - Director of CIP  
Mike Stamey, P.E. - Project Manager  
Julie Willingham, CLGPO - Purchasing Coordinator

**SUBJECT:** MSD Paving Restoration Contract, Project Number 2002101

**BACKGROUND:** This contract is for the restoration of roads, driveways, and sidewalks resulting from District maintenance activities. These activities are both planned (i.e. taps for new connections or small repairs), and unplanned (i.e. emergency repairs to the system).

The District prepares bids for this contract every two years. The contractor is required to handle all aspects of each repair - which include mobilization to each site within 24 hours; that the repair quality is made to public standards; and that a two-year warranty is provided on all work.

It is important to note that District staff perform limited repairs of this type as time and resources allow. In addition, for larger in-house rehabilitation projects, the paving work is competitively bid on a per-project basis.

Three bids were received for this contract on May 29, 2008 as follows:

<u>Contractor</u>	<u>Total Bid</u>
Moore & Son Site Contractors, Inc.	\$983,965.00
APAC-Atlantic, Inc.:	\$970,560.00
<b>French Broad Paving, Inc.</b>	<b>\$900,355.00</b>

French Broad Paving, Inc. (a minority-owned business) is the apparent low bidder for this contract. They have performed numerous paving projects for the District and have an excellent performance history.

**FISCAL IMPACT:** The FY08/FY09 combined budget for this line item is \$1,000,000.00.

**STAFF RECOMMENDATION:** Staff recommends award of this contract to French Broad Paving, Inc. in the amount of \$900,355.00, contingent upon review and approval by District Counsel.

METROPOLITAN SEWERAGE DISTRICT OF  
BUNCOMBE COUNTY, NORTH CAROLINA

2008 – 2010

CONTRACT FOR SERVICES FOR THE RESTORATION OF  
STREETS AND HIGHWAY RIGHTS-OF-WAY  
FOLLOWING MAINTENANCE PERFORMED BY MSD  
ON THE WASTEWATER COLLECTION SYSTEM

PROJECT NO. 2002101

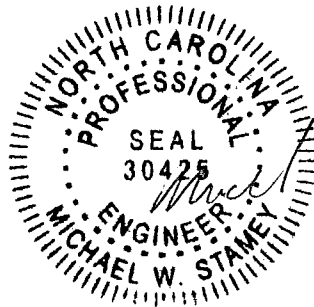
BID TABULATION

May 29, 2008

BIDDER	BID BOND	MBE FORM	BID FORMS (PROPOSAL)	TOTAL BID AMOUNT
Moore & Son Site Contractors Mills River, NC	5%	1	Yes	\$983,965.00
APAC Atlantic, Inc. Asheville, NC	5%	1	Yes	\$970,560.00
French Broad Paving Marshall, NC	5%	2	Yes	\$900,355.00

**APPARENT LOW BIDDER**

Michael W. Stamey, P.E.  
Project Engineer  
Metropolitan Sewerage District  
of Buncombe County, North Carolina



This is to certify that the bids tabulated herein were publicly opened and read aloud at 10:30 a.m. on the 29th day of May, 2008 in the W. H. Mull Building at the Metropolitan Sewerage District of Buncombe County, Asheville, North Carolina, and that said bids were accompanied by acceptable bidders bonds in the amount of 5% of the bid.

METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY, NORTH CAROLINA

**CAPITAL IMPROVEMENT PROGRAM**

**BUDGET DATA SHEET - FY 2008 - 2009**

<b>PROJECT:</b> SSD Rehabilitation & Replacement (Annual)				<b>LOCATION:</b> Various		<b>REVIEWED BY:</b>
<b>TYPE:</b> General Sewer Rehabilitation				<b>DATE OF REPORT:</b> January-08		
<b>PROJECT NO.:</b> 2002101		<b>TOTAL L.F.:</b> 200,000		<b>B.C.</b>		
<b>PROJECT BUDGET:</b> \$24,700,000.00		<b>PROJECT ORIGIN:</b> In-house Capital Improvements				

DESCRIPTION	ESTIMATED PROJECT COST	TOTAL EXPENDS THRU 6/30/07	TOTAL COSTS JULY - DEC 07	EST. COST JAN - JUNE 08	EST. BUDGET FY 08-09
01 - SURVEY / EASEMENT PLATS # PLATS: [ ]					
02 - LEGAL FEES					
03 - ENGINEERING ASSISTANCE					
04 - ACQUISITION SERVICES					
05 - COMPENSATION					
06 - APPRAISAL					
07 - CONDEMNATION					
08 - ENVIRONMENTAL SURVEY					
09 - PRELIM. ENG. REP.					
10 - DESIGN / ASBUILT SURVEYS					
11 - ENVIRONMENTAL ASSESSMENT					
12 - ARCHAEOLOGICAL					
13 - GEOTECHNICAL					
14 - CONSTRUCTION CONTRACT ADM.					
15 - CONSTRUCTION	\$2,470,000.00	\$2,232,593.00	\$1,042,394.00	\$1,427,606.00	\$2,470,000.00
16 - PERMITS					
17 - PUBLIC MEETINGS					
18 - TESTING					
<b>TOTAL AMOUNT</b>	<b>\$24,700,000.00</b>	<b>\$2,232,593.00</b>	<b>\$1,042,394.00</b>	<b>\$1,427,606.00</b>	<b>\$2,470,000.00</b>

<b>ENGINEER:</b>	<b>ESTIMATED BUDGETS - FY '09 -'18</b>	
<b>CONTRACTOR:</b>	FY 09-10	\$2,470,000.00
<b>CONSTRUCTION ADMINISTRATION:</b>	FY 10-11	\$2,470,000.00
<b>INSPECTION:</b>	FY 11-12	\$2,470,000.00
<b>PROJECT NOTES:</b> Total Estimated Project Cost shown is the total within the ten year window.	FY 12-13	\$2,470,000.00
APAC / Year : \$500,000 Estimated	FY 13-14	\$2,470,000.00
Materials / Year : \$900,000 Estimated (Includes IRS)	FY 14-15	\$2,470,000.00
Capitalized Labor & Misc. : \$1,070,000 Estimated	FY 15-16	\$2,470,000.00
<b>Total Budget:</b> \$2,470,000 Estimated	FY 16-17	\$2,470,000.00
	FY 17-18	\$2,470,000.00



## Metropolitan Sewerage District of Buncombe County BOARD ACTION ITEM

**BOARD MEETING DATE:** 6/11/08

**SUBMITTED BY:** Tom Hartye, P.E. - General Manager

**REVIEWED BY:** Billy Clarke - District Counsel  
Gary McGill, P.E. - Engineer of Record

**PREPARED BY:** John Kiviniemi - Director of WRF  
Ed Bradford, P.E. - Director of CIP

**SUBJECT:** Intermediate Pump Replacement Project - Design Contract, MSD Project Number 2007067

**BACKGROUND:** The Intermediate Pumps are a part of the plant's solids separation process (which also includes the Intermediate Clarifier and the Secondary Microscreens). These pumps are used to lift water from the last RBC basin to the intermediate clarifier, and use three hydraulically-driven 300Hp pumps. This method of pumping is not only inefficient, but also poses a risk of contaminating the effluent with hydraulic fluid, since the pumps are submerged.

The pumps have reached the end of their functional life, and in accordance with the Facilities plan, are scheduled for replacement. Staff and Black & Veatch (B&V) have performed preliminary investigation for this replacement, and propose to abandon the current pumping method in favor of one that is more efficient and safer for the environment.

B&V was selected for the engineering design of the Secondary Microscreen System (SMS) replacement project. Their selection came after careful review and consideration of the capabilities, experience, and staffing of three major engineering consultants. This selection was made in accordance with NCGS 143-64.31 (attached).

Staff has considered an identical RFQ/RFP process for the engineering design of this project; however, in this specific case it is staff's opinion that the District would be better served to exempt itself from this process and contract with B&V directly.

NCGS 143-64.32 (attached) allows units of local government to exempt particular projects from the requirements of NCGS 143-64.31, and staff recommends that the District do so for the following reasons:

- 1) In 2007, after careful review and consideration of several qualified firms, B&V was selected for the design of the SMS replacement project. The Intermediate Pumps, Intermediate Clarifier, and the SMS function together as a solids removal process.

- 2) The District will realize a more efficient design process by having the engineering of both projects occur simultaneously with one firm. There is some mechanical commonality between the two processes, which are located within close proximity to each other.
- 3) B&V is now very familiar with this solids removal process, which is a result of their work over the previous year on the SMS replacement project. To date, their performance has been excellent.
- 4) Staff has concern about the future lifespan and maintenance issues with these pumps. Contracting directly with B&V will avoid both a several month long selection process, in addition to another learning curve, if a different consultant were to be selected.

After receiving initial proposals for the engineering design, staff met with Black and Veatch and negotiated a reduced design fee in the amount of \$177,282.00. The preliminary construction cost estimate is \$2,000,000.00.

Please refer to the attached documentation and the B&V Scope of Services for further details.

**FISCAL IMPACT:** The FY09 design budget for this project is \$175,000.00. The contingency fund will be available for the difference of \$2,282.00.

**STAFF RECOMMENDATION:** Staff recommends the District exempt the Intermediate Pump Replacement Project from the requirements of GS 143-64.31, based upon the reasons and circumstances written herein, and enter into an engineering design contract with Black & Veatch in the amount of \$177,282.00, subject to review and approval by District Counsel.

## Excerpts from N.C. General Statutes

### Procurement of Architectural, Engineering, and Surveying Services.

#### **§ 143-64.31. Declaration of public policy.**

(a) It is the public policy of this State and all public subdivisions and Local Governmental Units thereof, except in cases of special emergency involving the health and safety of the people or their property, to announce all requirements for architectural, engineering, surveying and construction management at risk services, to select firms qualified to provide such services on the basis of demonstrated competence and qualification for the type of professional services required without regard to fee other than unit price information at this stage, and thereafter to negotiate a contract for those services at a fair and reasonable fee with the best qualified firm. If a contract cannot be negotiated with the best qualified firm, negotiations with that firm shall be terminated and initiated with the next best qualified firm. Selection of a firm under this Article shall include the use of good faith efforts by the public entity to notify minority firms of the opportunity to submit qualifications for consideration by the public entity.

(a1) A resident firm providing architectural, engineering, surveying, or construction management at risk services shall be granted a preference over a nonresident firm, in the same manner, on the same basis, and to the extent that a preference is granted in awarding contracts for these services by the other state to its resident firms over firms resident in the State of North Carolina. For purposes of this section, a resident firm is a firm that has paid unemployment taxes or income taxes in North Carolina and whose principal place of business is located in this State.

(b) Public entities that contract with a construction manager at risk under this section shall report to the Secretary of Administration the following information on all projects where a construction manager at risk is utilized:

- (1) A detailed explanation of the reason why the particular construction manager at risk was selected.
- (2) The terms of the contract with the construction manager at risk.
- (3) A list of all other firms considered but not selected as the construction manager at risk and the amount of their proposed fees for services.
- (4) A report on the form of bidding utilized by the construction manager at risk on the project.

The Secretary of Administration shall adopt rules to implement the provisions of this subsection including the format and frequency of reporting. (1987, c. 102, s. 1; 1989, c. 230, s. 2; 2001-496, s. 1; 2006-210, s. 1.)

#### **§ 143-64.32. Written exemption of particular contracts.**

Units of local government or the North Carolina Department of Transportation may in writing exempt particular projects from the provisions of this Article in the case of:

(a) Proposed projects where an estimated professional fee is in an amount less than thirty thousand dollars (\$30,000), or

(b) Other particular projects exempted in the sole discretion of the Department of Transportation or the unit of local government, stating the reasons therefor and the circumstances attendant thereto. (1987, c. 102, s. 2.)

**ATTACHMENT A**  
**SCOPE OF SERVICES**

Owner: Metropolitan Sewerage District of Buncombe County

Project: Intermediate Pump Replacement Project

This scope of services covers design for the French Broad River Water Reclamation Facility Intermediate Pump Replacement Project. It is anticipated this project will be designed at the same time as the Secondary Microscreen Replacement Project. Black & Veatch (B&V) will provide the Basic Services defined herein for the Project.

**PROJECT DESCRIPTION**

The major components of the intermediate pump replacement project are generally described below:

- Procurement assistance for the selection and purchasing of three intermediate pumps.
- Demolition of existing intermediate pumps and associated piping and appurtenances as necessary for new installation.
- Installation of new intermediate pumps into existing RBC effluent box. Structural Improvements to concrete support system as required.
- Upgrade of existing electrical power distribution and control systems within the existing Return Sludge Building or existing Microscreen Building (intermediate pump electrical building) adjacent to the Secondary Microscreen Building as required.
- Evaluation of existing HVAC systems within the intermediate pump electrical building for capacity associated with cooling of the new AFDs. It is anticipated the existing HVAC system will be sufficient and therefore no design effort have been included.

The scope of work includes civil, structural, electrical, I&C, and plumbing services associated with the design of the facilities. Upgrade of the HVAC system for the existing Return Sludge Building is not included and will be completed as a supplemental services if determined necessary.

## SCOPE OF SERVICES

The Scope of Services for the Intermediate Pump Replacement Project covers services as follows:

- Phase 1.0 Preliminary Engineering and Site Visits
- Phase 2.0 Project Administration
- Phase 3.0 General Design Services
- Phase 4.0 Preparation of Final Plans and Specifications
- Phase 5.0 Supplemental Services

### **PHASE 1.0. PRELIMINARY ENGINEERING AND SITE VISITS (TO BE COMPLETED WITH REMAINING BUDGET FROM THE STUDY PHASE PROJECT)**

#### A. Site Visits

1. It is anticipated the necessary site visits necessary to complete design of the facilities were conducted during the study phase or will occur at the same time as the Secondary Microscreen Replacement Project, and therefore, no additional cost has been included.

#### B. Engineering Design Surveys

1. No engineering design surveys are anticipated for this project. If design surveys are determined to be necessary they will be completed under the scope for the Secondary Microscreen Replacement Project under the surveying allowance.

#### C. Conceptual/Preliminary Design Services. The goal of the Preliminary Design activities will be to procure intermediate pumping equipment, finalize the equipment, set the standards for detailed design, and develop preliminary facility layouts and site plans. The following activities will be included in this phase of work:

1. Assist MSD in intermediate pump procurement.
  - a. Develop technical specifications for the pumping units to be procured by MSD.
  - b. Contact potential bidders for review of the technical specifications and solicit input.
  - c. Assist MSD in the procurement process as necessary.

2. Conduct a preliminary Design Workshop with the Owner's staff at the French Broad River WRF with the following objectives. It is anticipated this design will occur at the same time as the Secondary Microscreen Project Workshop and will include the following:
  - Review Engineering Design Report for the project based on the results of the previous evaluations and input from the Owner's staff.
  - Discuss location, size (if possible), and configuration of new equipment, facilities and other improvements.
  - Discuss control and automation requirements for new equipment, facilities and other improvements.
  - Discuss equipment preferences and operational strategies.
3. Develop preliminary conceptual design layouts based on a vertical turbine pump configuration, information gathered from existing installations, and discussions w/ MSD staff.
4. Develop Engineering Design Report consisting of the following information:
  - a. Datum.
  - b. Applicable codes and standards.
  - c. Process design summary.
  - d. Process equipment listings, including size, type, and horsepower.
  - e. Preliminary site plan showing proposed layout.
  - f. Preliminary structure plan showing major equipment locations, corridor locations, and other major space requirements.
  - g. Preliminary P&ID drawings.
  - h. Structural design standards.
  - i. Electrical power distribution concept diagrams and description of major power feed criteria.
  - j. General description of the instrumentation and control criteria.
  - k. Major instrumentation and control systems concept.
5. Conduct an internal quality control review of the Engineering Design Report. Engineer's quality control and Owner's review comments shall be addressed in the Level 1 submittal.
6. The following deliverables are anticipated:
  - a. Engineering Design Report.
  - b. Drawing Base sheets including preliminary facility layouts and site plans.

c. Preliminary opinion of probable construction cost.

d.

## **PHASE 2.0. PROJECT ADMINISTRATION**

### **A. Develop Detailed Project Schedule**

1. A detailed Project Schedule will be developed for all engineering activities during the design phase of the Project. Input will be obtained from MSD and incorporated into the overall Project Schedule. The Project Schedule will be reviewed with MSD during the project kickoff meeting and finalized, with copies sent to Owner. The Project Schedule will be developed using Microsoft Project software. It is anticipated the project will be on the same design schedule as the Secondary Microscreen Project.
2. The Project Schedule will be updated and reviewed as necessary throughout the project with the Owner.

### **B. Project Meetings**

1. No additional meetings over those included in the Secondary Microscreen Replacement Project are anticipated. It is expected that several conference calls will be conducted to review the technical design aspects of the project.
2. Prepare and present project status updates to the MSD board at two times throughout the project as requested by MSD.
3. Prepare and distribute the minutes for periodic meetings. Minutes will include a detailed list of decisions made and necessary actions.

### **C. Project Administration. Engineer will perform project administration activities throughout life of Project. The following will be included:**

1. Maintain a project filing system throughout life of Project to use for storage and retrieval of Project documents.
2. Prepare monthly invoices for Engineer's services in format acceptable to Owner.
3. Maintain a project cost accounting system throughout life of Project.
4. Provide Project Cost Trend Reports at project review meetings. Trend Reports shall include a concise summary of unanticipated and Owner-requested changes to the scope of work and cost of each item. If scope changes are made, the fee will be reviewed and adjusted as necessary and acceptable to both Owner and Engineer.

### **PHASE 3.0. GENERAL DESIGN SERVICES**

#### **A. Permitting**

1. For the design phase, provide assistance to Owner in obtaining permits and approvals from federal, state, and local agencies and from utility companies. Owner will pay for all permit fees. The following permits and approvals are anticipated:
  - a. Buncombe County Building Standards review.
2. Communicate with regulatory agencies as necessary to identify specific permitting requirements for the project. It is anticipated no permitting specific meetings will be required with the regulatory agencies. Meetings will be handled as a supplemental service.

#### **A. Construction Cost Estimates**

1. Engineer will provide Opinions of Probable Construction Cost after the preliminary design and Level 3 detailed design periods.

#### **B. Quality Control/Quality Assurance Reviews**

1. Engineer will provide QA/QC reviews at the end of preliminary design and each detailed design level. Comments from QA/QC reviews will be incorporated into the design during the next design milestone.

### **PHASE 4.0. PREPARATION OF FINAL PLANS AND SPECIFICATIONS**

#### **A. General.** This phase of the project will involve development of the documents necessary for bidding and construction of one construction contract and will be based on the following activities

1. Prepare detailed drawings and specifications and other Contract Documents for the proposed construction work and for the materials and equipment required.
2. The front-end documents and technical specifications will be comprised of MSD standard documents.
3. Design drawings will be developed using Black & Veatch standard software. It is anticipated the project will be completed using standard 2D Autocad software.
4. Design drawings will be developed using a 22" x 34" format using Black & Veatch standard border.
5. As part of the Basic Design Services, the Engineer shall produce interim documents for the purpose of review by Owner's staff and Engineer's quality control. The



interim documents shall serve as milestones wherein certain features shall be fixed after a period of Owner review. The purpose of the interim documents and fixing certain features will be to communicate the design progress and avoid later revisions that would impact design efficiency and Project cost and schedule. Changes made after fixing features will be considered Additional Services.

6. The documents shall be prepared for selection of private construction contractors on a competitive bid basis, in accordance with North Carolina State bidding laws. Contract will be arranged for single prime construction.
- B. Detailed Design. Detailed design will be conducted in two phases and will be focused on the development of technical specifications, front end documents and drawings for improvements to the French Broad WRF as described in this scope of services. The following items will be included within the scope of design:
1. Design of intermediate pumps to be installed in the location of the existing pumping units. Existing pumping equipment and electrical and control systems will be demolished and disposed.
  2. Disk filter control panels will either be installed in the existing electrical room or at each unit as determined during preliminary design.
  3. Power distribution system design including: modifications to existing ??? building as necessary to facilitate the installation of the new intermediate pump electrical system.
  4. Instrumentation and control system to include: coordination w/ Owner regarding input for pump control system design and necessary requirements for upgrading existing plant control system.
- C. Level 1 Design. The goal of the Level 1 activities will be to advance the civil/structural/architectural facility layout plans to 60% complete, prepare preliminary mechanical and electrical system calculations, and develop draft major equipment specifications.
1. The Level 1 Activities will include:
    - a. Develop draft major equipment specifications.
    - b. Finalize dimensions of the floor plans and major sections of all structures and their location on the site; site plan.
    - c. Finalize locations of major equipment and piping.
    - d. Conduct a Level 1 review meeting after the civil/struct drawings, P&ID drawings, and major equipment specifications are updated after the workshop to fix the drawings.
    - e. Conduct an internal quality control review of the Level 1 Submittal.

- f. Engineer's quality control and Owner's review comments shall be addressed in the Level 2 submittal.
2. The following Level 1 deliverables are anticipated:
    - a. Revisions to Engineering Design Report.
    - b. 60% Civil/Structural/ drawings.
    - c. Final P&ID drawings.
    - d. Draft major equipment specifications.
    - e. Project Cost Trend Reports.

D. Level 2 Design. The goal of Level 2 will be to incorporate the Owner's Level 1 comments and to produce a final review set of construction documents for the Owner and permitting agencies.

1. The Level 2 Activities will include:
  - a. Finalize all drawings.
  - b. Finalize all specifications and front end documents.
  - c. Prepare and submit permit applications.
  - d. Conduct a Level 2 final review meeting after the final construction documents are complete.
  - e. Conduct an internal quality control review of the Level 2 Submittal.
  - f. Engineer's quality control and Owner's review comments shall be addressed after the permit review comments are received prior to bidding.
2. The following Level 2 deliverables are anticipated:
  - a. Final Construction Documents. Level 2 Design shall include providing sealed drawings and specifications for submittal to state and county review agencies. Drawings shall be annotated to be a review set only and not for construction.
  - b. Project Cost Trend Reports.
  - c. Final Opinion of Probable Cost.

#### **PHASE 5.0. SUPPLEMENTAL SERVICES**

Engineer agrees to perform supplemental services as requested by Owner. When the need for such services is identified, Engineer will prepare a written Task Order which will include a scope, fee, and schedule; and submit Task Order to Owner for approval. If approved, Miscellaneous Supplemental Services will be performed upon receipt of written authorization from Owner.

A. Design Phase Supplemental Services

1. HVAC design improvements in the intermediate pump electrical building that may be required after analysis is completed.
2. Meetings with local, state, or federal agencies to discuss the Project unless specifically included in the scope of services herein.
3. Special consultants or independent professional associates requested or authorized by Owner.
4. Assistance with bid protests and re-bidding.
5. Additions to an engineering report to update or revise original recommendations.
6. Revision of designs, drawings, and specifications to incorporate changes arising from Value Engineering review.
7. Provision, through a subcontract, of geotechnical engineering services.
8. Any additional costs associated with work covered by an allowance above the allowance amount. Engineer shall provide periodic updates to Owner regarding the remaining allowance amounts.

METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY, NORTH CAROLINA

**CAPITAL IMPROVEMENT PROGRAM**

*BUDGET DATA SHEET - FY 2008 - 2009*

<b>PROJECT:</b> Intermediate Pump Replacement				<b>LOCATION:</b> MSD-WRF		<b>REVIEWED BY:</b>
<b>TYPE:</b> WRF				<b>DATE OF REPORT:</b> January-08		
<b>PROJECT NO.:</b> 2007067				<b>TOTAL L.F.:</b> 0		E.B.
<b>PROJECT BUDGET:</b> \$2,206,000.00				<b>PROJECT ORIGIN:</b> Facilities Plan		J.K.

DESCRIPTION	ESTIMATED PROJECT COST	TOTAL EXPENDS THRU 6/30/07	TOTAL COSTS JULY - DEC 07	EST. COST		EST. BUDGET FY 08-09
				JAN - JUNE 08		
01 - SURVEY / EASEMENT PLATS # PLATS: [ ]						
02 - LEGAL FEES						
03 - ENGINEERING ASSISTANCE						
04 - ACQUISITION SERVICES						
05 - COMPENSATION						
06 - APPRAISAL						
07 - CONDEMNATION						
08 - ENVIRONMENTAL SURVEY						
09 - PRELIM. ENG. REP.	\$30,000.00			\$30,000.00		
10 - DESIGN / SURVEY	\$175,000.00					\$175,000.00
11 - ENVIRONMENTAL ASSESSMENT						
12 - ARCHAEOLOGICAL						
13 - GEOTECHNICAL						
14 - CONSTRUCTION CONTRACT ADM.						
15 - CONSTRUCTION	\$2,000,000.00					
16 - PERMITS						
17 - PUBLIC MEETINGS						
18 - TESTING	\$1,000.00					
<b>TOTAL AMOUNT</b>	<b>\$2,206,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$30,000.00</b>		<b>\$175,000.00</b>

<b>ENGINEER:</b>		<b>ESTIMATED BUDGETS - FY '08-'17</b>	
<b>CONTRACTOR:</b>		FY 09-10	\$0.00
<b>CONSTRUCTION ADMINISTRATION:</b> MSD		FY 10-11	\$1,500,500.00
<b>INSPECTION:</b> MSD		FY 11-12	\$500,500.00
<b>R.O.W. ACQUISITION:</b> N/A		FY 12-13	\$0.00
		FY 13-14	\$0.00
<b>PROJECT NOTES:</b> To replace existing hydraulic-driven pumps with electric pumps.		FY 14-15	\$0.00
		FY 15-16	\$0.00
		FY 16-17	\$0.00
		FY 17-18	\$0.00

## Metropolitan Sewerage District of Buncombe County BOARD INFORMATIONAL ITEM

**Meeting Date:** June 11, 2008  
**Submitted By:** Thomas E. Hartye, PE., General Manager  
**Prepared By:** W. Scott Powell, Director of Finance  
**Subject:** Cash Commitment/Investment Report-Month Ended April 30, 2008

### Background

Each month staff presents to the Board an investment report for all monies in bank accounts and specific investment instruments. The total investments as of April 30, 2008 were \$41,471,125. The detailed listing of accounts is available upon request. The average rate of return for all investments is 4.700%. These investments comply with North Carolina General Statutes, Board written investment policies and the District's Bond Order.

The attached investment report represents cash and cash equivalents as of April 30, 2008 does not reflect contractual commitments or encumbrances against said funds. Shown below are the total investments as of April 30, 2008 reduced by contractual commitments, bond funds and District reserve funds. The balance available for future capital outlay is \$19,960,945.

<b>Total Cash &amp; Investments as of 04/30/2008</b>		41,471,125
<b>Less:</b>		
Budgeted Commitments (Required to pay remaining FY08 budgeted expenditures from unrestricted cash)		
Construction Funds	(4,125,670)	
Operations & Maintenance Fund	<u>(3,036,900)</u>	
		(7,162,570)
Bond Restricted Funds		
Bond Service (Funds held by trustee):		
Funds in Principal & Interest Accounts	(2,226,334)	
Debt Service Reserve	(5,014,250)	
Remaining Principal & Interest Due	<u>(3,953,073)</u>	
		(11,193,657)
District Reserve Funds		
Fleet Replacement	(972,697)	
WWTP Replacement	(829,499)	
Maintenance Reserve	<u>(788,075)</u>	
		(2,590,271)
Self-Funded Employee Medical		<u>(563,682)</u>
<b>Designated for Capital Outlay</b>		<u><u>19,960,945</u></u>

### Staff Recommendation

None. Information Only.

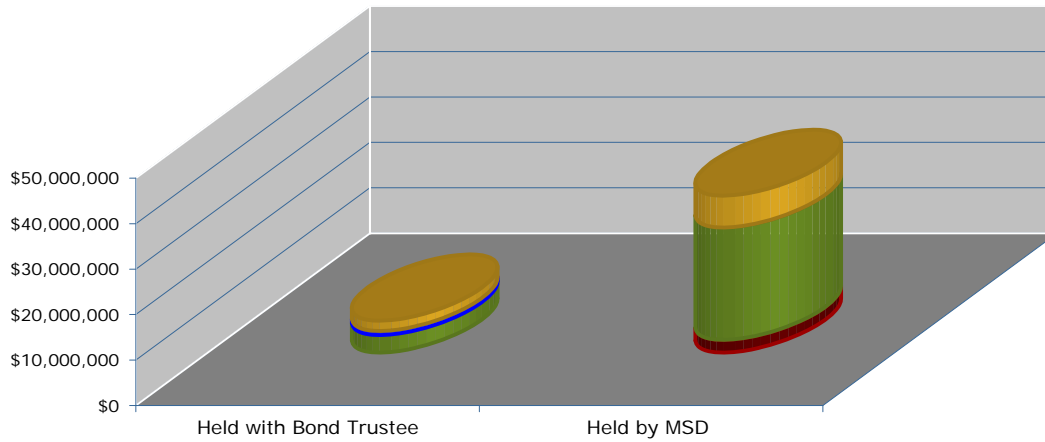
### Action Taken

<b>Motion by:</b>	to	Approve	Disapprove
<b>Second by:</b>		Table	Send to Committee
<b>Other:</b>			
<b>Follow-up required:</b>			
<b>Person responsible:</b>			<b>Deadline:</b>

**Metropolitan Sewerage District of Buncombe County  
Investment Portfolio**

	Cash in Interest Bearing Accounts	NCCMT (Money Market)	Commercial Paper	Cash Reserve	Gov't Agencies & Treasuries	Total
Held with Bond Trustee	\$ -	\$ 3,822,958		\$ 903,851	\$ 2,268,365	\$ 6,995,174
Held by MSD	2,784,403	24,693,848	0		6,997,700	34,475,951
	<u>\$ 2,784,403</u>	<u>\$ 28,516,806</u>	<u>\$ -</u>	<u>\$ 903,851</u>	<u>\$ 9,266,065</u>	<u>\$ 41,471,125</u>

**MSD of Buncombe County  
Investment Portfolio by Location  
As of April 30, 2008**



■ Cash in Interest Bearing Accounts   
 ■ NCCMT (Money Market)   
 ■ Cash Reserve   
 ■ Commercial Paper   
 ■ Gov't Agencies & Treasuries

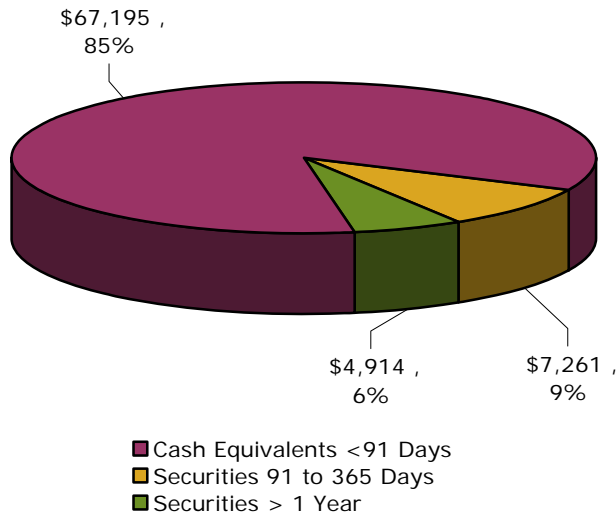
# MSD Investment Managers' Report at April 30, 2008

<u>Summary of Asset Transactions</u>	<u>Original</u>	
	<u>Cost</u>	<u>Market</u>
Beginning Balance	\$ 33,688,832	\$ 33,834,435
Capital Contributed (Withdrawn)	(1,467,049)	(1,467,049)
Realized Income	79,371	79,371
Unrealized/Accrued Income	0	(30,490)
Ending Balance	<u>\$ 32,301,154</u>	<u>\$ 32,416,267</u>

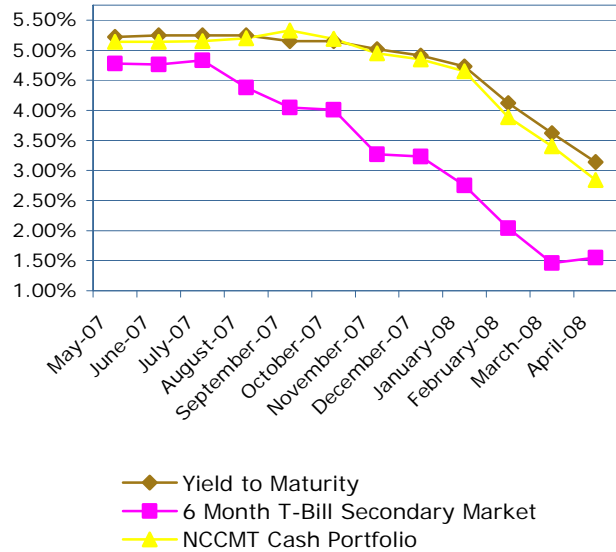
<u>Value and Income by Maturity</u>	<u>Original Cost</u>		<u>Income</u>	
	Cash Equivalents < 91 Days	\$ 27,346,092	\$	67,195
Securities 91 to 365 Days	2,955,062	\$	7,261	
Securities > 1 Year	2,000,000	\$	4,914	
	<u>\$ 32,301,154</u>	<u>\$</u>	<u>79,371</u>	

<u>Month End Portfolio Information</u>	
Weighted Average Maturity	104 Days
Yield to Maturity	3.14%
6 Month T-Bill Secondary Market	1.55%
NCCMT Cash Portfolio	2.84%

Metropolitan Sewerage District of Buncombe Co  
Investment Portfolio Income by Maturity  
April 30, 2008



Metropolitan Sewerage District of Buncombe Co  
Yield Comparison  
April 30, 2008



# **PUBLIC HEARING**



**RESOLUTION ADOPTING BUDGET AND SEWER USE CHARGES  
FOR THE  
METROPOLITAN SEWERAGE DISTRICT  
OF BUNCOMBE COUNTY, NORTH CAROLINA  
FOR THE FISCAL YEAR JULY 1, 2008 THRU JUNE 30, 2009**

**WHEREAS**, the Board of Directors has reviewed the Operations and Maintenance, Bond, Reserves and Construction Expenditures of the District and the sources of revenue and allocations (uses) of expenditures for the 2008-2009 fiscal year; and

**NOW, THEREFORE, BE IT RESOLVED:**

1. The following amounts are hereby appropriated in the Revenue Fund for the Operations and Maintenance of the District and for transfers to the debt service and general funds for the fiscal year beginning July 1, 2008 and ending June 30, 2009:

Operating and Maintenance Expenses	\$11,061,087
Transfer to insurance accounts	2,244,644
Transfer to Fleet Replacement Reserve	200,000
Transfer to Wastewater Treatment Plant Reserve	<u>200,000</u>
Subtotal O&M	13,705,731
Transfer to Debt Service Fund	8,160,540
Transfer to General Fund	<u>8,774,770</u>
	<u>\$30,641,041</u>

It is estimated that the following revenues will be available in the Revenue Fund for the fiscal year beginning July 1, 2008 and ending June 30, 2009:

Domestic User Fees	\$23,408,339
Industrial User Fees	1,438,311
Billing and Collection Fees	590,181
Investment Interest	262,500
Reimbursement for Debt Service from COA	37,000
Rental Income	58,750
Grants	5,000
Appropriated Net Assets	<u>4,840,960</u>
	<u>\$30,641,041</u>

2. The following amounts are hereby appropriated in the General Fund for the transfers to the construction fund for the fiscal year beginning July 1, 2008 and ending June 30, 2009:

Transfer into construction	<u>\$18,803,725</u>
----------------------------	---------------------

It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2008 and ending June 30, 2009:

Facility and Tap Fees	\$ 1,477,000
Investment Income	262,500
Transferred from Revenue Fund	8,774,770
Appropriated Net Assets	<u>8,289,455</u>
	<u>\$18,803,725</u>

3. The following amounts are hereby appropriated in the Construction Fund for Capital Improvement Plan expenditures for the fiscal year beginning July 1, 2008 and ending June 30, 2009.

Capital Improvements Projects \$18,803,725

It is estimated that the following revenues will be available in the Construction Fund for the fiscal year beginning July 1, 2008 and ending June 30, 2009

Transferred from General Fund \$18,803,725

4. The following amounts are included in the financial plan for the Internal Service Funds providing insurance. Estimated operating expenditures for the fiscal year beginning July 1, 2008 and ending June 30, 2009 follow:

Operating expenditures \$2,459,043

It is estimated that the following revenues will be available in the Insurance Funds for the fiscal year beginning July 1, 2008 and ending June 30, 2009:

Transfer in from the Revenue Fund	\$2,244,644
Investment income	12,250
Employee health insurance premiums	333,370
Contribution to Net Assets	<u>(131,221)</u>
	<u>\$2,459,043</u>

5. The following amounts are included in the Financial Plan for the Fleet Replacement Fund for capital equipment expenditures for the fiscal year beginning July 1, 2008 and ending June 30, 2009:

Capital equipment \$ 337,500

It is estimated that the following revenues will be available in the Fleet Replacement Fund for the fiscal year beginning July 1, 2008 and ending June 30, 2009:

Transfer in from the Revenue Fund	\$ 200,000
Sale of surplus property	50,625
Investment income	24,632
Appropriated Net Assets	<u>62,243</u>
	<u>\$ 337,500</u>

6. The following amounts are included in the Financial Plan for the Wastewater Treatment Plant Replacement Fund for capital equipment expenditures for the fiscal year beginning July 1, 2008 and ending June 30, 2009:

Capital equipment \$ 200,000

It is estimated that the following revenues will be available in the Wastewater Treatment Plant Replacement Fund for the fiscal year beginning July 1, 2008 and ending June 30, 2009:

Transfer in from the Revenue Fund	\$ 200,000
Investment income	17,300
Contribution to Net Assets	<u>(17,300)</u>
	<u>\$ 200,000</u>

7. The following amounts are hereby appropriated in the Debt Service Fund for principal and interest payments for the fiscal year beginning July 1, 2008 and ending June 30, 2009:

Debt Service	<u>\$ 8,160,540</u>
--------------	---------------------

It is estimated that the following revenues will be available in the Debt Service Fund for the fiscal year beginning July 1, 2008 and ending June 30, 2009:

Transfer in from the Revenue Fund	\$ 8,160,540
Investment Income	16,000
Contribution to Net Assets	<u>(16,000)</u>
	<u>\$ 8,160,540</u>

8. That the Board of the Metropolitan Sewerage District does hereby approve an increase in the Budget to the amount necessary to reflect any contributions to the Debt Service Reserve Fund or Capital Reserve Fund as determined by the Bond Trustee to be necessary to comply with covenants in the Bond Order.
9. The General Manager is hereby authorized to transfer appropriations as contained herein under the following conditions:
- a. He may transfer amounts without limitation between departments in a fund.
  - b. He may transfer any amounts within debt service and reserve funds designated as excess by the Trustee into another fund.
10. That the attached schedule of fees and charges be adopted as effective July 1, 2008
11. That this resolution shall be entered in the minutes of the District and within five (5) days after its adoption, copies thereof are ordered to be filed with the Finance and Budget Officer and Secretary of the Board as required by G.S. 159-13 (d).

Adopted this 11<sup>th</sup> day of June, 2008.

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Steven T. Aceto, Chairman  
Metropolitan Sewerage District of  
Buncombe County, North Carolina

Attest:

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Jackie W. Bryson,  
Secretary/Treasurer

**Metropolitan Sewerage District**  
**FY 09 Rates, Fees and Charges**  
**Effective July 1, 2008**

	<b>PROPOSED FY 09</b>
<b>Rate increase</b>	3.0%
<b>Average Monthly Sewer Charge</b> (Without Billing Charges)	\$ 22.96
<b>Average Monthly Sewer Charge</b> (With 1/2 Billing Charges-COA example)	\$ 23.99
<b>Collection Treatment Charge</b>	
Residential & Commercial Volume Charges (per CCF) Inside	\$ 3.51
Industrial Volume Charges (per CCF) Inside	\$ 2.045
Industrial Surcharge for BOD (per lb., BOD >160mg/l) Inside	\$ 0.386
Industrial Surcharge for TSS (per lb., TSS >160mg/l) Inside	\$ 0.283
Residential & Commercial Volume Charges (per CCF) Outside	\$ 3.52
Industrial Volume Charges (per CCF) Outside	\$ 2.055
Industrial Surcharge for BOD (per lb., BOD >160mg/l) Outside	\$ 0.386
Industrial Surcharge for TSS (per lb., TSS >160mg/l) Outside	\$ 0.283
<b>Base Meter/Maintenance Charge &amp; Billing Fee</b>	
5/8"	\$ 5.41
3/4"	\$ 7.87
1"	\$ 13.95
1 1/2"	\$ 31.97
2"	\$ 56.56
3"	\$ 125.42
4"	\$ 223.78
6"	\$ 504.11
8"	\$ 895.12
10"	\$ 1,401.70
Billing Fee (per bill)	\$ 2.05
<b>Sewer Facility Fees</b>	
Residential	
Per Unit (non-mobile home)	\$ 1,900
Mobile Home	\$ 1,320
Affordable Housing	\$ 490
Nonresidential (modifiable per economic development waiver)	
5/8"	\$ 1,900
3/4"	\$ 2,200
1"	\$ 4,200
1 1/2"	\$ 8,600
2"	\$ 15,200
3"	\$ 34,200
4"	\$ 66,500
6"	\$ 158,200
8"	\$ 180,500
Additions < 1,400 GPD	\$ 660

Note: Facility fees being raised to actual allocated cost at March 2006 over 5 years

**Metropolitan Sewerage District**  
**FY 09 Rates, Fees and Charges**  
**Effective July 1, 2008**

	<b>PROPOSED FY 09</b>
<b>Sewer Tap Fees</b>	
Tap installed by MSD	\$ 600
Additional Charge for Pavement Disturbance	\$ 2,200
Additional Charge for Boring	N/A
Refund if Boring avoids pavement disturbance	\$ (1,300)
Inspection Fee for Developer-Installed Tap	\$ 140
<b>Manhole Installation/Replacement</b>	
Cost per foot	\$ 250
Pavement replacement (if required)	\$ 1,800
<b>Other Fees</b>	
Allocation Fee	\$ 170
Non-Discharge Permit	\$ 200
Plan Review Fee	\$ 400
Plan re-review Fee	\$ 350
Final Inspection	\$ 350
Pump Station Acceptance Fee	Note 1
Note 1-- See policy for details of computation of O&M and equipment replacement costs for upcoming 20 years;	
50% discount for affordable housing	
<b>Bulk Charges</b>	
Volume Charge for Septic Haulers (per 1000 Gal.)	\$ 45.00
Biochemical Oxygen Demand > 160 mg/l (per lb.)	\$ 0.386
Total Suspended Solids >160 mg/l (per lb.)	\$ 0.283
<b>Returned Check Charge</b>	
Returned Check (per event)	\$ 50.00
Dishonored Draft (per event)	\$ 25.00
<b>Copy and Printing Fees (each)</b>	
8x11 first print of standard GIS inquiry	\$ 1.00
8x14 first print of standard GIS inquiry	\$ 1.00
11x17 first print of standard GIS inquiry	\$ 2.00
24x36 first print of standard GIS inquiry	\$ 7.00
34x44 first print of standard GIS inquiry	\$ 12.00
36x48 first print of standard GIS inquiry	\$ 14.00
8x11, 8x14 and 11x17 copies after first print	N/A
8x11 or 8x14 copies after first print	\$ 0.11
11x17 copies after first print	\$ 0.20
24x36 copies after first print	\$ 0.94
34x44 copies after first print	\$ 1.76
36x48 copies after first print	\$ 2.03
Foam Core mounting per sq. foot	\$ 3.00
Data CD	\$ 30.00
Shipping for CD	\$ 5.00

# **STATUS REPORTS**



**CAPITAL IMPROVEMENT PROGRAM**

**STATUS REPORT SUMMARY**

**Current as of June 3, 2008**

PROJECT	AWARD DATE	NOTICE TO PROCEED	*COMPLETION DATE	*CONTRACT AMOUNT	*COMPLETION STATUS (WORK)	COMMENTS
DUNWELL AVENUE	5/15/08	5/29/08	11/24/08	\$396,008.00	2%	Project was awarded to Terry Brothers Construction Company. Clearing has begun.
PRP-19001 FAIR OAKS ROAD	2/20/08	4/2/08	6/30/08	\$97,512.00	98%	Mainline construction is complete. Replacement trees still to be planted.
LOWER SMITH MILL CREEK INTERCEPTOR	6/14/06	7/5/06	12/31/07	\$3,178,317.00	95%	Mainline work is complete. Final paving in progress.
MARDELL CIRCLE FOUR INCH	5/15/08	5/29/08	8/27/08	\$123,015.50	2%	Project was awarded to Terry Brothers Construction Company. Clearing has begun.
PIPE RATING CONTRACT # 5 - LINING	7/18/07	8/10/07	5/5/08	\$985,517.18	97%	All lining is complete. Paving yet to be done.
SHELBURNE ROAD INTERCEPTOR	1/16/08	1/28/08	5/26/08	\$537,197.00	97%	Mainline construction is complete. Working on restoration.
SWEETEN CREEK @ ROCK HILL ROAD PHASE 2	9/19/07	11/12/07	8/17/08	\$1,616,013.58	90%	Crew is working on south side of Rock Hill Road. Construction is going well.
WRF - GRIT AND GREASE (SCHREIBER REHAB & RETROFIT PROJECT)	3/21/07	4/1/07	8/1/08	\$351,300.00	90%	Working through air supply issues. Grease portion essentially complete. Grit portion complete..

\*Updated to reflect approved Change Orders and Time Extensions

Planning and Development Projects  
Status Report June 4, 2008

Status	Project Name	Project Number	Work Location	Units	LF	Pre-Construction Conference Date	Comments
Complete-Waiting on Final Documents	Ashley Woods Phase 3	1999066	Avery's Creek		2,008	7/14/2005	Complete-Waiting on final documents
	Gene Bradley Subdivision	2004022	Fletcher	9	420	3/3/2005	Complete-Waiting on final documents
	The Ramble Block B Phase 1	2003175	Asheville	380	5,741	1/27/2005	Complete-Pending Board Acceptance
	Craggy View Cottages Phase 3	2004187	Swannanoa	10	193	2/22/2004	Complete-Waiting on final documents
	Franklin Road Sewer Extension	2004020	Swannanoa	1	263	5/26/2005	Complete-Waiting on final documents
	Acton Woods Apartments	2002195	Enka	20	0	1/27/2003	Complete-Waiting on final documents
	Davidson Road Sewer Extension	2004154	Asheville	3	109	12/15/2004	Complete-Waiting on final documents
	Givens Estates	2001143	S. Asheville	116	267	7/16/2003	Complete-Waiting on final documents
	Falconwood Subdivision	2004122	Enka	23	502	12/6/2005	Complete-Waiting on final documents
	Reynolds Mountain Phase IV	1995126	Asheville	37	2,036	7/6/2005	Complete-Waiting on final documents
	Riverbend Urban Village	2004206	Asheville	260	1250	8/29/2006	Complete-Waiting on final documents
	Meadows at Bradley Branch	1999110	Skyland	132	9,820	1/21/2005	Complete-Waiting on final documents
	Indian Branch	2005154	Enka	40	764	2/14/2006	Complete - Waiting on final documents
	Northpoint Commons Phas 2	2000120	Woodfin	5	101	8/24/2006	Complete - Waiting on final documents
	N. Bear Creek Road Subdivision	2005137	Asheville	20	127	7/11/2006	Complete - Waiting on final documents
	Winterberry Subdivision	2005040	Arden	24	847	9/8/2006	Complete - Waiting on final documents
	Woodfin Manor	2003154	Woodfin	60	575	10/11/2006	Complete - Waiting on final documents
	Willowcreek Village Ph.3	2003110	Asheville	26	597	4/21/2006	Complete - Waiting on final documents
	Westmore Subdivision	2003003	West Asheville	92	1163	8/29/2006	Complete - Waiting on final documents
	Rock Hill Road Subdivision	2005153	Asheville	2	277	8/7/2006	Complete - Waiting on final documents
	Ken Higgins	199153	Asheville	-	240	6/15/2007	Complete - Waiting on final documents
	Monticello Commons	2006305	Weaverville		835	4/13/2007	Complete - Waiting on final documents
	Sisters of Mercy Tract	2006092	Asheville	Comm.	1,600	5/3/2007	Complete - Waiting on final documents
	Chapel Park	2007083	Asheville	8	263	10/18/2007	Complete - Waiting on final documents
	Waightstill Mountain Ph-2-A	2003158	Arden	50	5011	10/14/2005	Complete - Waiting on final documents
	Waightstill Mountain Ph.2	2003158	Arden	32	5,011	5/5/2006	Complete - Waiting on final documents
	Reems Creek Golf-Phase 9	2006180	Weaverville	39	2361	8/30/2006	Complete - Waiting on final documents
	Waightstill Mountain PH-9	2006026	Arden	80	1878	8/7/2006	Complete - Waiting on final documents
	Jim Beck	2003003	West Asheville	future	75	12/12/2000	Complete - Waiting on final documents
	Hudson Street Cottages	2005147	Asheville	8	141	6/7/2006	Complete- Waiting on final documents
	Crowell Park	2006082	Asheville	74	860	8/2/2007	Complete- Waiting on final documents
	Howard Street	2007150	Asheville	4	217	10/22/2007	Complete- Waiting on final documents
	Bee Tree Village Phase 3a	2007042	Swannanoa	31	2,347	8/21/2007	Complete- Waiting on final documents
	456 Weaverville Road	2007182	Weaverville	Comm.	203	10/24/2007	Complete- Waiting on final documents
Indian Branch Phase 2	2006171	Asheville	20	571	2/26/2007	Ready for final inspection	
Pinebrook Farms	2005169	Weaverville	145	6796	9/8/2006	Complete- Waiting on final documents	
Ridgefield Business Park	2004188	Asheville	18	758	2/16/2005	Complete-Waiting on final documents	
			Subtotal	1769	56,227		

Planning and Development Projects  
Status Report June 4, 2008

Status	Project Name	Project Number	Work Location	Units	LF	Pre-Construction Conference Date	Comments
Under Construction	Bell Road	2007159	Black Mtn	5	285	11/28/2007	Pre-con held, ready for construction
	Craven Street Sewer Extension	2007098	Asheville	4	382	12/4/2007	testing
	Crayton Creek Green	2006282	Asheville	10	482	3/15/2007	Ready for final inspection
	Southcliff On-Site PH-2	2004220	Fairview		6008	7/20/2006	Ready for final inspection
	Walmart (Airport Rd.)	2006144	Asheville	Comm.	2624	12/4/2007	Installing
	Grove Park Cove Subdivision	2004101	Asheville	14	1122	6/28/2006	Pre-con held ready for construction
	The Settings (6 Acre Outparcel)	2004192	Black Mountain	21	623	3/15/2006	Ready for final inspection
	Northridge Commons	2006198	Weaverville	-	5,826	6/15/2007	Installing
	McGinnis Sewer Extension	2004225	Asheville	9	48	5/19/2005	In redesign.
	Falcon Ridge	2004240	Asheville	38	3,279	10/11/2006	Pre-con held- construction on hold
	Waightstill Mountain PH-8	2006277	Arden	66	3,387	7/26/2007	testing
	Artisan Park	1998125	West Asheville	133	4,529	4/26/2001	Changed Engineer - work to restart soon
	Byrd Street Condos	2007085	Asheville	14	300	7/31/2007	Ready for final inspection
	Scenic View	2006194	Asheville	48	534	11/15/2006	Ready for final inspection
	Reynolds Road Townhomes	2004178	Asheville	22	564	2/21/2007	Ready for final inspection
	Asheville Rental Commercial Ctr.	2006286	Asheville	Comm.	331	8/22/2007	Punchlist Pending
	Ingles	2007214	Black Mtn.	Comm.	594	3/4/2008	Pre-con held, ready for construction
	Reems Creek Townhomes - PH IV	2007279	Weaverville	8	796	12/11/2007	testing
	Lake Julian Trails Ph. 3,4, & 5	2006223	Asheville	74		8/2/2007	Pre-con held, waiting on connection point.
	Grandview Phase II	2007036	Asheville	7	352	2/13/2007	Testing
	Versant Phase I	2007008	Woodfin	64	12,837	2/14/2007	Installing
	Canoe Landing	2007137	Woodfin	4	303	5/12/2008	Ready for construction
	Central Valley	2006166	Black Mtn	12	472	8/8/2007	Punchlist pending
	Biltmore A6	2006227	Asheville	40	6,635	12/12/2007	Installing
	Biltmore Park Town Square II-1	2007076	Arden	-	967	6/21/2007	Installing
	Biltmore Park Town Square II-2	2007077	Arden	-	1,331	6/21/2007	Installing
	Biltmore Park Town Square II-3	2007078	Arden	-	527	6/21/2007	Installing
	Bitmore Park Town Square II-4	2007079	Arden	-	481	6/21/2007	Installing
	Providence Place	2004149	Asheville	35	596	10/16/2007	Installing
	Haw Creek Tract	2006267	Asheville	49	1,817	10/16/2007	Installing
	Montreat-Chapman	2007275	Montreat	5	1096	5/12/2008	Pre-con held, ready for construction
	Hominy Valley Center	2005010	Candler	5	433	8/9/2005	Punchlist pending
	Kenilworth Cottages	2008031	Asheville	11	177	5/12/2008	Ready for construction
	CVS-Acton Circle	2005163	Asheville	4	557	5/3/2006	Ready for final inspection
	The Settings Phase 2	2004192	Black Mountain	100	8016	6/15/2006	Ready for final inspection
	Hamburg Mountain Phase 3	2004086	Weaverville	13	844	11/10/2005	Ready for final inspection
	UNCA New Science Building	2005039	Asheville	5	538	10/28/2005	Ready for final inspection
	Bostic Place Sewer Relocation	2005102	Asheville	3	88	8/25/2005	Ready for final inspection
	Franklin Road Sewer Extension	2004020	Swannanoa	1	263	5/26/2005	Ready for final inspection
	Kyfields	2003100	Weaverville	35	1,118	5/10/2004	Ready for final inspection
Holiday Inn	2001068	Asheville	1	474	8/11/2003	Ready for final inspection	

Planning and Development Projects  
Status Report June 4, 2008

Status	Project Name	Project Number	Work Location	Units	LF	Pre-Construction Conference Date	Comments
	Brotherton Co-Housing	1999162	West Asheville	32	152	1/24/2003	Ready for final inspection
	Whitney Heights Off-Site	2006008	Asheville	-	584	2/7/2007	Ready for final inspection
	Teems Road Subdivision	2007143	Asheville	40	1,308	5/27/2008	Ready for construction
	Central Avenue	2005140	Black Mtn	15	509	12/4/2006	Punchlist pending
	Thom's Estate	2006309	Asheville	162	3,422	1/24/2008	Pre-con held, ready for construction
	Carolina Day School	2007090	Asheville	1	1,827	3/10/2008	Pre-con held, ready for construction
	Residences at Biltmore	2006162	Asheville	16	277	3/14/2008	Pre-con held, ready for construction
	The Cottages on Liberty Green	2007297	Asheville	7	124	5/30/2008	Ready for construction
	MWB Sewer Extension	2008046	Asheville	Comm.	285	5/12/2008	Ready for construction
	Buncombe County Animal Shelter	2007216	Asheville	Comm.	78	5/1/2008	Ready for construction
	Skyland Apartments	2007117	Arden	63	96	4/23/2008	Ready for construction
	Leicester Village Townhomes	2007291	Weaverville	56	427	4/15/2008	Ready for construction
	Reynolds Village Phase V	2006250	Woodfin	Comm.	4,786	4/3/2008	Pre-con held, ready for construction
	Moore Street Sewer Extension	2008047	Weaverville	7	336	4/9/2008	Installing
	Oak Crest Place	2004056	West Asheville	27	791	12/3/2004	Ready for final inspection
	Subtotal			3218	150,419		
	Total Units:			4,987			
	Total LF:				206,646		