

**BOARD OF THE METROPOLITAN SEWERAGE DISTRICT
NOVEMBER 20, 2013**

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 p.m., Wednesday, November 20, 2013. Chairman VeHaun presided with the following members present: Ashley, Belcher, Bryson, Frost, Kelly, Manheimer, Pelly, Root, Russell, Stanley and Watts.

Others present were: Thomas E. Hartye, General Manager, William Clarke, General Counsel, Gary McGill with McGill Associates, P.A., Brian Moore with Mission Hospital Systems, and MSD Staff, Peter Weed, Ed Bradford, Scott Powell, Mike Stamey, Ken Stines, Matthew Walter, Pam Thomas, Angel Banks and Sheila Kilby.

2. Inquiry as to Conflict of Interest:

Mr. VeHaun asked if there were any conflicts of interest with the agenda items. No conflicts were reported.

3. Approval of Minutes of the October 16, 2013 Board Meeting:

Mr. VeHaun asked if there were any changes to the Minutes of the October 16, 2013 Board Meeting. With no changes, Mr. Root moved for approval of the minutes as presented. Mr. Watts seconded the motion. Voice vote in favor of the motion was unanimous.

4. Discussion and Adjustment of Agenda:

None

5. Informal Discussion and Public Comment:

Mr. VeHaun welcomed Mr. Brian Moore with Mission Hospital Systems. There was no public comment.

6. Report of the General Manager:

Mr. Hartye stated that prior to a presentation by Angel Banks on MSD's Right of Way (ROW) Policy he would like to make a few comments. He reported that at Consolidation, MSD got a lot of new lines, but not many easements to go along with them. When System Services responds to problems on private property for emergency maintenance or emergency dig-up, it claims "prescriptive" rights and while the sewer is overflowing, it does not get much argument. However, when MSD returns to replace the sewer line and seek a bona fide easement sometimes things get complicated. He stated that MSD is very lucky to have someone of Angel's caliber on board. Typically a non-core function like ROW acquisition is contracted out, but for MSD this is a critical interaction that it has with its customers. MSD has to strike a balance between the use of public money and being fair to private customers as well. He further stated that Angel and her group are fair and professional in these sometimes tricky interactions, but feels the results speak for themselves.

Ms. Banks reported that MSD's mission is to acquire easements in the most fair and cost-effective manner possible. The Board is responsible to select/approve projects requiring easements via the annual budget process, and has final approval on expenditure of acquisition funds. The ROW Committee is responsible for right of way matters and to make recommendations regarding easement acquisitions to the Board. The ROW staff is responsible to acquire per MSD policy and procedures and report directly to the Engineering Director and General Manager. She further reported that what triggers acquisition is any new construction crossing private property. Where possible, MSD

Engineers will design rehab projects such that they will utilize the existing trench, and in those cases, MSD will claim an existing easement with the reasonable right of ingress/egress from the nearest public road, which can save MSD money. At project identification they include broad estimates in the budget covering line items such as surveys, legal, acquisition, compensation, appraisal and condemnation. Early on in the projects life cycle these estimates are from a 30,000' view, but as the project develops and is finalized, then accurate numbers can be found on compensation charts presented to the Board for approval. Ms. Banks went over the formulas for developing compensation budgets and presented a chart showing claimed easements. With regard to savings, she stated that usually, netting has very little financial impact given small overlap areas and low land values that they typically work with on residential parcels, but where existing trenches or larger overlap areas can be used, and where property values are high and in commercial and industrial zones, netting can have significant financial impact, i.e., Givens Estate Project saving \$100,000 by implementing netting of existing easement areas.

Ms. Banks reported that the next step in the process is negotiation. The ROW Agent sends an introduction letter and sets up appointments with all of the owners along the project route. These meetings are to review the project, explain the acquisition process, review documents, invite input, address specific concerns and ultimately reach an agreement. At least three (3) substantial meetings must be held with the owner or owner's agent where the project is thoroughly reviewed and understandings reached. Where personal contact is not possible, telephone and certified letters are used. She further reported that issues frequently encountered include landscaping, timber loss, buffer loss and unknown obstacles. She stated that once an agreement is reached with the property owners, staff enters all of the data into a database; scans all of the legal documents on the easement plats, then links those scans to the GIS system. Staff can then go into Flex Viewer, pull up a right of way layer and see by virtue of star symbols, where easements are located along MSD sewer lines. If an agreement cannot be reached, a recommendation will be made to the Right of Way Committee and the Board to condemn. She stated that sometimes this action alone, or an increase in compensation, will encourage owners to settle. If not, an appraisal is obtained and the reflected damages are offered to the owner. If the owner does not accept those damages, then this is turned over to the MSD attorney who will send a 30-day Notice of Condemnation. At the end of the 30 days a Complaint and Declaration of Taking will be filed and appraised damages filed with the Clerk of Court. At the end of this process, MSD will have legal access to the easement corridor and can begin construction. She further stated the court system requires mediation for all condemnation cases; typically after the project is constructed. A licensed mediator, agreeable to MSD and the owner, acts as a go-between in settlement discussions. Both parties present their positions to the mediator who facilitates discussion and settlement ideas. Any proposed settlement is reviewed by the MSD attorney/staff and made subject to the ROW Committee/Board approval. Ms. Banks reported that of the 2,018 easements acquired since Consolidation, MSD has a 6.7% condemnation rate for total acquisitions, and of that total, only five (5) condemnation cases have gone to trial.

Ms. Banks reported that other duties performed by ROW staff include access easements, building additions, fill and greenways. Mr. Russell asked about the 50% damage factor in the permanent easement compensation and if that factor increased in the case of a significant effect on buildable area. Ms. Banks explained damage factors were case specific, that they could be increased or where possible, the proposed alignments could be redesigned to reduce impact. With no further questions, Mr. Hartye continued his report.

Mr. Hartye reported MSD's Flow Motion Operations Challenge Team competed at the State AWWA/WEA Conference competition this week and finished 1st in the pump maintenance event, 1st in the Process Control Test and won 2nd place overall. The team consisted of Cory Smolik, Travis Chandler, Mickey Roberts, and John Gosnell. Gil Karn

was their coach. He stated the team worked very hard in their training for this event and performed well, especially considering how this was the first ever competition for two of the team members. He expressed his congratulations to the Flow Motion team.

Mr. Hartye expressed congratulations to Esther Manheimer who was recently elected Mayor for the City of Asheville.

With regard to the date of the December Board Meeting, Chairman Vebaun stated the current approved calendar has it scheduled for December 11th, whereas the third Wednesday is December 18th. Mr. VeHaun called for discussion on the preferred date. By a show of hands, the Board voted to change the date from December 11th to December 18th.

Mr. Hartye reported that the ROW Committee for December is cancelled. The next scheduled meeting will be held January 22, 2014.

**7. Report of Committees:
Right of Way Committee**

Mr. Kelly reported the Right of Way Committee met October 23, 2013 to consider Condemnations on the Broadway Street @ Bordeau Place; Old Haywood Road @ Starnes Cove Road, and Shadowlawn Drive GSR projects. The Committee also considered a Compensation Budget for the Wendover Road GSR Project. He stated that these projects are part of the Consolidated Motion Agenda.

8. Consolidated Motion Agenda:

a. Consideration of Condemnation – Broadway Street @ Bordeau Place GSR Project:

Mr. Hartye reported the existing sewer line crosses Reed Creek and cannot be replaced in its existing location and the replacement sewer line has been shifted away from the creek onto the subject property in efforts to eliminate the aerial creek crossing. The property owner is not agreeable to this alignment due to a conflict with future building plans within the proposed easement area. Despite numerous phone calls, letters and e-mails, the property owner has become non-responsive. Staff recommends authority to obtain an appraisal and proceed with condemnation.

b. Consideration of Condemnation – Old Haywood Road @ Starnes Cove Road GSR Project:

Mr. Hartye reported the subject property is located in the West Asheville area and is improved with residential use. The existing sewer line will be replaced in the same trench, and enters the property for only 20 LF along the road frontage. The owner's major concern is the loss of buildable area due to the permanent easement area. Although MSD offered to increase the compensation, the owner feels the permanent easement area will negatively impact the property value for future sale and is unwilling to grant the easement. Staff recommends authority to obtain an appraisal and proceed with condemnation.

c. Consideration of Condemnations – Shadowlawn Drive GSR:

Mr. Hartye reported the project is located in a residential area off Old Haywood Road just west of Patton Avenue. The three (3) parcels listed are zoned residential and have existing structures. Following unsuccessful negotiations with the property owners, staff recommends authority to obtain appraisals and proceed with condemnation.

d. Consideration of Compensation Budget – Wendover Road GSR:

Mr. Hartye reported the project is located in the Malvern Hills area near Sand Hill Road and Bear Creek Road. The project consists of approximately 2800 linear feet of 8” DIP that will replace existing 8” VCP. Staff recommends approval of the Compensation Budget.

e. Consideration of Developer Constructed Sewer Systems - Honeysuckle (Azalea) Breeze and Haw Creek Tract Sewer Extension Projects:

Mr. Hartye reported the Honeysuckle (Azalea) Breeze project is located inside the District boundary off Honeysuckle Lane in Buncombe County and included the installation of approximately 67 linear feet of 8” gravity sewer to serve a five (5) unit residential subdivision.

Mr. Hartye reported the Haw Creek Tract project is located inside the District boundary off Pinedale Road in the City of Asheville and included the installation of approximately 2,455 linear feet of 8” gravity sewer to serve a forty-nine (49) unit residential subdivision.

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

f. First Quarter Budget to Actual Review – FY 2014:

Mr. Powell reported on page 23 is the District’s first quarter Budget to Actual Revenue and Expenditure Report. Domestic and Industrial User Fees are at budgeted expectations. Facility and Tap Fees are above budgeted expectations. This is due to receiving unanticipated revenue of \$91,350 from three commercial/residential developers and an increase in the number of taps requiring bore/pavement disturbance. Interest and miscellaneous income are at budgeted expectations. O&M Expenditures are at 27.82% of budget. The expenditures include encumbered amounts, which has elevated the budget to actual above 25%. The encumbered amount is about \$502,000 which is commitments MSD has obligated itself to in future accounting periods. Taking the \$502,000 out, the budget to actual is roughly 24.8%. Amounts budgeted for capital equipment and capital projects are rarely expended proportionately throughout the year and is the reason that particular expenditure line item is not at 25%.

g. Cash Commitment/Investment Report – Month Ended September 30, 2013:

Mr. Powell reported that Page 25 presents the makeup of the District’s Investment Portfolio. There has been no change in the makeup of the portfolio from the prior month. Page 26 is the MSD Investment Manager’s Report as of the Month of September. The weighted average maturity of the investment portfolio is 312 days. The yield to maturity is .80% and is exceeding MSD bench marks of the 6 month T-Bill and NCCMT cash portfolio. Page 27 and 28 respectively, are Cash Receipts and Disbursements for the same time period and covered under the Budget to Actual report. Page 29 is the MSD Variable Debt Service report. Both the 2008 A&B Series are performing better than budgeted expectations. As of the end of October, both issues have saved the District customers over \$3 million dollars since April, 2008.

Mr. VeHaun called for discussion. With no discussion, Mr. Belcher moved the Board approve the Consolidated Motion Agenda as presented. Mr. Stanley seconded the motion. Roll call vote was as follows: 12 Ayes; 0 Nays.

9. Old Business:

None

10. New Business:

None

11. Adjournment:

With no further business, Mr. VeHaun moved for adjournment at 2:35 p.m.

Jackie W. Bryson, Secretary/Treasurer

<h1 style="margin: 0;">MSD</h1> <h2 style="margin: 0;">Regular Board Meeting</h2>

Metropolitan Sewerage District
of Buncombe County, NC

AGENDA FOR 11/20/13

✓	Agenda Item	Presenter	Time	
	Call to Order and Roll Call	VeHaun	2:00	
	01. Inquiry as to Conflict of Interest	VeHaun	2:05	
	02. Approval of Minutes of the October 16, 2013 Board Meeting.	VeHaun	2:10	
	03. Discussion and Adjustment of Agenda	VeHaun	2:15	
	04. Informal Discussion and Public Comment.	VeHaun	2:20	
	05. Report of General Manager	Hartye	2:30	
	06. Report of Committees: Right of Way Committee: 10/23/13 – Glenn Kelly	VeHaun	2:45	
	07. Consolidated Motion Agenda		2:55	
	a. Consideration of Condemnation – Broadway Street @ Bordeau Place GSR.	Hartye		
	b. Consideration of Condemnation – Old Haywood Road @ Starnes Cove Road GSR.	Hartye		
	c. Consideration of Condemnations – Shadowlawn Drive GSR.	Hartye		
	d. Consideration of Compensation Budget –Wendover Road GSR.	Hartye		
	e. Consideration of Developer Constructed Sewer Systems: Honeysuckle Breeze Subdivision and Haw Creek Tract.	Hartye		
	f. First Quarter Budget to Actual Review – FY 2014	Powell		
	g. Cash Commitment/Investment Report – Month Ended September 30, 2013.	Powell		
	08. Old Business	VeHaun	3:05	
	09. New Business	VeHaun	3:10	
	10. Adjournment (Next Meeting (12/18/13))	VeHaun	3:15	
	STATUS REPORTS			

**BOARD OF THE METROPOLITAN SEWERAGE DISTRICT
OCTOBER 16, 2013**

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 p.m., Wednesday, October 16, 2013. Chairman VeHaun presided with the following members present: Ashley, Belcher, Bryson, Frost, Kelly, Manheimer, Pelly, Root, Russell, and Watts. Mr. Stanley was absent.

Others present were: Thomas E. Hartye, General Manager, William Clarke, General Counsel, Gary McGill with McGill Associates, P.A., Steve Shoaf with the City of Asheville Water, Joseph Martin with Woodfin Sanitary Water & Sewer District, Patty Beaver with CIBO, and MSD Staff, Peter Weed, Ed Bradford, Scott Powell, Mike Stamey, Ken Stines, Jim Hemphill, Matthew Walter, Angel Banks and Sondra Honeycutt.

2. Inquiry as to Conflict of Interest:

Mr. VeHaun asked if there were any conflicts of interest with the agenda items. No conflicts were reported.

3. Approval of Minutes of the September 18, 2013 Board Meeting:

Mr. VeHaun asked if there were any changes to the Minutes of the September 18, 2013 Board Meeting. With no changes, Mr. Watts moved for approval of the minutes as presented. Mr. Russell seconded the motion. Voice vote in favor of the motion was unanimous.

4. Discussion and Adjustment of Agenda:

None

5. Informal Discussion and Public Comment:

Mr. Vahaun welcomed Mr. Martin, Mr. Shoaf and Ms. Beaver. There was no public comment.

6. Report of the General Manager:

Mr. Hartye reported that after the Board meeting, Staff will give a tour of the Regional Treatment Plant for all Board Members who can stay on. He called on Peter Weed to give a PowerPoint presentation on the plant.

Mr. Weed reported MSD's ISO commitment includes Pollution Protection, Regulatory Compliance and Continuous Improvement. He stated there are 41 employees that help maintain operations to stay in compliance, and who have won numerous Peak Performance awards at the plant. He further reported the Treatment Plant started operation in 1967. The plant was expanded in the late 1980's to 40 MGD with an Average Daily Flow of approximately 22 MGD; 152 RBC's (the world's largest); 2800 KW Hydroelectric Generation Facility and a 2 MW Diesel Generator Back-up (currently in the final phase of expanding to 4MW for complete operational back-up).

He presented a slide showing an actual SCADA control panel view where operators can go to key parts of the facility to retrieve data. He reported that wastewater treatment is simple; the 66" major interceptor comes to the plant and the first step is the Barscreens for removable of debris, gravel, rags, etc. at about 22 MGD. He stated the MGD used to be lower, but last year was a very wet year; causing ground water to infiltrate. Mr. Hartye stated when there was a lot industry it was as high as 24MGD. Mr. Pelly asked about the percent of rainwater. Mr. Hartye stated it can be as high 40% from storms inflowing in as well as infiltration from groundwater. Ms. Frost asked where

the gravel comes from. Mr. Weed stated it comes through penetrations into the system; breaks in the pipes, dislodged segments or open manhole covers. He further stated that because wastewater flows in 30 feet below the surface, 400hp pumps are needed to lift it up for the next stage of treatment. Mr. Weed reported the next step is grit and grease removal. He presented slides showing channels that have a swirling action that lets grit drop to the bottom and grease float to the top. Grit, sand, debris and grease are transported to the Buncombe County landfill.

Mr. Weed reported the next process is the Primary and Secondary Microscreens, which never functioned well. This is where you would drop out a lot of finer and heavier solids. Mr. Hartye reported that in the 1980's the EPA offered grant money for innovative technology. As a result, a couple portions of the plant (microscreens; the ultra-filter press, and RBC's) were the benefit of that. He stated the reason why these technologies were utilized was because there was not a lot of room for conventional treatment.

Mr. Weed reported that the backbone of wastewater treatment is the RBC's, which provide the surface area for zoogeal mass (slime) to grow and feed on the dissolved organic solids such as sugars and starches. He said it takes four (4) 450 hp blowers to keep the RBC's turning. Mr. Weed reported that near the end of the RBC biological process (3) 200hp intermediate pumps are required to lift water to the next step. He stated that the new electric driven pumps replaced very noisy and less efficient hydraulic units saving about \$75k annually in energy costs. The water is lifted to the Intermediate Clarifier, which was not part of the original upgrade, but later added due to performance failures at the Secondary Microscreens, and installed at no cost to MSD ratepayers. He further stated this is a very important stage in the process where water and solids take separate paths. Water flows over the top of Weir channels while settled solids are collected and pumped from the bottom to the filter building. The filter building is the largest installation of its kind in the world and reduces the solids that would have gone into the French Broad River by more than 50% at a cost of \$10 million dollars. From there the filtered water must be disinfected with sodium hypochlorite, than de-chlorinated with sodium bisulfite prior to metering and discharge into the French Broad River. The solids settle down in gravity thickeners then move on to incineration and ash disposal. The solids are then dewatered in the belt filter presses to form a cake that is 22 to 28% dry. He stated that MSD burns about 15 tons of solids per day in this cost effective process. He presented samples of residuals from the incinerator. He stated that incinerator improvements to the heat exchanger, interconnecting ductwork, venturi scrubber and new air quality removal systems are needed to meet future permit regulations. He presented a slide showing the MSD Incinerator System and explained how it works.

Mr. Weed reported MSD must pump wherever gravity sewers are not possible. He stated there are over 30 pump stations requiring daily trips, careful maintenance, backup power and sometimes odor control systems. He presented slides showing some of the pump stations.

Mr. Weed reported the Craggy Hydroelectric Facility was dedicated in 1903 and renovated in the 80's. He stated that three 850kw hydraulic generators are capable of offsetting more than \$1,000.00 per day during periods of adequate rainfall (typical avoided power costs run \$300,000 to \$400,000 yearly). He presented slides showing the power plant and the dam. Mr. Watts asked if the RBC's eat up all of the contaminants. Mr. Weed stated it's a biological treatment when it gets to the RBC process. Mr. Hartye explained that the RBC's simply speed up the natural process. Mr. Martin asked how many pharmaceuticals are coming through the water and has it decreased. Mr. Weed stated MSD tries to educate the public on proper disposal. Mr. Kelly asked what quantity from the incinerator is produced daily and where does it go. Mr. Weed stated there is 15 tons of dry solids per day which is pumped to the lagoon.

Mr. Kelly asked what happened to the nutri-lime facility. Mr. Weed stated the facility is no longer utilized due to the lack of demand for the product. The process required combining sludge with kiln dust and lime, hauled up to facility above the plant and was about three times the cost per ton. Ms. Manheimer asked how much is 15 tons. Is it a dump truck load? Mr. Weed said yes.

Mr. Hartye further reported the United Way Golf Tournament was a success with 52 players including Board Members, employees, and outside sponsors who helped MSD raise over \$6,400 as a significant part of the campaign to support local charities. He expressed his thanks to Sheila Kilby and Peter Weed for their efforts in this success.

Mr. Hartye reported that Steve Brady of 171 Charlotte Street called with regard to the Blair Street project which involved water, storm water and MSD. He wanted to express his appreciation for MSD in general and Mike Stamey in particular for taking responsibility and for doing a great job for the final clean up and restoration. Also, Mr. Camp from 16 Lowell Street called and stated he could not have been more satisfied with Grady Brooks who was sent out on his sewer problem on October 4th. He said "Grady was very helpful, friendly, and knowledgeable and he appreciated that we have such people working for us. On a scale of 1-10, he was a 10!"

Mr. Hartye reported the next Right of Way Meeting will be held on October 23rd at 9 am. The next regular Board Meeting will be held November 20th at 2 pm.

7. Report of Committees:

Right of Way Committee

Mr. Watts reported the Right of Way Committee met September 25, 2013 to consider Condemnation of the Indiana Avenue GSR Project, which was resolved thanks to Staff. The Committee also considered Compensation Budgets which are a part of the Consolidated Motion Agenda.

8. Consolidated Motion Agenda:

a. Consideration of Compensation Budgets – Merrimon Avenue @ Clearview Terrace GSR Project; Shiloh Road Rehabilitation Project, and Sunset Drive @ Bee Tree Road GSR Project:

Mr. Hartye reported the Merrimon Avenue @ Clearview Terrace GSR project consists of about 505 linear feet of 8" DIP to replace existing 6" VCP and is scheduled to bid in FY 14-15. The Shiloh Road project consist of about 370 linear feet of 12" DIP to replace 10" and 12" PVC and is to be constructed by MSD System Services. The Sunset Drive @ Bee Tree Road GSR project consist of 1055 linear feet of 8" DIP to replace 4", 6" and 8" VCP and is scheduled to bid in FY 14-15. The Right of Way Committee recommends approval of the Compensation Budgets.

b. Consideration of Bids Sanitary Sewer Rehabilitation Project – Old US 70 @ Grovemont:

Mr. Hartye reported this project is for the replacement of aged sewer lines which serve the Grovemont area in Swannanoa. The existing clay lines are in poor structural condition, which has caused multiple SSO's and repeated maintenance calls over time. The project is comprised of 4,690 linear feet of 8" and 12" DIP. The following bids were received on September 26, 2013: Buchanan and Sons with a bid of \$1,303,155.00; Terry Brothers Const. Co. with a bid of \$1,117,813.00; Huntley Const. Co. with a bid of \$901,103.68, and Buckeye Const. Co. with a bid of

\$729,740.90. Staff recommends award of this contract to Buckeye Const. Co. in the amount of \$729,740.90, subject to review and approval by District Counsel.

c. Consideration of Bids Sanitary Sewer Rehabilitation Project – Brookcliff Drive PRP:

Mr. Hartye reported this project is for the replacement of aged clay sewer lines located in the Beaverdam area of North Asheville. The project was generated through MSD's Pipe Rating program and is comprised of 1,438 linear feet of 8" and 12" DIP. The following bids were received on September 26, 2013: Buchanan & Sons with a bid of \$602,890.00; Terry Brothers Const. Co., with a bid of \$393,429.50; Huntley Const. Co. with a bid of \$388,742.12 and Buckeye Const. Co. with a bid of \$336,992.50. Staff recommends award of this contract to Buckeye Construction Co. in the amount of \$336,992.50, subject to review and approval by District Counsel.

d. Cash Commitment Investment Report – Month Ended August 31, 2013:

Mr. Powell reported that Page 24 presents the makeup of the District's Investment Portfolio. There has been no change in the makeup of the portfolio from the prior month. Page 25 is the MSD Investment Manager Report as of the month of August. The weighted average maturity of the investment portfolio is 342 days. The yield to maturity is .82% and is exceeding MSD bench marks of the 6 month T-Bill and NCCMT cash portfolio. Page 26 is an analysis of the District's Cash Receipts. Monthly and YTD domestic sewer revenue is considered reasonable based on historical trends. Monthly and YTD Industrial Sewer Revenue as well as Facility and Tap Fees are considered reasonable, taking into account the unpredictability of cash receipts. Page 27 is an analysis of the District's Expenditures. Monthly and YTD expenditures are considered reasonable based on historical trends. Page 28 is the MSD Variable Debt Service report. Both the 2008 A&B Series are performing better than budgeted expectations. As of the end of September, both issues have saved the District customers approximately \$3.0 million dollars in debt service since April, 2008.

Mr. VeHaun called for discussion. With no discussion, Mr. Watts moved the Board approve the Consolidated Motion Agenda as presented. Ms. Manheimer seconded the motion. Roll call vote was as follows: 11 Ayes; 0 Nays.

9. Old Business:

None

10. New Business:

With regard to the lawsuit, Mr. Clarke reported that in the Case Management Order, the City of Asheville agrees to file an amended complaint; adding a Constitutional Claim. The State agrees to file an answer and MSD agrees to file an answer to the amended complaint as well. The parties have 120 days to do discovery. Then they have 30 days to file motions, then 30 days for the opposing party to respond. This would put the Judge in a position to decide everything in the case. Given that schedule, it looks as though there could be a decision from the trial court late first quarter or second quarter of 2014.

11. Adjournment:

With no further business, Mr. VeHaun called for adjournment at 2:43 p.m.

MEMORANDUM

TO: MSD Board
FROM: Thomas E. Hartye, P.E., General Manager
DATE: November 15, 2013
SUBJECT: Report from the General Manager

- Right of Way Section

Angel Banks will give a short presentation on MSD's Right of Way policy, some logistics on how the legal process works, and some statistics. When MSD took over the sewer collection systems at consolidation, legally executed easement agreements were not often included along with the lines. Under Angel's leadership MSD has had great success in obtaining the easements necessary for MSD to go back in to repair or replace failing lines. Of the 2018 easements obtained since Consolidation, only 135 (6.7%) have required "Actions" and only 5 (0.25%) have gone to trial. In addition to that effort, the Right of Way Section oversees the easements required for new development expansions of the sewer system.

- Flow Motion

MSD's Flow Motion Operations Challenge Team competed at the State AWWA--WEA competition on Monday and Tuesday of this week. The team finished 1ST in the pump maintenance event, 1st in the Process Control Test and won 2ND place overall. The team consisted of Cory Smolik, Travis Chandler, Mickey Roberts, and John Gosnell. Gil Karn was their coach. They worked very hard in their training for this event and performed well, especially considering how this was the first ever competition for two of the members on the team. Congratulations to Flo Motion.

- Board/Committee Meetings

The Chairman will poll the Board regarding the date of the December Regular Board Meeting to determine which is more convenient. The currently approved calendar has it on December 11th, whereas the third Wednesday is December 18th. Please check your calendars. The ROW Committee for December is cancelled, the next scheduled Committee Meeting will be held January 22, 2014.

**RIGHT OF WAY
COMMITTEE RECOMMENDATIONS
AND MINUTES
October 23, 2013**

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 9:00 a.m. on Wednesday, October 23, 2013. The following Right of Way Committee members were present: Glenn Kelly, Matt Ashley Jr., Jackie Bryson, Ellen Frost, Esther Manheimer, Chris Pelly and Robert Watts.

Others present were: Billy Clarke, MSD Counsel; Ellen McKinnon, Martin-McGill; Tom Hartye, Ed Bradford, Angel Banks, Darin Prosser, Wesley Banner and Pam Nolan, M.S.D.

II. Inquiry as to Conflict of Interest

Mr. Kelly inquired if anyone had a conflict of interest with Agenda items. There were none.

**III. Consideration of Condemnation – Broadway Street @ Bordeau Place GSR –
Project No. 2009034**

PIN Numbers 9649-32-1513 and 9649-32-1674 –

Subject property is improved with commercial use. The existing sewer line crosses Reed Creek and cannot be replaced in its existing location. The replacement sewer line has been shifted away from the creek onto the subject property in efforts to eliminate the aerial creek crossing. The property owner is not agreeable to this alignment due to conflict with future building plans within the proposed easement area.

Several on site meetings have been held with the property owner and the project engineer to work out an agreeable revised alignment of the sewer. MSD's engineer made it clear that we are willing to work with them toward an agreeable location. Despite several meetings the property owner has not provided any feedback regarding an acceptable revised alignment of the sewer. MSD has been working with the property owner in regard to this project for almost a year. The property owner did not express any concerns with the compensation that is being offered for the easement areas (\$20,872 total for both parcels).

Despite numerous phone calls, letters, and e-mails, the property owner has become non responsive.

Total Contacts: 24

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

Ms. Banks explained the above situation. Mr. Kelly made the motion to accept Staff's recommendation. Mr. Pelly seconded the motion. Voice vote was unanimous.

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

IV. Consideration of Condemnation – Old Haywood Road @ Starnes Cove Road GSR - Project No. 2009117

PIN Numbers 9628-01-3906 and 9628-01-2854 –

Subject property is located in the West Asheville area and is improved with residential use. The existing sewer line will be replaced in the same trench, and enters the property for only 20 LF along the road frontage. The owner's major concern is the loss of buildable area due to the permanent easement area. The majority of the permanent sewer easement area is located within the front building setbacks and within a steep embankment along the road nearly rendering this area unbuildable. A meeting was held on site with the property owner to discuss the project, and the property owner was not satisfied with the compensation that was being offered (\$45). MSD offered to increase the compensation that is being offered to \$400. Despite this offer the property owner feels that the permanent easement area will negatively impact the property value for any future sale, and is unwilling to grant the easement.

Total Contacts: 10

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

Ms. Banks explained the above. Mr. Watts asked how much an appraisal would cost. Ms. Banks stated that this would cost approximately \$1,800.00. Mr. Watts asked if we would save money by making a better offer. Ms. Banks stated that it was possible but Staff believes she would still be concerned with negative impact on the future use of her property. Mr. Kelly asked if Owner had come back with a counteroffer. Ms. Banks stated that Owner had not. Mr. Kelly stated that it sounded like Staff had hit a dead end. Mr. Kelly made the motion to accept Staff's recommendation. Mr. Pelly seconded the motion. Voice vote was unanimous.

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

V. Consideration of Condemnations – Shadowlawn Drive GSR-Project No. 2007019

Project is located in residential area off Old Haywood Road just west of Patton Avenue. All parcels below are zoned residential and have existing structures.

PIN No. 9628-24-8287 – Negotiations began on March 28, 2013 and initially progressed well, including an onsite meeting with the project engineer. The owners expressed understanding of the project in discussions and never indicated disapproval of the standard compensation offered, \$1,495. In late September, our agent asked for a signing appointment and the owner stated a "significant increase" in compensation would be necessary. Owner did not indicate an amount. When agent explained the compensation budget was limited, owner stopped all communication.

Total Contacts: 7

PIN No. 9628-24-8457 – Negotiations began on March 26, 2013. Agent has had numerous conversations with owner who has two issues. First, owner requested an exposed aerial service line on owner's land, serving a neighboring parcel, be reconnected below the creek bed. MSD's engineer has reviewed. In order to get under the creek bed, the service will have to be relocated to another area of the property (vs reconnection in its existing trench). MSD has explained in order for permission to relocate the neighbor's service, the owner must enter into a private service easement with the neighbor. Second, the owner insists that MSD should provide that private easement at MSD's cost and negotiate for the neighbor's signature.

Total Contacts: 13

PIN No. 9628-24-7641 – Negotiations began on May, 6, 2013. Married owners are separated but have no legal separation agreement. Husband has no problems with project and is willing to sign. Wife will not agree to sign; her reasons are unclear but seem more involved with the marital problems than any issues with the project. Counsel has advised MSD should move forward with condemnation if wife will not sign.

Total Contacts: 7

STAFF RECOMMENDATION: Authority to obtain appraisal and proceed with condemnations.

Ms. Banks explained the above situations. Regarding Pin 9628-24-8457, Ms. Banks stated that Staff has also talked with Owner's attorney and provided a template with language that would need to be used for an easement between the two private owners. Mr. Pelly asked if anyone had spoken with the neighbor. Ms. McKinnon stated that she had spoken with the adjoining property owner and she had no problem with this. Mr. Bradford stated that Staff would continue to try to work with owner. Regarding Parcel 9628-24-7641, Mr. Clarke stated that he would advise that if you only have the signature of the husband, you do not have permission to be on the property and that if you go on the property without permission of both you are subject to an inverse condemnation action together with attorney's fees and other associated costs. Mr. Clarke stated that he recommends to not proceed without the permission of both husband and wife and if you cannot get signature of both husband and wife, you have no alternative other than to proceed with condemnation. There was some further discussion and explanations regarding the steps involved in the condemnation process. Glen Kelly made the motion to accept Staff's recommendation. Mr. Pelly seconded the motion. Voice vote was unanimous.

COMMITTEE RECOMMENDATION: Authority to obtain appraisal and proceed with condemnations.

VI. Consideration of Compensation Budget –

Wendover Road GSR, Project No. 2008184

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 in the Malvern Hills area near Sand Hill Road and Bear Creek Road. This project consists of approximately 2800 linear feet of 8" DIP that will replace existing 8" VCP. Glen Kelly made the motion to accept Staff's recommendation. Mr. Pelly seconded the motion. Voice vote was unanimous.

COMMITTEE RECOMMENDATION: Approval of Compensation Budget.

VII. SUBJECT: Quarterly Report – First Quarter

Attached you will find a Project Status Summary for all active acquisition projects. This report provides information on percentage of easements complete, percentage of compensation expended and comments on condemnations. This information is provided for your review.

SUBJECT: Condemnation Statistics – July 1, 1991 to June 30, 2013

Attached you will find a report outlining condemnation statistics from July 1, 1991 to June 30, 2013. This report tracks total number of actions filed and how they were resolved, whether through settlement or trial.

SUBJECT: Closings by Agent – July 1, 2012 to June 30, 2013

Attached you will find a report outlining Closings by Agent from July 1, 2012 to June 30, 2013. This report details fiscal year acquisitions by agent, project and owner.

STAFF RECOMMENDATION: For information only. No action required.

Ms. Banks reviewed the above reports, focusing specifically on the Condemnation Statistics report and thanked Wesley Banner and Ellen McKinnon for their hard work. Ms. McKinnon also thanked Ms. Banks for being organized and knowledgeable and great to work with.

VII. Other business: Joe Belcher will no longer be a member of this Committee.

There being no further business the meeting adjourned at 9:23 am.

Metropolitan Sewerage District of Buncombe County

Board Action Item - Right-of-Way Committee

COMMITTEE MEETING DATE: 10/23/2013

BOARD MEETING DATE: 11/20/2013

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 – Broadway Street @ Bordeau Place GSR - Project No. 2009034

PIN Numbers 9649-32-1513 and 9649-32-1674 –

Subject property is improved with commercial use. The existing sewer line crosses Reed Creek and cannot be replaced in its existing location. The replacement sewer line has been shifted away from the creek onto the subject property in efforts to eliminate the aerial creek crossing. The property owner is not agreeable to this alignment due to conflict with future building plans within the proposed easement area.

Several on site meetings have been held with the property owner and the project engineer to work out an agreeable revised alignment of the sewer. MSD’s engineer made it clear that we are willing to work with them toward an agreeable location. Despite several meetings the property owner has not provided any feedback regarding an acceptable revised alignment of the sewer. MSD has been working with the property owner in regard to this project for almost a year. The property owner did not express any concerns with the compensation that is being offered for the easement areas (\$20,872 total for both parcels).

Despite numerous phone calls, letters, and e-mails, the property owner has become non responsive.

Total Contacts: 24

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

Ms. Banks explained the above situation. Mr. Kelly made the motion to accept Staff’s recommendation. Mr. Pelly seconded the motion. Voice vote was unanimous.

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

COMMITTEE ACTION TAKEN	
Motion by: Glenn Kelly	To: XX Approve <input type="checkbox"/> Disapprove
Second by: Chris Pelly	<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

Metropolitan Sewerage District of Buncombe County

Board Action Item - Right-of-Way Committee

COMMITTEE MEETING DATE: 10/23/2013 BOARD MEETING DATE: 11/20/2013

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 – Old Haywood Road @ Starnes Cove Road
 GSR - Project No. 2009117**

PIN Numbers 9628-01-3906 and 9628-01-2854 –

Subject property is located in the West Asheville area and is improved with residential use. The existing sewer line will be replaced in the same trench, and enters the property for only 20 LF along the road frontage. The owner’s major concern is the loss of buildable area due to the permanent easement area. The majority of the permanent sewer easement area is located within the front building setbacks and within a steep embankment along the road nearly rendering this area unbuildable. A meeting was held on site with the property owner to discuss the project, and the property owner was not satisfied with the compensation that was being offered (\$45). MSD offered to increase the compensation that is being offered to \$400. Despite this offer the property owner feels that the permanent easement area will negatively impact the property value for any future sale, and is unwilling to grant the easement.

Total Contacts: 10

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

Ms. Banks explained the above. Mr. Watts asked how much an appraisal would cost. Ms. Banks stated that this would cost approximately \$1,800.00. Mr. Watts asked if we would save money by making a better offer. Ms. Banks stated that it was possible but Staff believes she would still be concerned with negative impact on the future use of her property. Mr. Kelly asked if Owner had come back with a counteroffer. Ms. Banks stated that Owner had not. Mr. Kelly stated that it sounded like Staff had hit a dead end. Mr. Kelly made the motion to accept Staff’s recommendation. Mr. Pelly seconded the motion. Voice vote was unanimous.

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

COMMITTEE ACTION TAKEN	
Motion by: Glenn Kelly	To: <input checked="" type="checkbox"/> Approve <input type="checkbox"/> Disapprove
Second by: Chris Pelly	<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

Metropolitan Sewerage District of Buncombe County

Board Action Item - Right-of-Way Committee

COMMITTEE MEETING DATE: 10/23/2013

BOARD MEETING DATE: 11/20/2013

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 Condemnations – Shadowlawn Drive GSR-Project No. 2007019

Project is located in residential area off Old Haywood Road just west of Patton Avenue. All parcels below are zoned residential and have existing structures.

PIN No. 9628-24-8287 – Negotiations began on March 28, 2013 and initially progressed well, including an onsite meeting with the project engineer. The owners expressed understanding of the project in discussions and never indicated disapproval of the standard compensation offered, \$1,495. In late September, our agent asked for a signing appointment and the owner stated a “significant increase” in compensation would be necessary. Owner did not indicate an amount. When agent explained the compensation budget was limited, owner stopped all communication.

Total Contacts: 7

PIN No. 9628-24-8457 – Negotiations began on March 26, 2013. Agent has had numerous conversations with owner who has two issues. First, owner requested an exposed aerial service line on owner’s land, serving a neighboring parcel, be reconnected below the creek bed. MSD’s engineer has reviewed. In order to get under the creek bed, the service will have to be relocated to another area of the property (vs reconnection in its existing trench). MSD has explained in order for permission to relocate the neighbor’s service, the owner must enter into a private service easement with the neighbor. Second, the owner insists that MSD should provide that private easement at MSD’s cost and negotiate for the neighbor’s signature.

Total Contacts: 13

PIN No. 9628-24-7641 – Negotiations began on May, 6, 2013. Married owners are separated but have no legal separation agreement. Husband has no problems with project and is willing to sign. Wife will not agree to sign; her reasons are unclear but seem more involved with the marital problems than any issues with the project. Counsel has advised MSD should move forward with condemnation if wife will not sign.

Total Contacts: 7

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

Ms. Banks explained the above situations. Regarding Pin 9628-24-8457, Ms. Banks stated that Staff has also talked with Owner’s attorney and provided a template with language that would need to be used for an easement between the two private owners. Mr. Pelly asked if anyone had spoken with the neighbor. Ms. McKinnon stated that she had spoken with the adjoining property

owner and she had no problem with this. Mr. Bradford stated that Staff would continue to try to work with owner. Regarding Parcel 9628-24-7641, Mr. Clarke stated that he would advise that if you only have the signature of the husband, you do not have permission to be on the property and that if you go on the property without permission of both you are subject to an inverse condemnation action together with attorney's fees and other associated costs. Mr. Clarke stated that he recommends to not proceed without the permission of both husband and wife and if you cannot get signature of both husband and wife, you have no alternative other than to proceed with condemnation. There was some further discussion and explanations regarding the steps involved in the condemnation process. Glen Kelly made the motion to accept Staff's recommendation. Mr. Pelly seconded the motion. Voice vote was unanimous.

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

COMMITTEE ACTION TAKEN	
Motion by: Glenn Kelly	To: XX Approve <input type="checkbox"/> Disapprove
Second by: Chris Pelly	<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

Metropolitan Sewerage District of Buncombe County

Board Action Item - Right-of-Way Committee

COMMITTEE MEETING DATE: 10/23/2013 BOARD MEETING DATE: 11/20/2013

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 –**

Wendover Road GSR, Project No. 2008184

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 in the Malvern Hills area near Sand Hill Road and Bear Creek Road. This project consists of approximately 2800 linear feet of 8” DIP that will replace existing 8” VCP. Glen Kelly made the motion to accept Staff’s recommendation. Mr. Pelly seconded the motion. Voice vote was unanimous.

COMMITTEE RECOMMENDATION: Approval of Compensation Budget.

COMMITTEE ACTION TAKEN	
Motion by: Glenn Kelly	To: XX Approve <input type="checkbox"/> Disapprove
Second by: Chris Pelly	<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

Wendover Road GSR

Project Number: 2008184

Compensation Budget

29-Oct-13

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	TCE Rent Value	Total Comp. (Rounded)		
27 Pin	83 Pin															
	9628501718	Chambers	David	0.44	19,166.40	\$39,600.00	\$2.07	0.00	\$0.00	\$0.00	1,702.90	\$3,525.00	\$352.50	4	\$117.50	\$118
	9628419149	Meeker	Paul	0.32	13,939.20	\$37,900.00	\$2.72	1,748.60	\$4,756.19	\$2,378.10	2,011.20	\$5,470.46	\$547.05	4	\$182.35	\$2,560
	9628500909	Mulkey	Kathleen	0.30	13,068.00	\$37,600.00	\$2.88	1,766.20	\$5,086.66	\$2,543.33	1,407.00	\$4,052.16	\$405.22	4	\$135.07	\$2,678
	9628419068	Reisinger	Andrew	0.24	10,454.40	\$1,687.30	\$0.16	1,687.30	\$269.97	\$134.98	1,971.00	\$315.36	\$31.54	4	\$10.51	\$145
	9628500848	Sloan	Steven	0.46	20,037.60	\$39,900.00	\$1.99	1,312.60	\$2,612.07	\$1,306.04	1,991.90	\$3,963.88	\$396.39	4	\$132.13	\$1,438
	9628508188	Vrabel Living Trust	Myrtle	10.28	447,796.80	\$61,300.00	\$0.14	6,579.60	\$921.14	\$460.57	54,767.50	\$7,667.45	\$766.75	4	\$255.58	\$716
TOTALS:														\$7,656		
Staff Contingency:														\$5,000		
GM's Contingency														\$5,000		
Amendment																
Total Budget:														\$17,656		

Metropolitan Sewerage District of Buncombe County

Board Action Item

BOARD MEETING DATE: November 20, 2013

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

PREPARED BY: Kevin Johnson

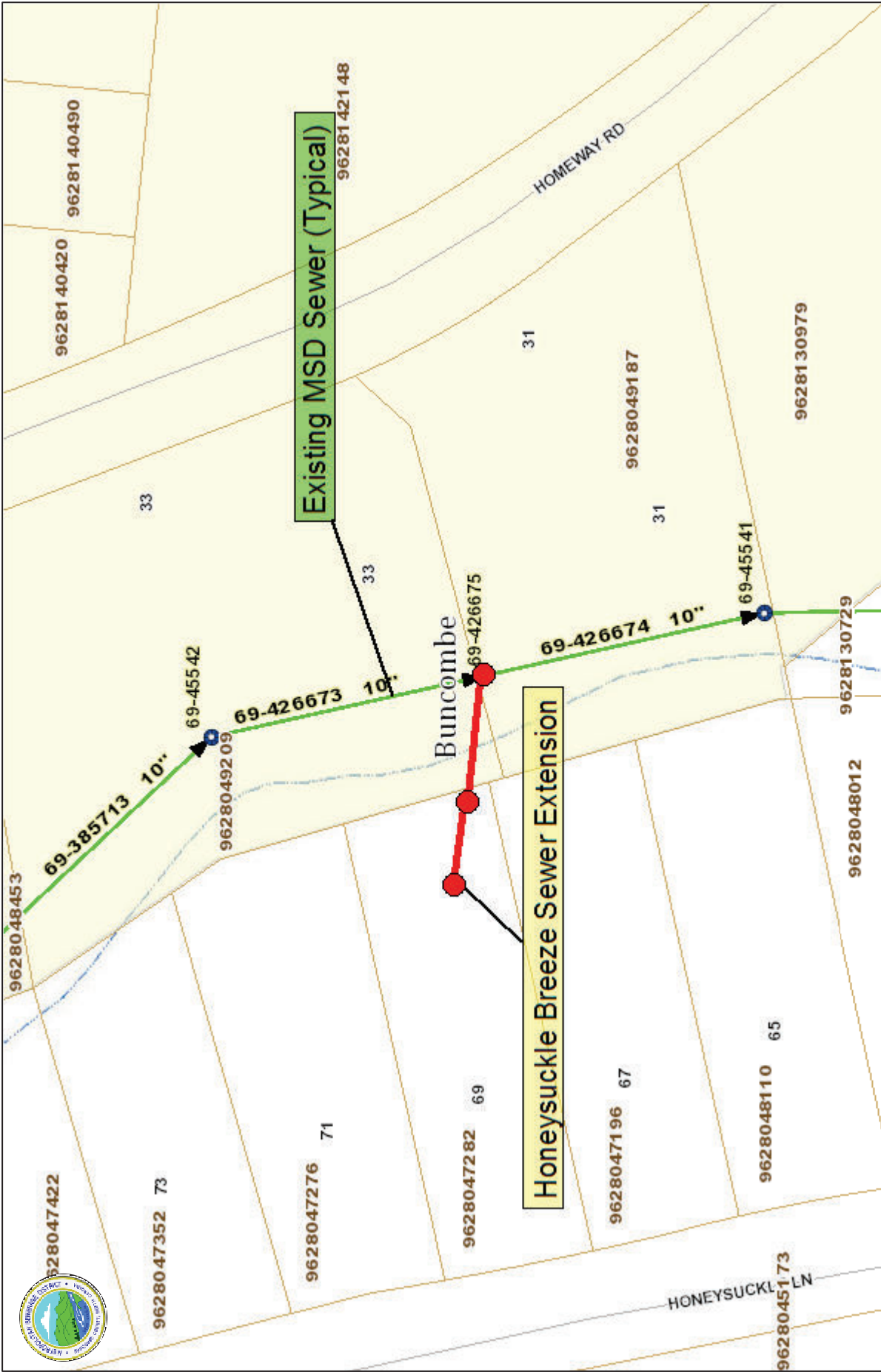
REVIEWED BY: Ed Bradford, P.E., Engineering Director

SUBJECT: Acceptance of Developer Constructed Sewer System for the Honeysuckle (Azalea) Breeze Sewer Extension Project.

BACKGROUND: This project is located inside the District boundary off Honeysuckle Lane in Buncombe County. The developer of the project is Paul King. The project included the installation of approximately 67 linear feet of 8" gravity sewer to serve a five (5) unit residential subdivision. A wastewater allocation was issued in the amount of 1,500 GPD for the project. The estimated cost of the sewer extension is \$25,500.00.

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

COMMITTEE 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:	
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:	



Honeysuckle (Azalea) Breeze Sewer Extension (MSD Project #2007246)

1 in = 50 ft

Date: 11/12/2013

Author: KJ

The Metropolitan Sewerage District of Buncombe County, NC has prepared these maps based on best available information for use in assisting District maintenance work, service area analysis, and planning. The District does not warrant the accuracy of any of the information shown. Field verification is advised for all information shown on the maps or included with manhole data. No guarantee is given as to the accuracy or currency of any of the data. Therefore, in no event shall the District be liable for any special, indirect, or consequential damages or any damages whatsoever resulting from loss of use, data, or profits, whether in an action of contract, negligence, or other action, arising out of or in connection with the use of the information herein provided. Grid shown is North Carolina State Plane Coordinate System NAD 1983 (North American Datum 1983).

Metropolitan Sewerage District of Buncombe County

Board Action Item

BOARD MEETING DATE: November 20, 2013

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

PREPARED BY: Kevin Johnson

REVIEWED BY: Ed Bradford, P.E., Engineering Director

SUBJECT: Acceptance of Developer Constructed Sewer System for the Haw Creek Tract Sewer Extension Project.

BACKGROUND: This project is located inside the District boundary off Pinedale Road in the City of Asheville. The developer of the project is Kevin Kerr. The project included the installation of approximately 2,455 linear feet of 8" gravity sewer to serve a forty-nine (49) unit residential subdivision. A wastewater allocation was issued in the amount of 14,700 GPD for the project. The estimated cost of the sewer extension is \$132,000.00.

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

COMMITTEE 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:	
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 INFORMATIONAL ITEM

Meeting Date: November 20, 2013
Submitted By: Thomas E. Hartye, PE., General Manager
Prepared By: W. Scott Powell, CLGFO, Director of Finance
Subject: First Quarter Budget to Actual Review – FY 2014

Background

At the end of each quarter, actual revenue, expenditure, and encumbrance amounts are compared with the budget to evaluate the District's financial performance. The attached schedule includes year-to-date actual and encumbered amounts as of September 30, 2013 as well as the adopted budget for FY13-14.

Discussion

There are several explanatory notes at the bottom of the page to assist in using this schedule as a management tool. Other considerations are as follows:

- Domestic and Industrial User Fees are at budget expectations. Staff monitors consumption trends as they have a direct effect on the District's current and future revenue projections.
- Facility and Tap Fees, also conservatively budgeted, can be significantly higher or lower than budget. Facility and Tap fees are above budgeted expectations due to receiving unanticipated revenue of \$91,350 from three commercial/residential developers and an increase in the number of taps requiring bore/pavement disturbance.
- Interest and miscellaneous income are at budgeted expectations. Rental income reflects expected earnings.
- O&M expenditures are at 27.82% of budget. The expenditures include encumbered amounts, which has elevated the budget to actual ratio above 25%. The aforementioned encumbrances will be spent in the future.
- Bond principal and interest expenditures are reflected at 25%. This will aid the user to properly assess the District's overall debt service commitments. Actual amount spent is 2%, due to the timing of the District's debt service payments. The District is required to make semi-annual interest payments on December 1, 2013 and principal and semi-annual interest payments on July 1, 2014.
- Amounts budgeted for capital equipment and capital projects are rarely expended proportionately throughout the year and are expected to be fully spent prior to the end of the year.

Staff Recommendation

None. Information Only.

Action Taken

Motion by: _____ to Approve _____ Disapprove _____
Second by: _____ Table _____ Send to Committee _____
Other: _____
Follow-up required: _____
Person responsible: _____ Deadline: _____

**Budget to Actual Revenue and Expenditure Report
 For the three months ended September 30, 2013
 UNAUDITED--NON-GAAP**

	Budget	Actual to Date	% Budget to Actual
REVENUES			
Domestic User Fees ¹	\$ 27,367,458	\$ 6,772,306	24.75%
Industrial User Fees	1,710,390	428,455	25.05%
Facility Fees	1,250,000	534,325	42.75%
Tap Fees ²	105,000	91,200	86.86%
Billing and Collection	689,062	172,751	25.07%
Interest and Misc. Income	430,396	103,934	24.15%
Employee Contribution to Health Ins.	389,000	97,012	24.94%
City of Asheville (Enka Bonds) ³	37,000	-	0.00%
Proceeds from Revenue Bonds	28,000,000	-	0.00%
Rental Income	68,597	17,662	25.75%
Use of Available Funds ⁴	(19,199,450)	2,012,892	-10.48%
Total Revenues⁵	\$ 40,847,453	\$ 10,230,537	25.05%
EXPENDITURES			
Operations and Maintenance ⁶	\$ 14,802,735	\$ 4,118,118	27.82%
Bond Principal and Interest ⁷	8,502,191	2,125,548	25.00%
Capital Equipment (Other than O&M) ⁶	805,000	372,928	46.33%
Capital Projects ⁶	15,737,527	3,613,943	21.59%
Contingency	1,000,000	-	0.00%
Total Expenditures	\$ 40,847,453	\$ 10,230,537	25.05%

Notes

- ¹Revenues are on the cash basis
- ²Increase in number of Taps requiring Bore Fees
- ³Payment to be received in May
- ⁴Pay-as-go funds to be used for CIP
- ⁵Budget-to-Actual Ratio does not include use of available funds
- ⁶Includes encumbered amounts as well as actual insurance expenditures
- ⁷Bond principal and interest expenditures are reflected at 25%. Actual amount spent is 2%

Metropolitan Sewerage District of Buncombe County

BOARD INFORMATIONAL ITEM

Meeting Date: November 20, 2013

Submitted By: Thomas E. Hartye, PE., General Manager

Prepared By: W. Scott Powell, CLGFO, Director of Finance
Cheryl Rice, Accounting Manager

Subject: Cash Commitment/Investment Report-Month Ended September 30, 2013

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 September 30, 2013 were \$23,974,453. The detailed listing of accounts is available upon request. The average rate of return for all investments is 0.711. 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 September 30, 2013 do not reflect contractual commitments or encumbrances against said funds. Shown below are the total investments as of September 30, 2013 reduced by contractual commitments, bond funds, and District reserve funds. The balance available for future capital outlay is \$(15,599,257).

Total Cash & Investments as of 09/30/2013		23,974,453
Less:		
Budgeted Commitments (Required to pay remaining FY14 budgeted expenditures from unrestricted cash)		
Construction Funds	(14,814,162)	
Operations & Maintenance Fund	(11,771,737)	
		(26,585,899)
Bond Restricted Funds		
Bond Service (Funds held by trustee):		
Funds in Principal & Interest Accounts	(5,647)	
Remaining Principal & Interest Due	(8,278,354)	
		(8,284,001)
District Reserve Funds		
Fleet Replacement	(543,944)	
WWTP Replacement	(541,478)	
Maintenance Reserve	(913,085)	
		(1,998,507)
District Insurance Funds		
General Liability	(107,810)	
Worker's Compensation	(232,867)	
Post-Retirement Benefit	(1,085,937)	
Self-Funded Employee Medical	(1,278,689)	
		(2,705,303)
Designated for Capital Outlay		(15,599,257)

Staff Recommendation

None. Information Only.

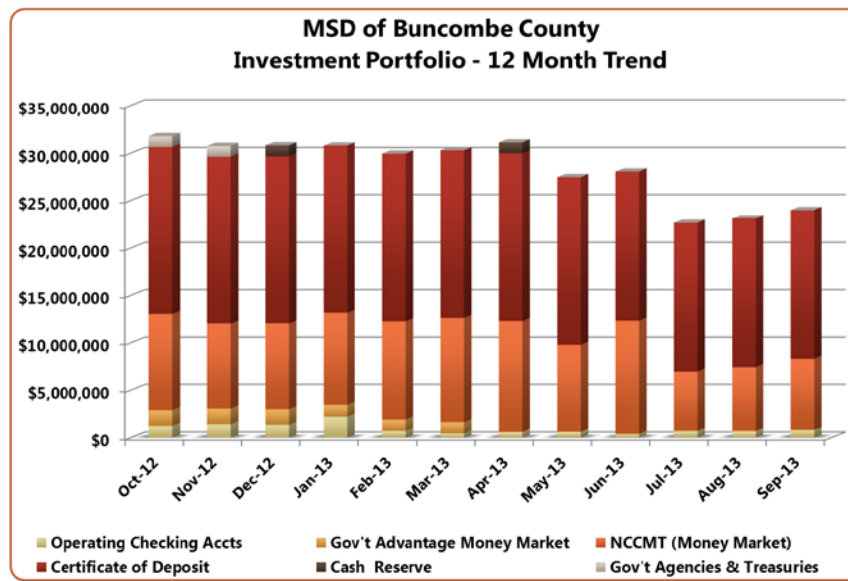
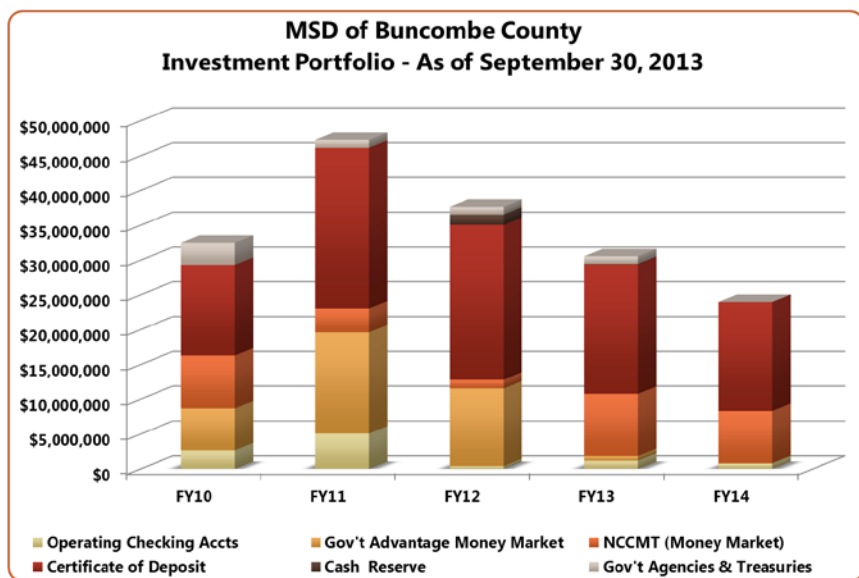
Action Taken

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

Metropolitan Sewerage District of Buncombe County Investment Portfolio

	Operating Checking Accounts	Gov't Advantage Money Market	NCCMT (Money Market)	Certificate of Deposit	Cash Reserve	Gov't Agencies & Treasuries	Total
Held with Bond Trustee	\$ -	\$ -	\$ 5,647	\$ -	\$ -	\$ -	\$ 5,647
Held by MSD	790,089	46,652	7,481,481	15,650,584	-	-	23,968,806
	\$ 790,089	\$ 46,652	\$ 7,487,128	\$ 15,650,584	\$ -	\$ -	\$ 23,974,453

Investment Policy Asset Allocation	Maximum Percent	Actual Percent	
U.S. Government Treasuries, Agencies and Instrumentalities	100%	0.00%	No significant changes in the investment portfolio as to makeup or total amount.
Bankers' Acceptances	20%	0.00%	
Certificates of Deposit	100%	65.28%	The District 's YTM of .80% is exceeding the YTM benchmarks of the 6 month T-Bill and NCCMT Cash Portfolio.
North Carolina Capital Management Trust	100%	31.23%	
Checking Accounts:	100%		All funds invested in CD's, operating checking accounts, Gov't Advantage money market are fully collateralized with the State Treasurer.
Operating Checking Accounts		3.30%	
Gov't Advantage Money Market		0.19%	



Board Meeting: November 20, 2013

Subject: Cash Commitment/Investment Report-Month Ended September 30, 2013

Page -3-

**METROPOLITAN SEWERAGE DISTRICT
INVESTMENT MANAGERS' REPORT
AT September 30, 2013**

Summary of Asset Transactions

	Original Cost	Market	Interest Receivable
Beginning Balance	\$ 21,043,912	\$ 21,043,912	\$ 415,974
Capital Contributed (Withdrawn)	763,829	763,829	-
Realized Income	-	-	-
Unrealized/Accrued Income	-	-	15,485
Ending Balance	<u>\$ 21,807,741</u>	<u>\$ 21,807,741</u>	<u>\$ 431,459</u>

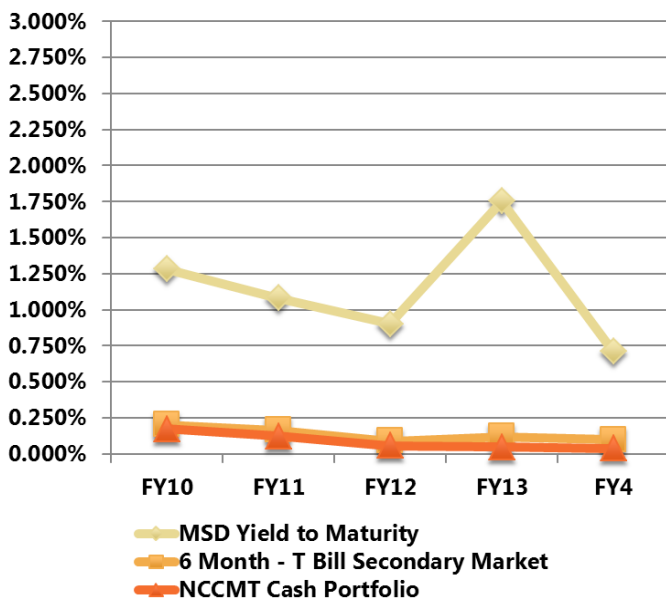
Value and Income by Maturity

	Original Cost	Income
Cash Equivalents <91 Days	\$ 6,157,157	\$ 4,372
Securities/CD's 91 to 365 Days	15,650,584	\$ 11,113
Securities/CD's > 1 Year	-	\$ -
	<u>\$ 21,807,741</u>	<u>\$ 15,485</u>

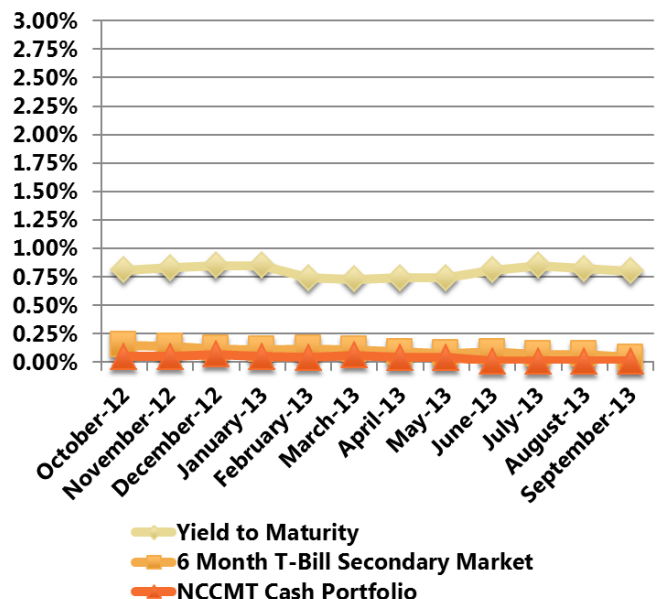
Month End Portfolio Information

Weighted Average Maturity	312
Yield to Maturity	0.80%
6 Month T-Bill Secondary Market	0.04%
NCCMT Cash Portfolio	0.01%

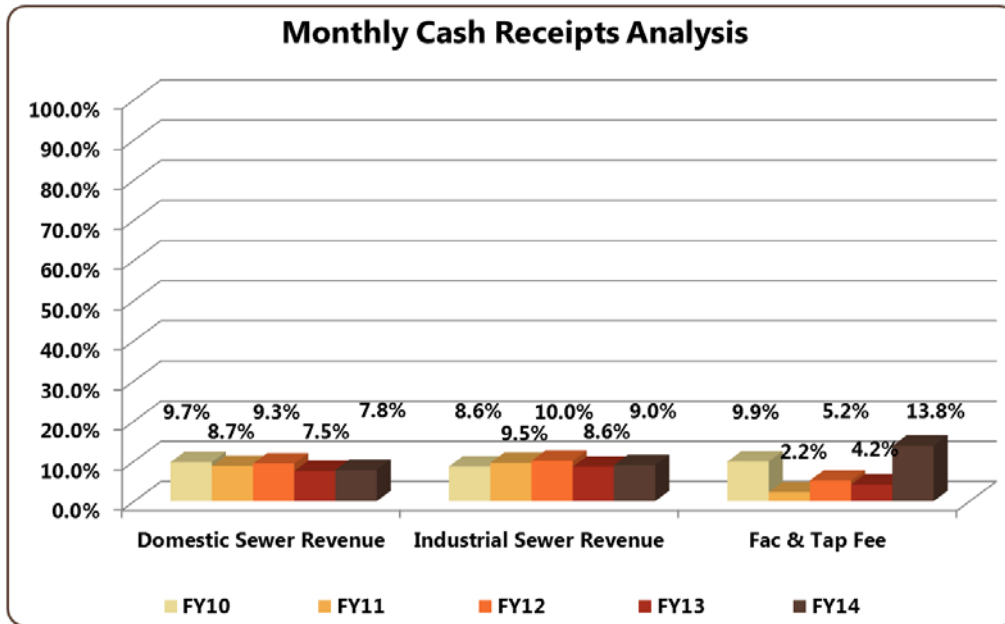
**Metropolitan Sewerage District
Annual Yield Comparison**



**Metropolitan Sewerage District
Yield Comparison - September 30, 2013**

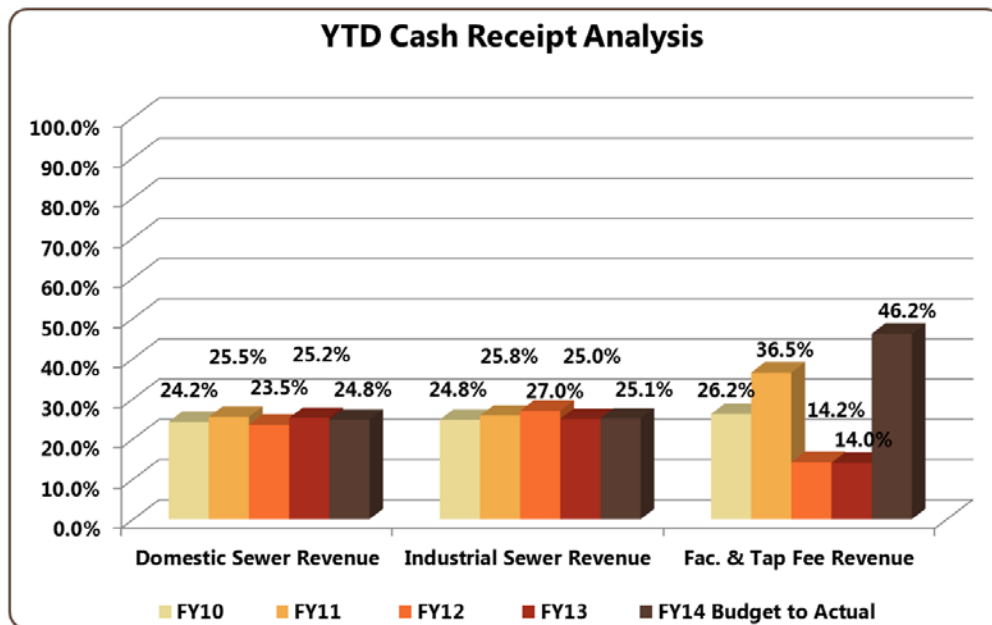


**METROPOLITAN SEWERAGE DISTRICT
ANALYSIS OF CASH RECEIPTS
AS OF September 30, 2013**



Monthly Cash Receipts Analysis:

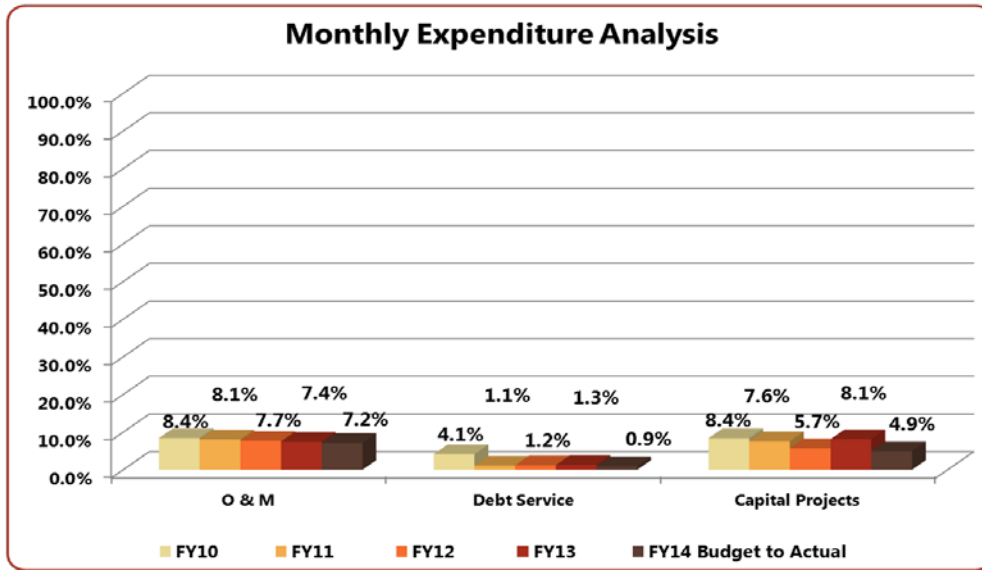
- Monthly domestic sewer revenue is considered reasonable based on timing of cash receipts in their respective fiscal periods.
- Monthly industrial sewer revenue is trending below budgeted expectations.
- Due to the unpredictable nature of facility and tap fee revenue, staff considers facility and tap fee revenue reasonable.



YTD Actual Revenue Analysis:

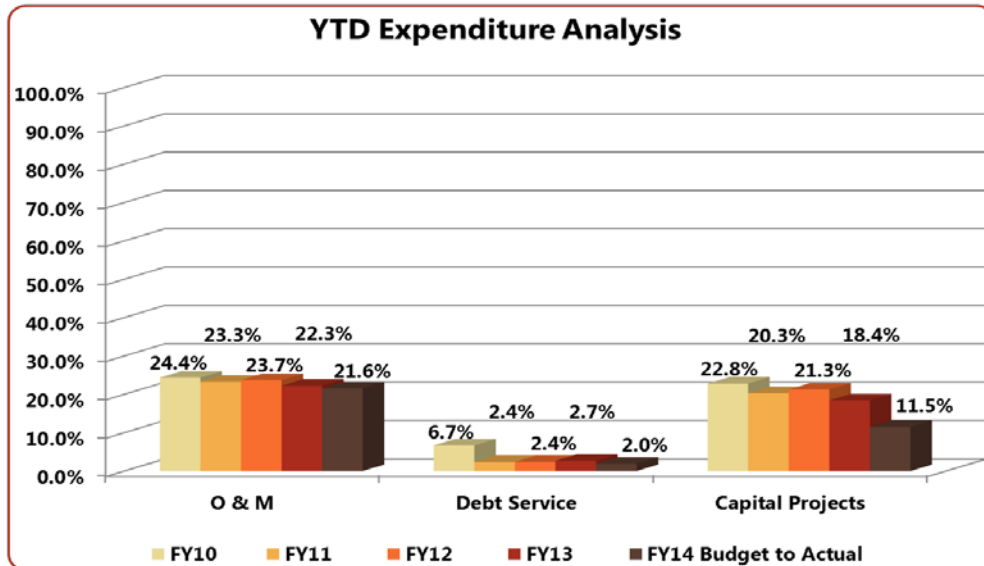
- YTD domestic sewer revenue is considered reasonable based on historical trends.
- YTD industrial sewer revenue is trending below budgeted expectations.
- Due to the unpredictable nature of facility and tap fee revenue, staff considers facility and tap fee revenue reasonable.

**METROPOLITAN SEWERAGE DISTRICT
ANALYSIS OF EXPENDITURES
AS OF SEPTEMBER 30, 2013**



Monthly Expenditure Analysis:

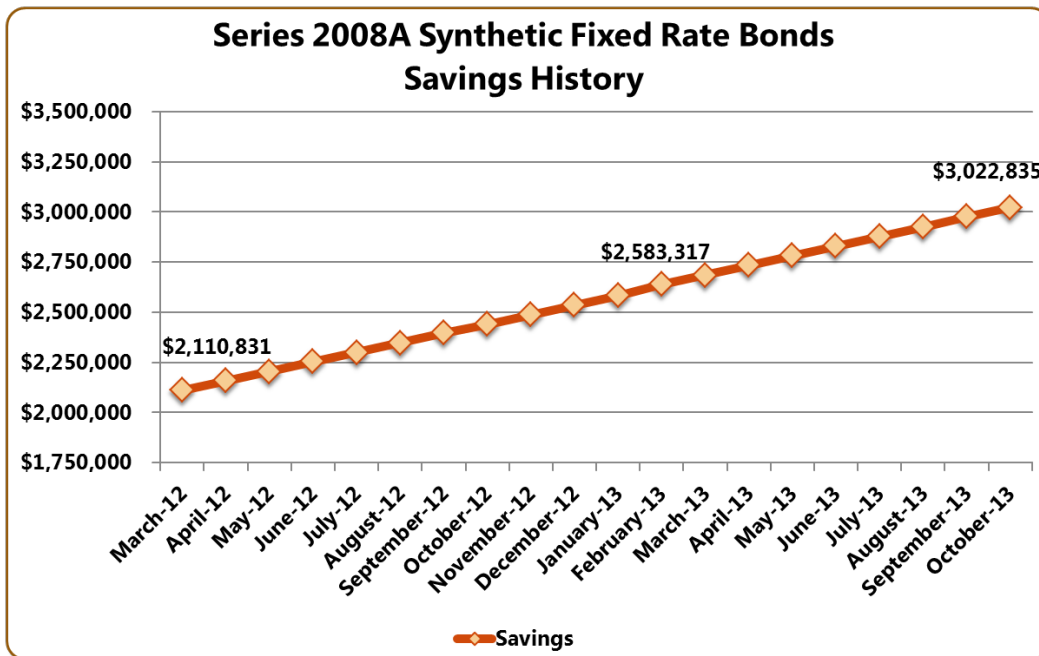
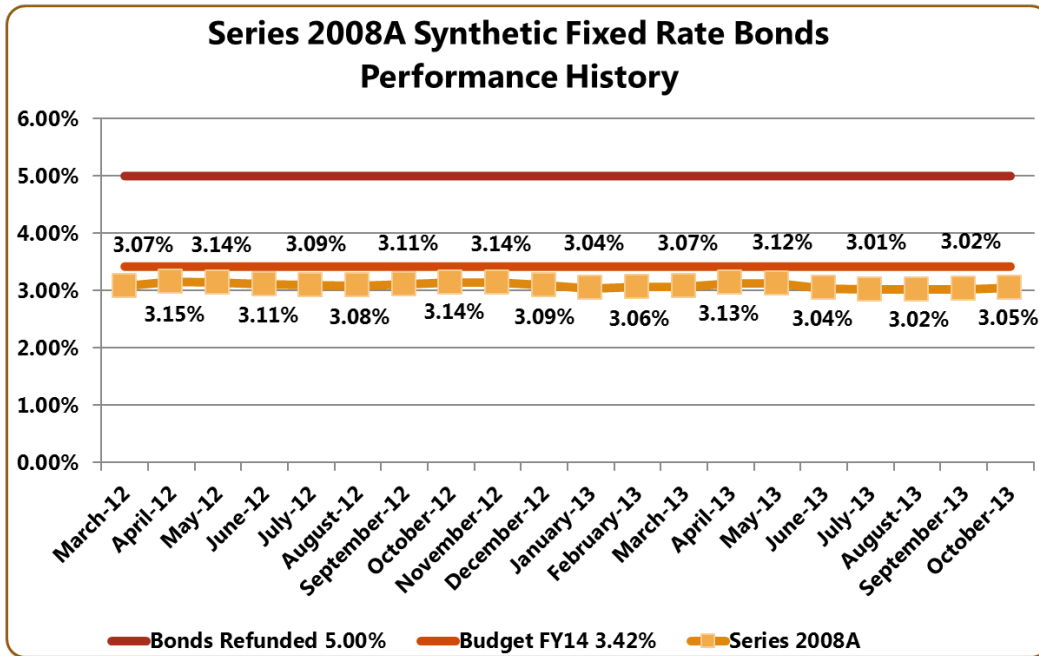
- ▶ Monthly O&M expenditures are considered reasonable based on historical trends and timing of expenditures in the current year.
- ▶ Due to the nature of the variable rate bond market, monthly expenditures can vary year to year. Based on current variable interest rates, monthly debt service expenditures are considered reasonable.
- ▶ Due to nature and timing of capital projects, monthly expenditures can vary from year to year. Based on the current outstanding capital projects, monthly capital project expenditures are considered reasonable.



YTD Expenditure Analysis:

- ▶ YTD O&M expenditures are considered reasonable based on historical trends.
- ▶ Due to the nature of the variable rate bond market, YTD expenditures can vary year to year. Based on current variable interest rates, YTD debt service expenditures are considered reasonable.
- ▶ Due to nature and timing of capital projects, YTD expenditures can vary from year to year. Based on the current outstanding capital projects, YTD capital project expenditures are considered reasonable.

**METROPOLITAN SEWERAGE DISTRICT
Variable Debt Service Report
AS OF October 31, 2013**



Series 2008A:

- ▀ Savings to date on the Series 2008A Synthetic Fixed Rate Bonds is \$3,022,835 as compared to 4/1 fixed rate of 4.85%.
- ▀ Assuming that the rate on the Series 2008A Bonds continues at the current all-in rate of 4.0475%, MSD will achieve cash savings of \$4,730,000 over the life of the bonds.
- ▀ MSD would pay \$4,390,700 to terminate the existing Bank of America Swap Agreement.

STATUS REPORTS

Fy 13-14 PROJECTS

PROJECT NAME	ESTIMATED FOOTAGE	ESTIMATED PROJECT DATES	WO#	CREW	COMPLETION DATE	ACTUAL FOOTAGE	Notes
Craven Street Improvements (P/N 2013071)	300	7/1/13-8/30/13	434914	667	8/14/2013	306	complete
90 Asheland Ave - Pipe Ream/Burst	118	8/29/2013	456371	631	8/29/2013	118	complete
Melody Lane	220	8/15/13 - 9/13/13	433549	667	8/30/2013	560	complete
Melody Lane Addition	25	9/10/2013	450458	667	9/10/2013	28	complete
41 Walnut Lane (Woodfin)	1260	5/27/13 - 8/30/13	441589	631	9/27/2013	1189	complete
View Street at Montreat Road (P/N 2013051)	461	10/8/13-10/31/13	400926	667	10/7/2013	463	complete
Elk Mtn Scenic Hwy @ Edgedale*(P/N 2010101)	785	10/7/13-11/7/13	456298/450460	667	10/18/2013 / 10/23/13	638	complete
Roberts Street at Haywood Rd* (P/N 20100980)	200	10/16/13 - 11/16/13	470501	631	10/22/2013	210	complete
Gay Street (P/N 2013077)	327	10/7/13 - 11/4/13	433544	631	11/6/2013	335	complete
Memorial Park Drive	963	10/24/13 - 12/1/13	433530	667			Construction in Progress
Daniel Road Phase II (14)	568	11/4/13 - 12/1/13	433531	631			Construction in Progress
Central Avenue SanitarySewer Replacement*	675	12/2/13 - 1/1/14	448995	631			ready for construction, P/N 2009135
Buckner Road	600	12/2/13 - 1/1/14	TBA	667			ready for construction
Rash Road* (P/N 2010095)	550	TBA	TBA	TBA			ready for construction
18 Crestland Road	270	TBA	448974	667			ready for construction
N. Anne St.	550	TBA	400920	TBA			ready for construction
165 Old County Home Road	1,100	TBA	433522	TBA			ready for construction
Sareva Place	932	TBA	410095	TBA			ready for construction
Carjen Avenue	825	TBA	410096	TBA			ready for construction
Hunt Hill Place	786	TBA	400922	TBA			ready for construction
Robindale Ave	851	TBA	433537	TBA			Design
Emory Road* (P/N 2009137)	300	TBA	TBA	TBA			Design
350 Old Haw Creek Road	1333	TBA	400923	TBA			Design
Ridgeway Dr.	487	TBA	TBA	TBA			Design
Rumbough Place	710	TBA	433539	TBA			Design
Shiloh Road	350	TBA	TBA	TBA			Design
Livinston - AB Tech	TBA	TBA	TBA	TBA			Design
Grovestone Quarry	TBA	TBA	TBA	TBA			Design
Tabernacle Road	TBA	TBA	TBA	TBA			Design
Dew Waite Dr	TBA	TBA	TBA	TBA			Design
Springside Drive	TBA	TBA	TBA	TBA			Design
S. Oak Forest	TBA	TBA	TBA	TBA			Design



CONSTRUCTION TOTALS BY DATE COMPLETED - Monthly

From 7/1/2013 to 9/30/2013

	Dig Ups	Emergency Dig Ups	Dig Up ML Ftg	Dig Up SL Ftg	Manhole Repairs	Taps Installed	Creek Crossings Cleared	ROW Ftg	Service Line Bore Ftg	Service Line Burst Ftg
July 2013	36	16	108	628	40	21	2	2,264	0	0
August 2013	49	7	207	659	38	20	0	0	0	0
September 2013	31	16	348	468	22	5	0	7,426	0	0
Grand Total	116	39	662	1,754	100	46	2	9,690	0	0



CONSTRUCTION REHAB TOTALS BY DATE COMPLETED - Monthly

From 7/1/2013 to 9/30/2013

	# IRS Repairs	IRS Ftg	IRS Accept Ftg	Const Ftg	Const Accept Ftg	# D-R	D-R Ftg	#MH	Mainline PB Ftg	Mainline Bore Ftg	Total Rehab Ftg
July 2013	1	7	0	0	0	0	0	0	0	0	0
August 2013	0	0	0	5	259	3	882	10	118	0	1259
September 2013	2	14	197	2	116	3	1217	11	0	0	1530
Grand Totals	3	21	197	7	375	6	2099	21	118	0	2789



PIPELINE MAINTENANCE TOTALS BY DATE COMPLETED - Monthly

July 01, 2013 to September 30, 2013

	Main Line Wash Footage	Service Line Wash Footage	Rod Line Footage	Cleaned Footage	CCTV Footage	Smoke Footage	SL-RAT Footage
2013							
July	81,240	2,028	5,143	86,383	33,272	2,080	12,186
August	59,115	1,444	5,763	64,853	36,640	35,663	12,680
September	56,833	1,220	6,596	63,354	32,358	18,324	20,686
Grand Total:	197,188	4,692	17,502	214,590	102,270	56,067	45,552
Avg Per Month:	65,729	1,564	5,834	71,530	34,090	18,689	15,184



CUSTOMER SERVICE REQUESTS

Monthly - All Crews

CREW	MONTH	JOBS	AVERAGE RESPONSE TIME	AVERAGE TIME SPENT
DAY 1ST RESPONDER				
	July, 2013	154	39	40
	August, 2013	111	30	35
	September, 2013	81	27	36
		346	32	111
NIGHT 1ST RESPONDER				
	July, 2013	45	39	32
	August, 2013	34	33	34
	September, 2013	16	26	21
		95	33	87
ON-CALL CREW				
	July, 2013	78	52	34
	August, 2013	38	66	44
	September, 2013	30	48	43
		146	55	121
Grand Totals:		587	40	35

CAPITAL IMPROVEMENT PROGRAM

STATUS REPORT SUMMARY

November 12, 2013

PROJECT	CONTRACTOR	AWARD DATE	NOTICE TO PROCEED	ESTIMATED COMPLETION DATE	*CONTRACT AMOUNT	*COMPLETION STATUS (WORK)	COMMENTS
BRADLEY BRANCH ROAD PHASE II	Terry Brothers	8/21/2013	10/28/2013	2/25/2014	\$314,860.00	50%	All 10-inch pipe is installed and in operation. Work has begun on the upper 8-inch section.
BROOKCLIFF DRIVE (PRP 59001)	Buckeye Construction	10/16/2013	11/4/2013	2/2/2014	\$336,992.50	10%	Work has begun at approximately the halfway mark of the project in hopes of getting pavement in before the Plants close.
MERRIMON AVENUE @ COLONIAL PLACE	Terry Brothers	8/21/2013	9/3/2013	12/12/2013	\$205,878.00	99%	Contractor is working on punchlist items.
MERRIMON AVENUE @ STRATFORD ROAD	Terry Brothers	9/18/2013	TBD	TBD	\$774,177.00	0%	Project was awarded to Terry Brothers. No work has begun yet.
MOUNT VERNON PLACE PHASE I	Terry Brothers	8/21/2013	9/3/2013	12/12/2013	\$96,347.00	99%	Contractor is working on punchlist items.
OLD US 70 @ GROVEMONT AVENUE	Buckeye Construction	10/16/2013	11/18/2013	5/17/2014	\$729,740.90	0%	Construction on the 12 inch portion expected to begin the week of the 18th.
PIPE RATING CONTRACT #7 (LINING)	Southeast Pipe Survey, Inc.	12/12/2012	1/14/2013	11/20/2013	\$863,111.81	98%	All lining work is complete and tested. One manhole rehab remains on the original project. Manhole rehab is all that remains on the added work on 4th Street and Moore Circle.
SHORT COXE AVENUE AT SOUTHSIDE AVENUE	Cana Construction	7/18/2012	9/4/2012	10/15/2013	\$888,998.01	100%	Project complete and in close out.
WRF - CRAGGY HYDRO FACILITY REPAIRS - CONTROL COMPONENTS UPGRADE	Innovative Solutions of NC	7/12/2012	N/A	1/1/2014	\$100,717.72	80%	This is to upgrade the old control panel at the Hydro Facility. In addition to this, Turbine No. 2 has been repaired and is ready to be re-installed.
WRF - ELECTRICAL IMPROVEMENTS	Haynes Electric	8/15/2012	9/10/2012	12/7/2013	\$1,061,900.00	93%	Final testing/startup is underway.
WRF - FILTER BACKWASH PIPING	Ruby-Collins	7/22/2013	9/9/2013	11/8/2013	\$61,245.00	100%	Project complete and in close out.
WRF - RAW SEWAGE PUMP STATION SUMP PUMP REPLACEMENT	Ruby-Collins	7/22/2013	9/9/2013	11/8/2013	\$54,000.00	100%	Project complete and in close out.
WRF - SLIDE GATE REPLACEMENT	NHM Constructors	9/18/2013	10/7/2013	6/4/2014	\$288,924.00	5%	Equipment shop drawing submittals underway.

*Updated to reflect approved Change Orders and Time Extensions

Planning and Development Projects Status Report
November 20, 2013

Status	Project Name	Project Number	Work Location	Units	LF	Pre-Construction Conference Date	Comments
	N. Bear Creek Road Subdivision	2005137	Asheville	20	127	7/11/2006	Complete - Waiting on final documents
	Willowcreek Village Ph.3	2003110	Asheville	26	597	4/21/2006	Complete - Waiting on final documents
	Rock Hill Road Subdivision	2005153	Asheville	2	277	8/7/2006	Complete - Waiting on final documents
	Black Mtn Annex: Avena Rd.	1999026	Black Mtn.	24	4,300	8/19/2010	Complete - Waiting on final documents
	Black Mtn Annex: McCoy Cove	1992174	Black Mtn.	24	2,067	8/19/2010	Complete - Waiting on final documents
	Black Mtn Annex: Blue Ridge Rd.	1992171	Black Mtn.	24	2,560	8/19/2010	Complete-Waiting on final documents
	Haywood Village	2007172	Asheville	55	749	7/15/2008	New owner developer - will resume soon
	Lodging at Farm (Gottfried)	2008169	Candler	20	45	6/2/2009	Awaiting closeout of private system
	Camp Dorothy Walls - Ph. 1	2007294	Black Mtn.	Comm.	593	6/16/2009	Complete - Waiting on final documents
	Momentum Health Adventure	2008097	Asheville	Comm.	184	8/19/2009	New ownership - project currently inactive
	North Point Baptist Church	2008105	Weaverville	Comm.	723	5/20/2009	Complete - Waiting on final documents
	Lutheridge - Phase I	2009112	Arden	Comm.	330	3/16/2010	Complete-Waiting on final documents
	AVL Technologies	2010018	Woodfin	Comm.	133	5/21/2010	Complete-Waiting on final documents
	UNC-A New Residence Hall	2011047	Asheville	304	404	8/29/2011	Complete-Waiting on final documents
	Cottonwood Townhomes	2009110	Black Mtn.	8	580	10/20/2009	Complete-Waiting on final documents
	Goldmont St	2012087	Black Mtn.	6	91	1/11/2013	Contractor/Engineer payment issue
	Berrington Village Apartments	2008164	Asheville	308	4,690	5/5/2009	Complete-Waiting on final documents
	Thunderland Circle (Sunshine Chev.)	2012095	Buncombe Co.	Comm.	467	8/5/2013	Complete-Waiting on final documents
	Pisgah Manor Skilled Nursing Facility	2012008	Candler	Comm.	131	4/9/2011	Complete-Waiting on final documents
	Bradley Street - Phase II	2013031	Asheville	12	194	2/14/2013	Waiting on revised as-built drawings
	Onteora Oaks Subdivision	2012026	Asheville	28	1,222	1/4/2013	Complete-Waiting on final documents
	Ramble at Parkway	2013100	Biltmore Forest	TBD	335	7/26/2013	Complete-Waiting on final documents
	Eargle Sewer Extension	2011077	Asheville	2	45	9/4/2013	Complete-Waiting on final documents
	Carolina Truck and Body (Cooper)	2012075	Asheville	Comm.	298	10/30/2012	Awaiting COA approval for work in ROW
	Biltmore Lake Block "J"	2013013	Enka	32	3,918	4/16/2013	Complete-Waiting on final documents
	Sardis Road (COA) Annexation	2009037	Asheville		6,981	4/2/2012	Complete-Waiting on revised ROW items
	Waynesville Ave (Pittman)	2013046	Asheville	15	332	5/23/2013	Complete-Waiting on final documents
	Ridgefield Business Park	2004188	Asheville	18	758	2/16/2005	Complete-Waiting on final documents
			Subtotal	928	33,131		

Planning and Development Projects Status Report
November 20, 2013

Status	Project Name	Project Number	Work Location	Units	LF	Pre-Construction Conference Date	Comments
	The Settings (6 Acre Outparcel)	2004192	Black Mountain	21	623	3/15/2006	Ready for final inspection
	Waightstill Mountain PH-8	2006277	Arden	66	3,387	7/26/2007	testing / in foreclosure
	Brookside Road Relocation	2008189	Black Mtn	N/A	346	1/14/2009	Project will not be built per consultant
	Scenic View	2006194	Asheville	48	534	11/15/2006	Ready for final inspection
	Ingles	2007214	Black Mtn.	Comm.	594	3/4/2008	Ready for final inspection
	Bartram's Walk	2007065	Asheville	100	10,077	7/28/2008	Punchlist pending - in bankruptcy
	Morgan Property	2008007	Candler	10	1,721	8/11/2008	Pre-con held, ready for construction
	Village at Bradley Branch - Ph. III	2008076	Asheville	44	783	8/8/2008	New developer, ready for testing
	Canoe Landing	2007137	Woodfin	4	303	5/12/2008	Ready for construction
	Central Valley	2006166	Black Mtn	12	472	8/8/2007	Punchlist pending
	CVS-Acton Circle	2005163	Asheville	4	557	5/3/2006	Ready for final inspection
	Hamburg Mountain Phase 3	2004086	Weaverville	13	844	11/10/2005	Ready for final inspection
	Bostic Place Sewer Relocation	2005102	Asheville	3	88	8/25/2005	Ready for final inspection
	Kyfields	2003100	Weaverville	35	1,118	5/10/2004	Ready for final inspection
	Reems Creek Cottages	2013066	Weaverville	17	483	11/15/2013	Ready for construction
	Camp Dorothy Walls - Ph. 2	2007294	Black Mtn.	Comm.	593	6/16/2009	Pre-con held, ready for construction
	Fisk Dr. (Rehab)	2013080	Arden	Comm.	260	9/4/2013	Installed/fill in progress prior to final
	Ardmion	2011107	Asheville	5	208	4/16/2013	Testing
	Burk Street Cottages	2012115	Asheville	27	631	10/24/2013	Pre-con held, ready for construction
	Thoms Estate 3B & 4	2013052	Asheville	35	4,690	7/26/2013	Installing/Testing (75% Complete)
	Carmel Ridge Apartments	2013018	Leicester	80	1,162	10/11/2013	Under Construction
	Palisades Apartments	2013024	Asheville	224	1,423	9/4/2013	30 day wait period for deflection testing
	Crest Mountain Phase 3B	2013041	Woodfin	69	1,329	10/15/2013	Under Construction
	Asheville Market (Relocation)	2012139	Asheville	Comm.	280	9/18/2013	30 day wait period for deflection testing
	The Aventine	2011015	Biltmore Forest	300	3,238	10/14/2013	Under constr./some air testing complete
	Aldi (Weaverville)	2013048	Weaverville	Comm.	302	5/10/2013	Ready for final inspection
	Gorilla Carwash - Weaverville	2013109	Weaverville	Comm.	236	11/15/2013	Ready for construction
	Central Ave	2012065	Asheville	6	305	9/26/2013	30 day wait period for deflection testing
				Subtotal	2931	101,848	
				Total Units:	3,859		
				Total LF:		134,979	

Right of Way Section 1st Quarter Summary Open Projects

<i>Project</i>	<i>Total ROW Budget</i>	<i>Total Expend to Date</i>	<i>Comment</i>
Broadview Avenue GSR	\$33,814	\$3,025	Acquisition begins 9/1/13.
Broadway Street @ Bordeau Place GSR	\$30,872		Only two parcels; same owner. Project engineer working with owner's civil engineer to tweak alignment.
Campus Drive @ UNCA GSR			Only one parcel across UNCA. No compensation as this is state property. Awaiting Governor's signature.
Dingle Creek Interceptor (formerly Ph II)	\$64,657	\$48,004	Access 100% complete with 74% of Total Budget expended to date. One condemnation filed with judgment pending. Construction moved out from 7/09, to 7/14, to 7/18.
Emory Road GSR	\$10,395	\$750	Project 100% complete with 7% of Total Budget expended and no condemnations. SSD to construct.
Indiana Avenue GSR	\$35,666	\$21,955	Access 94% complete with 62% of Total Budget expended to date.
Kanawha Drive GSR	\$15,066	\$5,745	Project 100% complete with 38% of Total Budget expended and no condemnations.
Lower Smith Mill Creek Rehabilitation	\$350,324	\$315,620	Access 100% complete with 90% of Total Amended Budget expended to date. Ten condemnations filed; two dismissed and seven settled prior to trial. One remaining case. Issues hearing scheduled for 4/29 was cancelled; Billy Clark to reschedule.
Merrimon Avenue @ Clearview Terrace GSR	\$39,799		
Merrimon Avenue @ Stratford Road GSR	\$55,854	\$44,030	Access 100% complete with 79% of Total Budget expended to date. One condemnation filed with judgment pending. Construction moved out from 7/1/11 to 7/1/13.
Old Haywood Road @ Starnes Cove Road	\$24,935	\$6,017	Access 64% complete with 21% of Total Budget expended to date.
Old US 70 @ Pine Circle GSR	\$17,844	\$10,366	Access 80% complete with 58% of Total Budget expended to date. Construction moved up from 7/1/15 to 7/1/14.
Shadowlawn Drive GSR	\$50,935	\$18,591	Access 82% complete with 36% of Total Budget expended to date.
Shiloh Road Rehabilitation	\$13,242		

<i>Project</i>	<i>Total ROW Budget</i>	<i>Total Expends to Date</i>	<i>Comment</i>
Short Coxe @ Southside	\$165,652	\$109,953	Access 100% complete with 66% of Total Budget expended to date. Five condemnations/declaratory judgments filed. Two settled for appraised damages; three judgements pending.
Sunset Drive @ Bee Tree Road GSR	\$17,128	\$3,275	Just started mid-September.
Town Mountain Road 4" Main Rehabilitation	\$14,992	\$5,500	Access 100% complete with 37% of Total Budget expended to date. One condemnation filed with judgment pending. Trial scheduled week of 11/11.
Wendover Road GSR	\$17,656		
West French Broad Interceptor Extension	\$179,993	\$179,993	Access 100% complete with 100% of Total Amended Budget expended to date. One condemnation filed and judgement pending. This is a developer driven, interceptor extension project; i.e. new encumbrances to the land where no sewer existed previously. An independent appraiser determined market values in the \$40,000 to \$65,000 per acre range could be reasonably expected, depending on any number of factors unique to a given parcel. We began negotiations using a mid-range of \$55,000 per acre. We acquired easements from the developer for \$0; and from three other parcels for \$33,000, \$67,500 and \$67,500 per acre. The fifth parcel, owned by the Asheville Firefighters Association, was appraised at \$54,000 per acre; however, the AFA would not agree to grant an easement. A condemnation has been filed and judgment is pending completion of construction.

Condemnation Statistics
July 1, 1991 - June 30, 2013

Project	Easements	Actions	Settled Prior to Trial	Trial	Pending
25 Rosemary Road	1				
32 Coleman Avenue	1				
165 Old County Home Road	5				
320 Old Haw Creek	5				
43 Hamburg Drive	1				
Alta Avenue PRP	1				
Anvil Knitwear	3				
Azalea Avenue PSR	3				
Bankstown Road MSP	10				
Beaverdam Creek Interceptor	38	1	1		
Beaverdam Creek North Fork	36				
Best Western Sewer Rehabilitation	1				
Biltmore Forest Rehabilitation	7				
Biltmore Forest/Ram Branch	20	1		1	
Black Mountain 4"	1				
Black Mountain Chevrolet	2				
Black Mountain Ingles @ I-40 Rehab.	1				
Black Mountain Rehabilitation	30				
Bradley Branch Rehabilitation	10				
Broadway Avenue	6				
Broadway Avenue @ 5 Points	12	4	4		
Brookcliff Drive PRP	6				
Brucemont Circle	3				
Brucemont Place Phase 2	32				

Condemnation Statistics
July 1, 1991 - June 30, 2013

Project	Easements	Actions	Settled Prior to Trial	Trial	Pending
Bull Mountain Road Rehab.	2				
Campground Road AMP	2				
Canterbury Heights	1				
Carson Creek	4				
Chatham Road Rehabilitation	1				
Charland Forest GSR	11				
Clingman Avenue Rehabilitation	11				
Columbia Bible College	1				
Craven Street Access	2				
Crockett Road PRP	3	1	1		
Cub Road	8				
Daniel Road SS Replacement	7				
Delano Road 4" Main	2				
Delaware Avenue	9				
Depot Street @ Nasty Branch	2				
Depot Street Emergency Rehab.	2	1	1		
Dilling Avenue	1				
Dillingham Road 4" Main	1				
Dingle Creek @ Crowfields	3				
Dingle Creek Interceptor, Ph. 2	10	1			1
Druid Drive	4				
Dula MSR	2				
Dunwell Avenue	13				
Earl Capps Hollow	21				

Condemnation Statistics
July 1, 1991 - June 30, 2013

Project	Easements	Actions	Settled Prior to Trial	Trial	Pending
East Euclid Parkway	3				
East Kenilworth Lake	11	5	5		
Eastwood Avenue @ US 70	10				
Elk Mountain Road PSR	3				
Elk Park Drive PRP	14				
Emma Industrial Park	6				
Emma Road Sewer Replacement	2				
Evergreen Avenue	4	1	1		
Fair Oaks Road PRP	7	1	1		
Fair Oaks SD Rehabilitation	5				
Fairfax Avenue	11	3	3		
Fairway Drive	2				
Forest Hill Drive #2 PRP	7	2	2		
Forest Ridge Road	2				
Givens Estate	7				
Gladstone Road 4" Main	7				
Glen Bridge Road PRP	14				
Glen Bridge Road Rehabilitation	11	2	2		
Glenview Road Rehabilitation	9				
Grassy Branch Rehabilitation	37	9	9		
Greeley Street PSR	3				
Grindstaff Road	2				
Grove Park Inn Rehabilitation	1				
Harmony Lane Rehabilitation	3				
Harnett Street	2				

**Condemnation Statistics
July 1, 1991 - June 30, 2013**

Project	Easements	Actions	Settled Prior to Trial	Trial	Pending
Heywood Road Rehabilitation	7	2	2		
Heywood Road Interceptor II	3				
Hickory Court SS Improvements	5				
Hi Alta Avenue	14	2	2		
Hilliard/Coxe Avenue	4				
Holiday Inn/Kinko	2				
Honey Drive	9				
Howland Road Sewer Replacement	1				
Inglewood Road	9	1	1		
Johnston Boulevard	17				
Juvenile Evaluation Center	3				
Kensington Drive Relocation	3				
Kitazuma Road	1				
Lake Julian Interceptor	7	1	1		
Lake Julian Phase 3	1				
Lake Julian Phase 4	2				
Lake Julian Pump Station	3				
Lake Louise Interceptor	34				
Lakey Gap Rehabilitation	2				
Laurel Road Phase 2	8				
Leicester hwy. Road Widening	5				
Lennox Street	8				
Liberty Street	17	2	2		
London Rd. Pilot Basin, 2b	43				
London Road AMP	12	2	2		

Condemnation Statistics
July 1, 1991 - June 30, 2013

Project	Easements	Actions	Settled Prior to Trial	Trial	Pending
London Road Relocation	2				
Long Shoals Road	2				
Long Shoals Road PRP	16	3	3		
Lookout Road Rehabilitation	16	3	3		
Lower Ross Creek Interceptor	29	8	8		
Lower Smith Mill Creek Int.	39	10	9		1
Mardell Circle	3				
Martel Lane @ Penley Avenue	1				
Meadow Lark Road	1				
Merchant Street PRP	5				
Merrimon Avenue @ Ottari	4	1	1		
Merrimon Ave. @ Beaverdam Crk.	7				
Merrimon Ave. @ Reed Creek	41	5	5		
Merrimon Ave. @ Stratford	11	1			1
Merrimon Avenue Rehabilitation	4				
Merrimon Ave./I-240 Ramp	1				
Middle Beaverdam Creek Ph. 1	13				
Middle Beaverdam Creek Ph. 2	3				
Middlebrook AMP	8				
Midland Drive AMP	3				
Monroe Place GSR	2				
Montford Ave. @ US 19/23	4				
Montreat Rehabilitation	33	1	1		
Moore Circle	7				
Morningside Drive	4				

Condemnation Statistics
July 1, 1991 - June 30, 2013

Project	Easements	Actions	Settled Prior to Trial	Trial	Pending
Morris Street @ Talmadge	2				
Mountain Terrace 4" Main	4				
Nasty Branch Interceptor	4				
NCDOT @ Lowes	1				
Nesbitt Drive Rehabilitation	9				
North Fork @ KOA Emergency	2				
North Griffing Blvd. PSR	9				
North Griffing Blvd. 4" Main	4				
North Swannanoa Phase I	62	2	1	1	
North Swannanoa Phase II, 1	50	11	11		
North Swannanoa Phase II, 2	71	6	5	1	
North Swannanoa Phase II, 3	89	12	12		
Northwood Road Rehabilitation	7				
Oaken Hill Place Rehabilitation	5				
Oakland Avenue Rehabilitation	3				
Old Haywood Road MSR	27	2	2		
Old Home @ Weaverville Hwy.	16	1			1
Old Home Road PSR	1				
Patton Mountain PSR	14				
Patton Ave. @ Parkwood Road	7				
Penley Avenue PSR	4				
Pinehurst Road Rehabilitation	6				
Pisgah View Rehabilitation	20	1	1		
Pressley Branch Rehabilitation	5				
Ragsdale Creek Repair Project	1				

Condemnation Statistics
July 1, 1991 - June 30, 2013

Project	Easements	Actions	Settled Prior to Trial	Trial	Pending
Reems Creek @ Balcrank	12				
Reems Creek Interceptor	19	1	1		
Reems Creek Master Plan	10				
Rice Branch Road	2				
Riceville Road Rehabilitation	5				
Riverside Cemetary	1				
Riverside/Westover Rehabilitation	1	1	1		
Riverside/Westover Drive	2	2	2		
Roberts Street Rehabilitation	3				
Rockdale Avenue PRP	10				
Roebing Circle Rehabilitation	1				
Roger's Place Rehabilitation	2				
Rollingwood Road PSR	6				
Russell Avenue Rehabilitation	3				
Ruth Street Rehabilitation	1				
Sevier Street Rehabilitation	14				
Shelburne Road Rehabilitation	20				
Sherwood Heights Rehabilitation	1				
Shiloh Road MSR	14				
Short Coxe @ Southside	8	5	2		3
Skyland Circle 4" Main	4				
Smith Mill Creek AMP	19				
South Asheville Cinema	1				
State Street MSR	2				
Stoner Avenue	15				

**Condemnation Statistics
July 1, 1991 - June 30, 2013**

Project	Easements	Actions	Settled Prior to Trial	Trial	Pending
Sulphur Springs Creek Rehabilitation	24	3	2	1	
Sunset Drive @ Old Toll Road	1				
Swannanoa River Road	19				
Sweeten Creek @ Rock Hill Road	29				
Sweeten Creek Industrial Park	3				
Sweeten Creek MSR	5				
Sweeten Creek/Wilson Creek	63	1		1	
Swindale Street PSR	5	1	1		
Sycamore Terrace PRP	2				
Talmadge Street Rehabilitation	10				
Tomahawk Basin Phase III	31				
Tomahawk Branch	16	1	1		
Town Mountain Road 4" Main	3	1			1
Trinity Chapel Road	4				
Trotter Place to Middlemont AMP	9	1	1		
Upper Ross Creek Rehabilitation	20				
US 70 @ Neil Price Ave. GSR	9				
US 70 @ Neil Price Ave. Phase 2	3				
US 70 @ Parkway GSR	3				
US 74	20	5	5		
VA Hospital	1				
View Street Rehabilitation	3				
Vine Street	2				
Volvo Construction Equipment	1				
Waters Road Rehabilitation	10	1	1		

Condemnation Statistics
July 1, 1991 - June 30, 2013

Project	Easements	Actions	Settled Prior to Trial	Trial	Pending
Weaverville Hwy. @ Hillcrest	4	1	1		
Weaverville Main Street Rehabilitatio	8				
Weaverville Rehabilitation	68	1	1		
Webster Street PSR	1				
West French Broad Interceptor	5	1			1
Wilmington Street MSR	9				
Willowbrook Road	1				
Winding Road PSR	3				
Woodland Road MSR	4				
Total	2018	135	121	5	9

Closings by Agent

From 7/1/2012 to 6/30/2013

Acquistion Agent Martin/McGill

StatusDate	StatusComment	ProjectName	LastName
7/17/2012	Closed.	Mt. Vernon Place GSR	Mason
7/24/2012	Closed.	Mt. Vernon Place GSR	Sullivan
7/30/2012	Closed	Givens Estate Sanitary Sewer Rehabilitation	Ricker
8/8/2012	Closed.	Mt. Vernon Place GSR	Bohan
8/21/2012	Closed	Liberty Street Sewer Rehabilitation	City of Asheville
10/29/2012	Closed.	Mt. Vernon Place GSR	Pennell et. al.
10/30/2012	Closed.	Mt. Vernon Place GSR	Nery
11/2/2012	Closed.	Mt. Vernon Place GSR	Ashley
11/27/2012	Closed.	Mt. Vernon Place GSR	DePaolo
12/3/2012	Closed. Condemnation-Consent Judgment.	Long Shoals Road PRP	HomeTrust Bank FSB, fka Clyde Savings Bank
12/6/2012	Closed.	Mt. Vernon Place GSR	Casson
4/12/2013	Closed	Shadowlawn Drive GSR	Clements
4/16/2013	Closed	Shadowlawn Drive GSR	Smith
4/22/2013	Closed.	Shadowlawn Drive GSR	Lance
4/23/2013	Closed.	Shadowlawn Drive GSR	Gate Enterprises LLC
5/1/2013	Closed.	Shadowlawn Drive GSR	Dagnan
5/1/2013	Closed.	Shadowlawn Drive GSR	Fender LE
5/3/2013	Closed.	Shadowlawn Drive GSR	Pittillo
5/6/2013	Closed.	Shadowlawn Drive GSR	Gibson
5/23/2013	Closed	Shadowlawn Drive GSR	Moore
6/12/2013	Closed.	Shadowlawn Drive GSR	Springston
6/14/2013	Closed.	Shadowlawn Drive GSR	WASARE-I, LLC
6/25/2013	Closed.	Shadowlawn Drive GSR	Rollins
6/27/2013	Closed.	Shadowlawn Drive GSR	Sexton

Total Closings by Agent:

24

Acquistion Agent MSD

StatusDate	StatusComment	ProjectName	LastName
7/2/2012	Closed	Linamar Property-Buncombe County Easement (Volv	County of Buncombe

7/16/2012	Closed	Old US 70 @ Grovemont Avenue	Orellana
7/23/2012	Closed	Old US 70 @ Grovemont Avenue	Nielsen
7/26/2012	Closed	Old US 70 @ Grovemont Avenue	Arrington
7/26/2012	Closed. Church aware MSD will need an access easement in future.	West French Broad Interceptor Extension	Biltmore Baptist Church
7/27/2012	Closed	Old US 70 @ Grovemont Avenue	Tavener
7/27/2012	Closed	Old US 70 @ Grovemont Avenue	Allen
7/31/2012	Closed	Old US 70 @ Grovemont Avenue	Worley
8/3/2012	Closed	Old US 70 @ Grovemont Avenue	Richardson
8/7/2012	Closed. Condemnation - Consent Judgement.	Forest Hill Drive #2 PRP	Tinnaro
8/17/2012	Closed	West French Broad Interceptor Extension	Corn, Trustee
8/20/2012	Closed	Old US 70 @ Grovemont Avenue	Alexander
8/22/2012	Closed	Central Avenue GSR	RR Wilson Properties Inc.
8/22/2012	Closed	Old US 70 @ Grovemont Avenue	Harvey
8/28/2012	Closed	14 Daniel Road Sanitary Sewer Replacement	Wright
8/28/2012	Closed	MMA Medical Facility - Leicester Hwy.	Stines
8/29/2012	Closed	Old US 70 @ Grovemont Avenue	Covert
9/4/2012	Closed	14 Daniel Road Sanitary Sewer Replacement	Brooks
9/5/2012	Closed	MMA Medical Facility - Leicester Hwy.	Mountain 1st Bank & Trust Company
9/13/2012	Closed	14 Daniel Road Sanitary Sewer Replacement	Peek
9/17/2012	Closed	14 Daniel Road Sanitary Sewer Replacement	Sutton
9/18/2012	Closed. One check for both #6118 and #5384.	Rash Road Sewer Rehabilitation	Coffey
9/18/2012	Closed. One check for both #6118 and #5384.	Rash Road Sewer Rehabilitation	Coffey
9/19/2012	Closed. Service Line Agreement.	Macon Ave @ Sunset Parkway GSR	Unitarian Universalist Church of Asheville
9/19/2012	Closed	AB Tech Safety Training Facility-Bunc. Co. Emerg.	County of Buncombe
9/19/2012	Closed. Service Line Agreement	Macon Ave @ Sunset Parkway GSR	Unitarian Universalist Church of Asheville Inc.
9/24/2012	Closed. Condemnation - Consent Judgment.	Forest Hill Drive #2 PRP	Ankeney
9/24/2012	Closed	Old US 70 @ Grovemont Avenue	County of Buncombe
9/24/2012	Closed	Old US 70 @ Grovemont Avenue	County of Buncombe
9/24/2012	Closed	Old US 70 @ Grovemont Avenue	PMS Buncombe LLC
9/28/2012	Closed	14 Daniel Road Sanitary Sewer Replacement	Fayssoux
9/28/2012	Closed	Old US 70 @ Grovemont Avenue	Rollins
10/1/2012	Closed.	Macon Ave @ Sunset Parkway GSR	Metcalf, et. al.
10/4/2012	Closed.	14 Daniel Road Sanitary Sewer Replacement	Holly
10/8/2012	Closed.	West French Broad Interceptor Extension	Allison
10/9/2012	Closed	Old US 70 @ Grovemont Avenue	Stroud
10/17/2012	Closed	Mosswood Mobile Home Park PSR	Winkler
10/18/2012	Closed	Old US 70 @ Grovemont Avenue	O'Conner
10/24/2012	Closed	Central Avenue GSR	West

11/5/2012	Closed	Mosswood Mobile Home Park PSR	Hunnicut
11/5/2012	Closed	Mosswood Mobile Home Park PSR	Lunsford
11/6/2012	Closed.	Mosswood Mobile Home Park PSR	Ramsey
11/15/2012	Closed.	Rash Road Sewer Rehabilitation	Holland, Jr.
11/30/2012	Closed.	Macon Ave @ Sunset Parkway GSR	Scott
11/30/2012	Closed.	West French Broad Interceptor Extension	Biltmore Farms Inc.
12/14/2012	Closed	Old US 70 @ Grovemont Avenue	Clegg
12/17/2012	Closed	Old US 70 @ Pine Circle GSR	Cope
12/31/2012	Closed	Horizon Hill Road GSR	Toth et. al.
1/22/2013	Closed	Horizon Hill Road GSR	Hollars
1/24/2013	Closed	Old US 70 @ Pine Circle GSR	The JR Clarkson Company
1/31/2013	Closed. Service line agreement.	Old US 70 @ Pine Circle GSR	Presley
2/8/2013	Closed.	Old US 70 @ Grovemont Avenue	Curtis
2/19/2013	Closed. One check for 7744, 2317 & 3840.	Old US 70 @ Grovemont Avenue	Jones & Sons LLC
2/19/2013	Closed. One check for 7744, 2317 & 3840.	Old US 70 @ Grovemont Avenue	Jones & Sons LLC
2/27/2013	Closed. First Modification Agreement.	Bradley Branch Road GSR	Farnam
2/27/2013	Closed. First Modification Agreement.	Bradley Branch Road GSR	Bradley Branch LLC
2/27/2013	Closed. First Modification Agreement.	Bradley Branch Road GSR	Bradley Branch LLC
2/27/2013	Closed. First Modification Agreement.	Bradley Branch Road GSR	Bradley Branch LLC
2/28/2013	Closed.	Harrison Hill PSR	Withers
3/11/2013	Closed	Indiana Avenue GSR	Miller
3/12/2013	Closed	Indiana Avenue GSR	Burton
3/14/2013	Closed	Roberts Street @ Haywood Road Rehab.	Dotsikas
4/1/2013	Closed	Indiana Avenue GSR	Sprinkle
4/2/2013	Closed	Indiana Avenue GSR	Gillis
4/10/2013	Closed	Old US 70 @ Pine Circle GSR	Riverside Business Park LLC
4/15/2013	Closed	Indiana Avenue GSR	Efrid
4/29/2013	Closed	Indiana Avenue GSR	Lunsford
5/1/2013	Closed. Second Modification Agreement.	Bradley Branch Road GSR	Farnam
5/1/2013	Closed. Second Modification Agreement.	Bradley Branch Road GSR	Bradley Branch LLC
5/1/2013	Closed. Second Modification Agreement.	Bradley Branch Road GSR	Bradley Branch LLC
5/1/2013	Closed. Second Modification Agreement.	Bradley Branch Road GSR	Bradley Branch LLC
5/17/2013	Closed	Kanawha Drive GSR	Loehr
5/17/2013	Closed.	Kanawha Drive GSR	Shaikewitz
5/21/2013	Closed.	Indiana Avenue GSR	Braun
5/22/2013	Closed.	Kanawha Drive GSR	Lampley
5/23/2013	Closed.	Kanawha Drive GSR	Averett
5/28/2013	Closed.	Indiana Avenue GSR	Price Jr.

6/8/2013

Closed.

Rash Road Sewer Rehabilitation

Chase

Total Closings by Agent: 78
Grand Total Closings: 102