

**BOARD OF THE METROPOLITAN SEWERAGE DISTRICT**  
**June 10, 2020**

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

The regular monthly meeting of the Metropolitan Sewerage District Board was held on Wednesday, June 10, 2020 at 2 PM. Due to the Covid-19 virus, Board Members and some staff attended the meeting remotely, using the "Go To Meeting" software application. Attendance was available via web access or telephone. Members of the public were able to access the meeting as well. Chairman VeHaun presided with the following members present via internet or telephone access: Bryson, Kelly, Manheimer, Pennington, Pressley, Valois, Watts, Whitesides and Wisler. Ashley and Pelly were absent.

Others present via internet or telephone access were William Clarke, General Counsel; Marcus Jones with Cane Creek Water & Sewer District; Tom Hartye, Ed Bradford, Scott Powell, Matthew Walter, Julie Willingham and Pam Nolan, MSD.

**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 May 20, 2020 Board Meeting:**

Mr. VeHaun asked if there were any changes to the Minutes of the May 20, 2020 Board Meeting. Mr. Watts moved for approval of the minutes as presented. Mr. Kelly seconded the motion. Voice vote in favor of the motion was unanimous.

**4. Discussion and Adjustment of Agenda: None.**

**5. Introduction of Guests: Mr. VeHaun welcomed Marcus Jones.**

**6. Informal Discussion and Public Comment: There was no public comment.**

**7. Report of General Manager:**

Mr. Hartye reported that the MSD and Cane Creek Consolidation will officially begin July 1, 2020. The Consolidation Agreement and a proposed rental agreement for an office in the Henderson County Permitting building for an MSD employee are on this meeting's agenda.

Mr. Hartye reported that the Final Budget and Public Hearing will be held at this Board Meeting. There are no changes to the Preliminary Budget that was brought to the May Board Meeting.

Mr. Hartye reported that the next regular Board Meeting will be held on July 15, 2020 at 2 pm. The next Right of Way Committee meeting will be held on July 22, 2020 at 9 am.

**8. Consolidated Motion Agenda:**

**a. Consideration of Lease Agreement – MSD Office Space in Henderson County Permitting Building:**

Mr. Hartye reported that attached is a Lease Agreement. This office will be located in the one-stop permitting building at 100 North King Street. Customers will be able to make payments and process applications at this location. This office will be open part-time, each morning from Monday through Friday. The office space is approximately 90 square feet and will cost \$900 per year. Mr. Hartye stated that he and Staff believe this is a good value. Staff recommends approval of the Lease Agreement with Henderson County.

**b. Consideration of Developer Constructed Sewer Systems: Central Avenue Sewer Extension, Sweet Birch Lane Phases 1 & 2; White Oak Circle Phase 1:**

Mr. Hartye reported that the Central Avenue project is located in the Town of Weaverville and consisted of extending approximately 270 linear feet of 8-inch public gravity sewer to serve the 7 residential units for this project.

Mr. Hartye reported that the Sweet Birch Lane Phases 1 & 2 project is located in the Town of Black Mountain and included extending approximately 772 linear feet of 8-inch public gravity sewer to serve 60 townhouses.

Mr. Hartye reported that the White Oak Circle Phase 1 project is located in the Town of Black Mountain and included extending approximately 226 linear feet of 8-inch public gravity sewer to serve the 2 residential units for this phase.

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

**c. Consideration of Bids – Calcium Nitrate Solution for Odor & Hydrogen Sulfide Control Contract FY 21:**

Mr. Hartye reported that MSD has been using a calcium nitrate solution for the last few years to control hydrogen sulfide formation in the South French Broad Interceptor. It is effective in combating the formation of hydrogen sulfide and preventing the degradation of the pipes themselves. A virtual bid opening was held on May 18, 2020. Aulick was the lowest bidder at 2.18/gallon and agrees to hold their price firm for the total year irrespective of market changes. MSD Staff has checked references and feels comfortable with both the quality of the chemicals and the customer service that will be supplied by Aulick. Staff recommends that the Board award the contract for the supply of calcium nitrate solution to Aulick at a unit price of \$2.18/gallon.

**d. Report on MSD Paving Agreement with City of Asheville:**

Mr. Hartye reported that this is an annual agreement with the City of Asheville and is for small road patches of 300 SF or less within City Limits. For FY 20-21, the District's contribution for this agreement is \$374,220.91. This amount is based on usage throughout the past three years with a yearly patching area of about 14,000 SF. The System Services construction budget for FY 20-21 includes appropriate funding for this item.

**e. Cash Commitment Investment Report – Month ended April 2020:**

Mr. Powell reported that Page 24 presents the makeup of the District's Investment Portfolio. The only change was to divest from AAA NC VRDN and reinvest in the NCCMT Government Portfolio. Page 25 presents the MSD Investment Manager's report as of the month of April. The weighted average maturity of the investment portfolio is 47 days and the yield to maturity is .87%. Page 26 presents the analysis of the District's cash receipts. Monthly and YTD Domestic and Industrial Revenue are considered reasonable based on timing of cash receipts in their respective fiscal periods. YTD Facility and Tap Fees are at historical trends. Page 27 presents the analysis of the District's Expenditures. Monthly and YTD O&M expenditures are considered reasonable based on historical trends. Due to the nature of the variable rate bond market, Monthly and YTD expenditures can vary from year to year. Based on current variable interest rates, 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. Page 28 presents the MSD Variable Debt Service Report. The 2008A Series refunding bonds are performing at budgeted expectations. As of the end of May, the issue has saved the District rate payers \$6.3 million in debt service since April 2008.

With no further discussion, Mr. VeHaun called for a motion to approve the Consolidated Motion Agenda. Mr. Kelly moved, Ms. Bryson seconded the motion. Roll call vote was as follows: 10 ayes; 0 Nays.

**9. Consideration of Consolidation Agreement between MSD and Cane Creek Water and Sewer District:**

Mr. Hartye reported that the process as prescribed by MSD's enabling legislation and as amended by House Bill 758 has been successfully completed. The EMC approved the Consolidation at their May 7, 2020 meeting. Attached is a Consolidation Agreement drafted by Billy Clarke with input from both MSD and Henderson County staff for consideration by this Board and the Henderson County Commissioners at their June 17, 2020 Meeting. MSD staff has been gearing up over the last 9 months to facilitate the incorporation of the CCWSD system operation into our work plans. This includes Operation and Maintenance, Capital Construction, Planning and Development and Billing. While no agreement can cover everything, we believe that this agreement covers the critical elements to guide a smooth transition. Staff recommends that the MSD Board approve the attached Consolidation Agreement between MSD and CCWSD. Mr. Hartye asked Mr. Clarke if he would like to add anything. Mr. Clarke added that they have worked a lot with Marcus Jones and Russ Burrell and thanked them for all of their help. He further stated that he felt like this was a good agreement. With no further discussion, Mr. VeHaun called for a motion to approve the Consolidation Agreement between MSD and Cane Creek Water and Sewer District. Mr. Watts moved, Mr. Pressley seconded the motion. Roll call vote was as follows: 10 ayes; 0 Nays.

**10. Public Hearing: Consideration of Resolution Adopting Final Budget for FY 20-21 and Schedule of Sewer Rates and Fees:**

Mr. Powell reported that the numbers included in the Proposed Preliminary Budget are the same as in the Proposed Final Budget. The Proposed Final Budget for FY20-21 is \$56,600,826.00 and incorporates the following:

- No Fee Increases
- No change in Sewer System Development Fees and Sewer Connection Fees in accordance with Staff's recommendation
- .5% rate of return on investments
- 0% increase in Salaries
- 6.5% increase in funding for the self-insurance plan which has an impact of \$151,000.00
- 13.4% increase in the State required funding for the NC Retirement Plan which has an impact of \$109,000.00
- 5.6% increase in Materials supplies and service to address specific regulatory and operational needs which has an impact of \$378,000.00.

Mr. Powell reported that the final item included is the Budget Resolution and Schedule of Rates and Fees. He then asked if there were any questions. There were none.

Mr. VeHaun called for public comment on the proposed Budget, Resolution and Schedule of Rates and Fees for FY 20-21. There were none.

With no discussion, Mr. VeHaun called for a motion to approve the Resolution adopting the Final Budget for FY 2020-2021 and Schedule of Sewer Rates and Fees. Ms. Wisler moved. Mr. Whitesides seconded the motion. Roll call vote was as follows: 10 Ayes; 0 Nays.

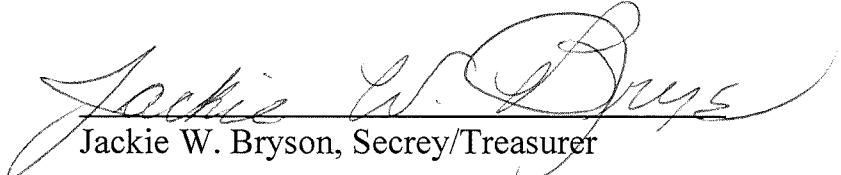
**11. Old Business:** None.

**12. New Business:**

Mr. Hartye reported that due to this meeting being held virtually and now that the Board has voted on the Budget, MSD will receive public comments for 24 hours. If there are any comments, those will be shared with this Board.

**13. Adjournment:**

With no further business, Mr. VeHaun called for adjournment at 2:25 pm.

  
Jackie W. Bryson, Secrey/Treasurer

# MSD

## Regular Board Meeting

Metropolitan Sewerage District  
of Buncombe County, NC

### AGENDA FOR 6/10/2020

✓	Agenda Item	Presenter	Time	
	Call to Order and Roll Call	VeHaun	2:00	
	01. Inquiry as to Conflict of Interest	VeHaun	2:05	
	02. <a href="#">Approval of Minutes of the May 20, 2020 Board Meeting</a>	VeHaun	2:10	
	03. Discussion and Adjustment of Agenda	VeHaun	2:15	
	04. Introduction of Guests	VeHaun	2:20	
	05. Informal Discussion and Public Comment	VeHaun	2:25	
	06. <a href="#">Report of General Manager</a>	Hartye	2:30	
	07. Consolidated Motion Agenda	Hartye	2:45	
	a. Consideration of Lease Agreement: <a href="#">MSD Office Space in Henderson County Permitting Building</a>	Hartye		
	b. Consideration of Developer Constructed Sewer Systems: <a href="#">Central Avenue Sewer Extension; Sweet Birch Lane Phases 1 &amp; 2; White Oak Circle Phase</a>	Hartye		
	c. Consideration of Bids – <a href="#">Calcium Nitrate Solution for Odor &amp; Hydrogen Sulfide Control Contract FY21</a>	Hartye		
	d. <a href="#">Report on MSD Paving Agreement with City of Asheville</a>	Hartye		
	e. <a href="#">Cash Commitment/Investment Report-Month ended April, 2020</a>	Powell		
	08. <a href="#">Consideration of Consolidation Agreement between MSD and Cane Creek Water &amp; Sewer District</a>	Hartye	3:00	
	09. Public Hearing: <a href="#">Consideration of Resolution Adopting Final Budget for FY 20-21 and Schedule of Sewer Rates and Fees</a>	Powell	3:15	
	10. Old Business:	VeHaun	3:20	
	11. New Business:	VeHaun	3:25	
	12. Adjournment: (Next Meeting 07/22/20)	VeHaun	3:30	
	<a href="#">STATUS REPORTS</a>			

**BOARD OF THE METROPOLITAN SEWERAGE DISTRICT**  
**May 20, 2020**

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

The regular monthly meeting of the Metropolitan Sewerage District Board was held on Wednesday, May 20, 2020 at 2 PM. Due to the Covid-19 virus, Board Members and some staff attended the meeting remotely, using the “Go To Meeting” software application. Attendance was available via web access or telephone. Members of the public were able to access the meeting as well. Chairman Vebaun presided with the following members present via internet or telephone access: Ashley, Bryson, Kelly, Manheimer, Pennington, Pressley, Valois, Watts, Whitesides and Wisler. Pelly was absent.

Others present via internet or telephone access were William Clarke, General Counsel; Tom Hartye, Ed Bradford, Scott Powell, Roger Edwards, Mike Stamey, Angel Banks and Pam Nolan, MSD.

**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 April 15, 2020 Board Meeting:**

Mr. VeHaun asked if there were any changes to the Minutes of the April 15, 2020 Board Meeting. Mr. Pressley moved for approval of the minutes as presented. Mr. Kelly seconded the motion. Voice vote in favor of the motion was unanimous.

**4. Discussion and Adjustment of Agenda: None.**

**5. Introduction of Guests: None.**

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

There was no public comment.

**7. Report of General Manager:**

Mr. Hartye reported that, regarding Operational Adjustments during COVID-19, MSD is back to full force with rotations and several adjustments to work flow in order to keep folks safe. The Administration building is not yet open to the public. The plan is to do so when the State Order reaches Phase 3.

Mr. Hartye reported that The NC Environmental Management Commission (EMC) approved the Cane Creek Consolidation at it's May 7, 2020 full Board Meeting. He reported that they were very complimentary and excited. This is one of the few regionalization requests that they get. Staff and Counsel are currently working on a consolidation agreement with Henderson County to bring before this Board at the June 10<sup>th</sup> regular Board Meeting.

Mr. Hartye reported that Jim Parker at 387 Pearson Drive called in to express his appreciation to Wayne Rice for his assistance.

Mr. Hartye reported that attached is a letter regarding the NC Retirement Plan required as a part of legislation enacted in 2015. This lists MSD personnel who have recently been promoted and are already vested in the NC Retirement Plan. This letter lets MSD know that if this employee were to retire today, MSD may owe some retirement monies to the system. The employee listed is not planning to retire for at least 4 years.

Mr. Hartye reported that the May Right of Way Committee Meeting has been cancelled. The next regular Right of Way Committee meeting will be held on June 24, 2020 at 9 am. The next regular Board Meeting will be held on June 10, 2020 at 2 pm, which is a week early due to budget requirements.

**8. Report of Committees:**

**a. Right of Way Committee – April 22, 2020**

Mr. Kelly reported that the Right of Way Committee met on April 22, 2020 and made routine recommendations which are included in this Board package.

**b. CIP Committee – April 23, 2020**

Mr. Watts reported that the CIP Committee met on April 23, 2020 and had a very good meeting. He expressed his appreciation to Mr. Bradford for the presentation. The CIP Committee recommends approval of Staff's recommendation of Endorsement of the CIP Budget for FY 20-21.

**c. Personnel Committee – April 28, 2020**

Mrs. Bryson reported that the Personnel Committee met on April 28, 2020. She reported that Mrs. Thomas gave statistics on MSD employees including average age and years of service. Mrs. Thomas also presented information of projected health costs for MSD. There were several questions, which Mrs. Thomas answered. She then presented Staff's recommendation of a 0% wage adjustment at this time and a 6.5% increase for the Self-Insured Medical Plan. Personnel Committee recommends approval of Staff's recommendation.

**d. Finance Committee – May 1, 2020**

Mr. Kelly reported that the Finance Committee met on May 1, 2020 and recommends acceptance of Staff's recommendation to approve the FY20-21 Budget in the amount of \$56.6 Million and for the Schedule of Sewer Rates and Fees for FY20-21 to remain as they currently exist.

**9. Consolidated Motion Agenda:**

**a. Consideration of Condemnation – Chestnut Lodge Road GSR, Hall:**

Mr. Hartye reported that MSD's Project Engineer accommodated owner's request with alignment revisions. Mr. Hall agreed with these revisions but the sticking point at this time is compensation. Mr. Clarke has contacted owner's

attorney, Ron Sneed, requesting the land sales used as basis for their counteroffer. There have been 12 contacts. Staff and Committee recommend authority to obtain appraisal and proceed with condemnation if necessary.

**b. Consideration of Condemnation – Chestnut Lodge Road GSR, Fletcher:**

Mr. Hartye reported that owner is elderly and requests that all communication go through her son-in-law who lives in Florida. The son-in-law disputes the boundary shown on the easement plat provided by MSD's surveyor. Neither the son-in-law or the owner have responded to the standard compensation offer and Staff has made seven contacts. Staff and Right of Way Committee recommend authority to obtain appraisal and proceed with condemnation, if necessary.

**c. Consideration of Condemnation – Chestnut Lodge Road GSR, M&M Mountain Properties, Morgan Ortiz:**

Mr. Hartye reported that this proposed alignment was shifted into the asphalt drive to get the sewerline out from underneath the garage and mobile home. Owner has not responded to either the provisions or standard compensation despite numerous phone calls, e-mails and a certified letter. There have been a total of 11 contacts with this owner. Staff and Right of Way Committee recommend authority to obtain appraisal and proceed with condemnation, if necessary.

**d. Consideration of Developer Constructed Sewer System: Fountain Park Phase 1:**

Mr. Hartye reported that the Fountain Park Phase 1 project is located off of Pond Road in Buncombe County and included extending approximately 3,412 linear feet of 8-inch public gravity sewer to serve the 120 residential units for this phase.

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

**e. Extension of the MSD FY20 Non-City of Asheville Road ROW Paving Contract:**

Mr. Hartye reported that for the last 2 years MSD has contracted with French Broad Paving. Due to the COVID pandemic, Staff has decided to extend the current contract to September 1, 2020. This will allow time to prepare for pre-bid conferences, public meetings, etc. which require public contact.

**f. Consideration of Declaration of Intent to Adopt Revised MSD Sewer Use Ordinance:**

Mr. Hartye reported that this Declaration of Intent was brought to the February 2020 Board Meeting. It was then sent out to Member Agencies for comment. There were no specific comments from Member Agencies. There were 2 small changes from the Division of Water Resources which have been incorporated.



Staff recommends adoption of the Sewer Use Ordinance as written with comments accepted from Division of Water Resources.

**g. Cash Commitment Investment Report – Month ended March 2020:**

Mr. Powell reported that Page 84 presents the makeup of the District's Investment Portfolio. Due to a one month freeze in the short-term market, the District invested 26% in AAA municipal VRDN to offset the cash outflow associated with the 2008 interest rate swap. Page 85 presents the MSD Investment Manager's report as of the month of March. The weighted average maturity of the investment portfolio is 46 days and the yield to maturity is 1.71%. Page 86 presents the analysis of the District's cash receipts. Monthly and YTD Domestic and Industrial Revenue are considered reasonable based on timing of cash receipts in their respective fiscal periods. YTD Facility and Tap Fees are above historical trends due to the timing of 7 cash receipts from developers as well as these fees being budgeted conservatively. Page 87 presents the analysis of the District's Expenditures. Monthly and YTD O&M expenditures are considered reasonable based on historical trends. Due to the nature and timing of the variable rate bond market, Monthly and YTD expenditures can vary from year to year. Based on current variable interest rates, 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. Page 88 presents the MSD Variable Debt Service Report. The 2008A Series refunding bonds are performing at budgeted expectations. As of the end of April, the issue has saved the District rate payers \$6.3 million in debt service since April 2008.

**10. Consideration of Proposed Resolution Adopting Preliminary Budget for FY 20-21 and Schedule of Sewer Rates and Fees:**

Mr. Powell reported that Page 21 presents the proposed FY 20-21 budget of \$56,600,826. There is no change to the sewer service fees, industrial service fees, sewer system development fees and sewer connection fees in accordance with Staff's recommendation. There is a projected .5% Rate of Return on investments. There is a 0% increase in Salaries. There is a 6.5% increase in funding for the self-insurance plan which comes to \$151,000. There is a 13.4% increase in the State required funding for the NC Retirement Plan of \$109,000. Also included is a 5.6% increase in materials, supplies and service to address specific regulatory and operational needs which has an impact of \$378,000. Mr. Powell reported that Page 31 of the pdf document contains the detailed summary of items asked to be approved for this fiscal year. There were no questions or comments from the Board.

With no further discussion, Mr. VeHaun called for a motion to adopt Item 9. Consolidated Motion Agenda and Item 10. Consideration of Proposed Resolution Adopting Preliminary Budget for FY 20-21 and Schedule of Sewer Rates and Fees. Ms. Wisler moved. Mr. Pressley seconded the motion. Roll call vote was as follows: 11 Ayes; 0 Nays.

**11. Old Business:       None.**

**12. New Business:**

Mr. Kelly asked who the two members from Henderson County are and when would they be joining the Board. Mr. Hartye reported they do not yet know who is being appointed and theoretically they will start with the July 2020 Board Meeting.

Mr. Pennington reported that he had e-mailed everyone a dashboard that everyone can use to get up to date COVID information for Buncombe County.

**13. Adjournment:**

With no further business, Mr. VeHaun called for adjournment at 2:25 pm.

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Jackie W. Bryson, Secrey/Treasurer



## MEMORANDUM

TO: MSD Board  
FROM: Thomas E. Hartye, P.E., General Manager  
DATE: June 5, 2020  
SUBJECT: Report from the General Manager

- MSD and Cane Creek Consolidation

The consolidation will officially begin July 1, 2020. The proposed Consolidation Agreement is on the agenda for this meeting and will go before the Henderson County Commission on June 17<sup>th</sup>. There is also a proposed rental agreement for an office in the Henderson County Permitting building for an MSD employee on this meeting's agenda as well.

- FY 2020 Budget Process

The Final Budget and a Public Hearing will be held at the Regular Board Meeting on June 10<sup>th</sup>. There have been no changes to the Preliminary Budget that was brought to the Board back in May. Due to the fact that the meeting will be virtual, MSD will receive comments for 24 hours after the Board takes action.

- Board/Committee Meetings/Events

The next Regular Board Meeting will be held on July 15<sup>th</sup> at 2 pm. The next Right of Way Committee meeting will be held on July 22<sup>nd</sup> at 9am.

# Metropolitan Sewerage District of Buncombe County

## BOARD ACTION ITEM

**BOARD MEETING DATE:** June 10, 2020

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

**REVIEWED BY:** Scott Powell - Director of Finance  
Billy Clarke, Esq. - District Counsel

**PREPARED BY:** Ed Bradford, P.E. - Director of Engineering

**SUBJECT:** Consideration of Lease Agreement: MSD Office Space in Henderson County Permitting Building

**BACKGROUND:** The Cane Creek Water and Sewer District (CCWSD) will merge with the Metropolitan Sewerage District of Buncombe County on July 1, 2020. In order to provide effective customer service for residents and businesses in Northern Henderson County, an MSD office space is proposed in downtown Hendersonville.

The office will be located in the one-stop permitting building located at 100 North King Street. Customers will be able to make payments and process applications at this location. The office will be staffed by a current Henderson County employee who has handled administrative tasks for CCWSD for over a decade. It will be open part-time, each morning from Monday through Friday.

The office space is 90 square feet (it is part of a larger area) and the rental rate is \$10 per square foot per year, or \$900 per year. Staff has reviewed the rate and is comfortable that it is a good value.

It is also important to note that customers can also submit applications using MSD's online permitting process. This provides an alternate method to apply for new service (from anywhere).

Please refer to the attached documentation for further details.

**FISCAL IMPACT:** The annual rental rate is \$10 per square foot per year (\$900 per year). Funding has been incorporated into the District's FY20-21 budget.

**STAFF RECOMMENDATION:** Staff recommends approval of the Lease Agreement with Henderson County.

This Interlocal Agreement, pursuant to Article 20 of Chapter 160A, is made by and between the County of Henderson, a body corporate and politic of the State of North Carolina ("the County") and the Metropolitan Sewerage District of Buncombe County, North Carolina, a body corporate and politic of the State of North Carolina ("the District").

*Facts Leading to Agreement:*

- A. The County and the District have discussed leasing a portion of the County's King Street Office Building to the District, so that the District will have a physical presence within the County permitting offices. This presence is desired due to the merger of the Cane Creek Water and Sewer District with the District.
- B. It is the intent of the parties that this presence by the District will:
- (1) Facilitate a single location for the residents within the Henderson County portion of the District to obtain all land development information and permits.
  - (2) Provide a better opportunity for District and County staff to communicate regarding permitting and inspection issues associated with planned and active projects.
  - (3) Provide citizens and staff an opportunity to resolve issues that may arise in the development process in a central location accessible to both District and County residents.

*Statement of Agreement*

The parties agree as follows:

- (1) The County hereby leases to the District office space in the County's office building at 100 North King Street, or such other premises as the parties may later agree (such office space hereafter "the leased premises"), suitable for a satellite location of the Planning and Development Department of the District.
- (2) The leased premises consist of 90 square feet, and is part of a larger area. The larger area space may contain County files and may periodically be a shared space by other County staff.
- (3) The initial term of this lease shall be five (5) years, beginning 1 July 2020. However, unless either party shall give notice of the intention to terminate this provision at least six (6) months prior to the end of the term (that is, not later than 31 December 2024), then the lease shall be extended for another term of five (5) years. The District or the County may terminate this lease without penalty, prior to the end of the initial term or any subsequent term on 60 days written notice to the other party.
- (4) The District will pay to the County as rent the sum of Ten Dollars (\$10.00) per square foot of the leased premises per year, beginning 1 July 2020.

**MSD OF BUNCOMBE COUNTY, N.C.**

By \_\_\_\_\_

**Thomas E. Hartye, P.E.**  
**General Manager**

Date \_\_\_\_\_

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**W. Scott Powell, MSD Director of Finance**

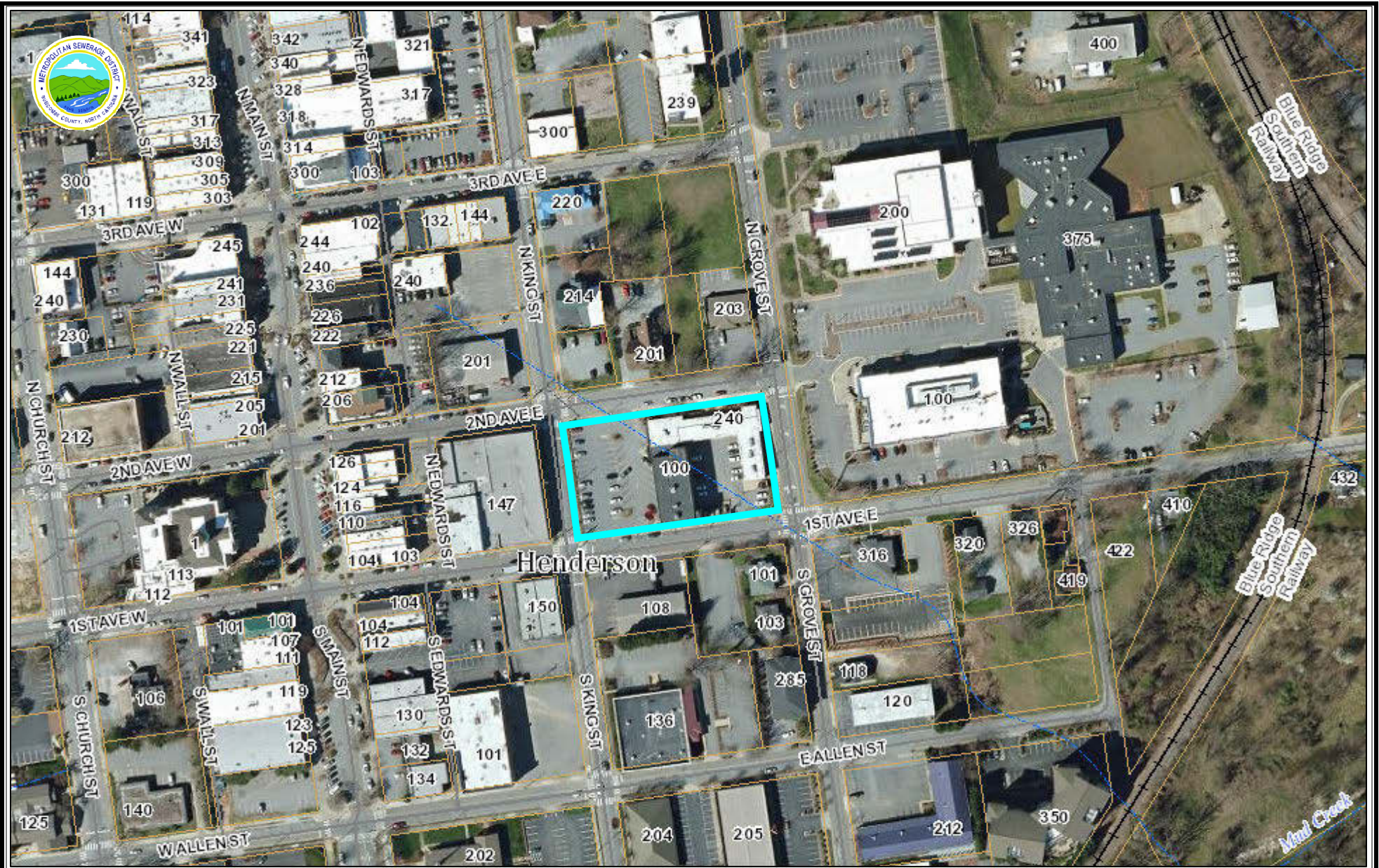
“This instrument has been pre-audited in the manner required  
by the Local Government Budget and Fiscal Control Act”

**HENDERSON COUNTY, N.C.**

By \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_



## 100 N. King St. - Hendersonville

Author: WEB

1 in = 200 ft

Date: 5/28/2020

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:** June 10, 2020

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

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

**PREPARED BY:** Kevin Johnson, P.E. - Planning and Development Manager

**SUBJECT:** Acceptance of Developer Constructed Sewer System for the Central Avenue Sewer Extension, MSD Project No. 2017107

**BACKGROUND:** This project is located inside the District boundary off Central Avenue in the Town of Weaverville. The developer of the project is Alan Sheppard.

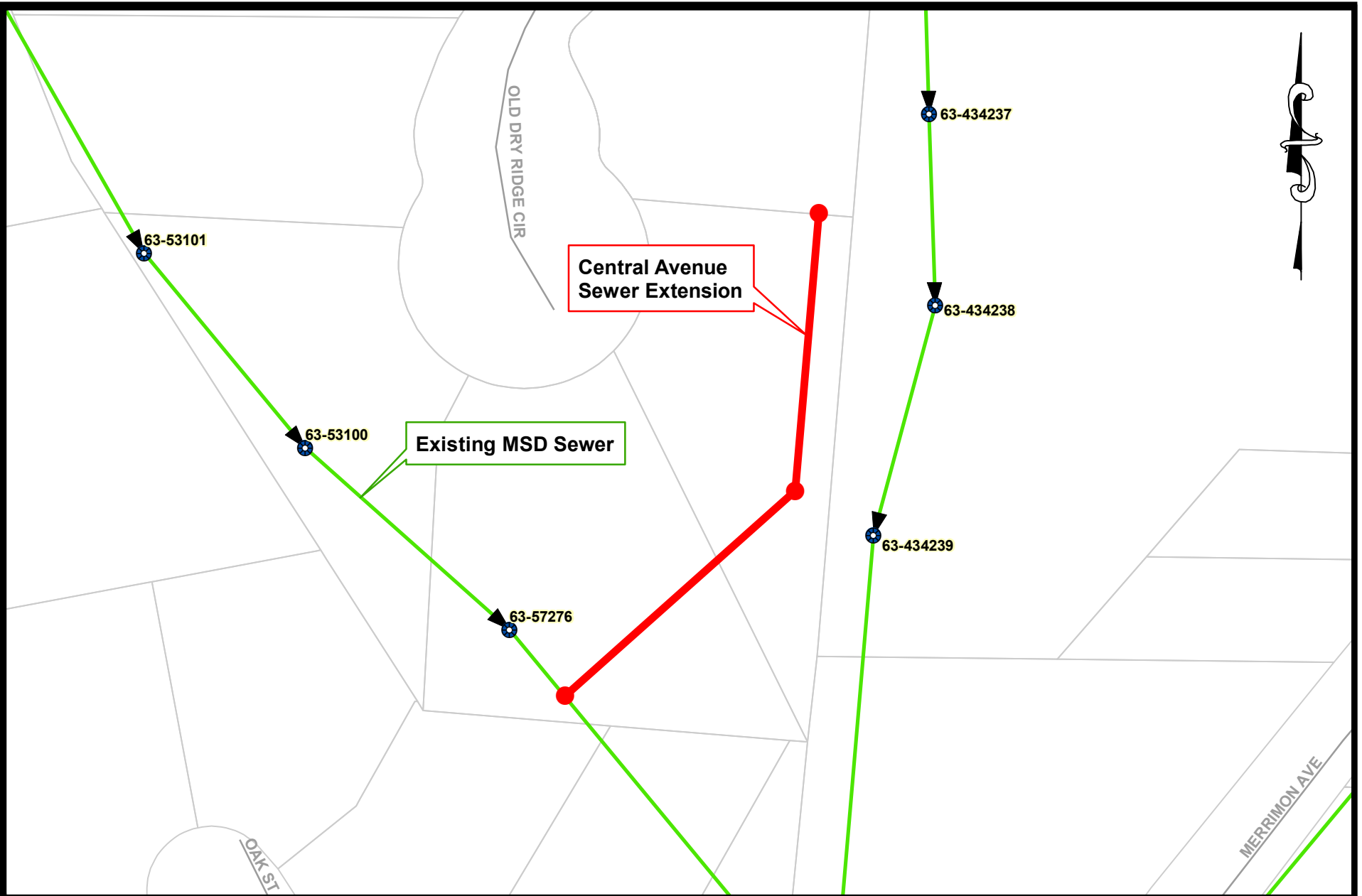
The project included extending approximately 270 linear feet of 8-inch public gravity sewer to serve the single-family residential development.

A wastewater allocation was issued in the amount of 2,100 GPD for the seven (7) residential units for this project. The estimated cost of the sewer construction is \$140,000.00.

All MSD requirements have been met.

**STAFF RECOMMENDATION:** Staff recommends acceptance of this developer constructed sewer system.





**MSD**  
Engineering Division

**Central Avenue Sewer Extension  
MSD Project # 2017107**

Metropolitan Sewerage District of Buncombe County

6/1/2020

# Metropolitan Sewerage District of Buncombe County

## Board Action Item

**BOARD MEETING DATE:** June 10, 2020

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

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

**PREPARED BY:** Kevin Johnson, P.E. - Planning and Development Manager

**SUBJECT:** Acceptance of Developer Constructed Sewer System for the Sweet Birch Lane Phase 1 and 2 Sewer Extension, MSD Project No. 2017111

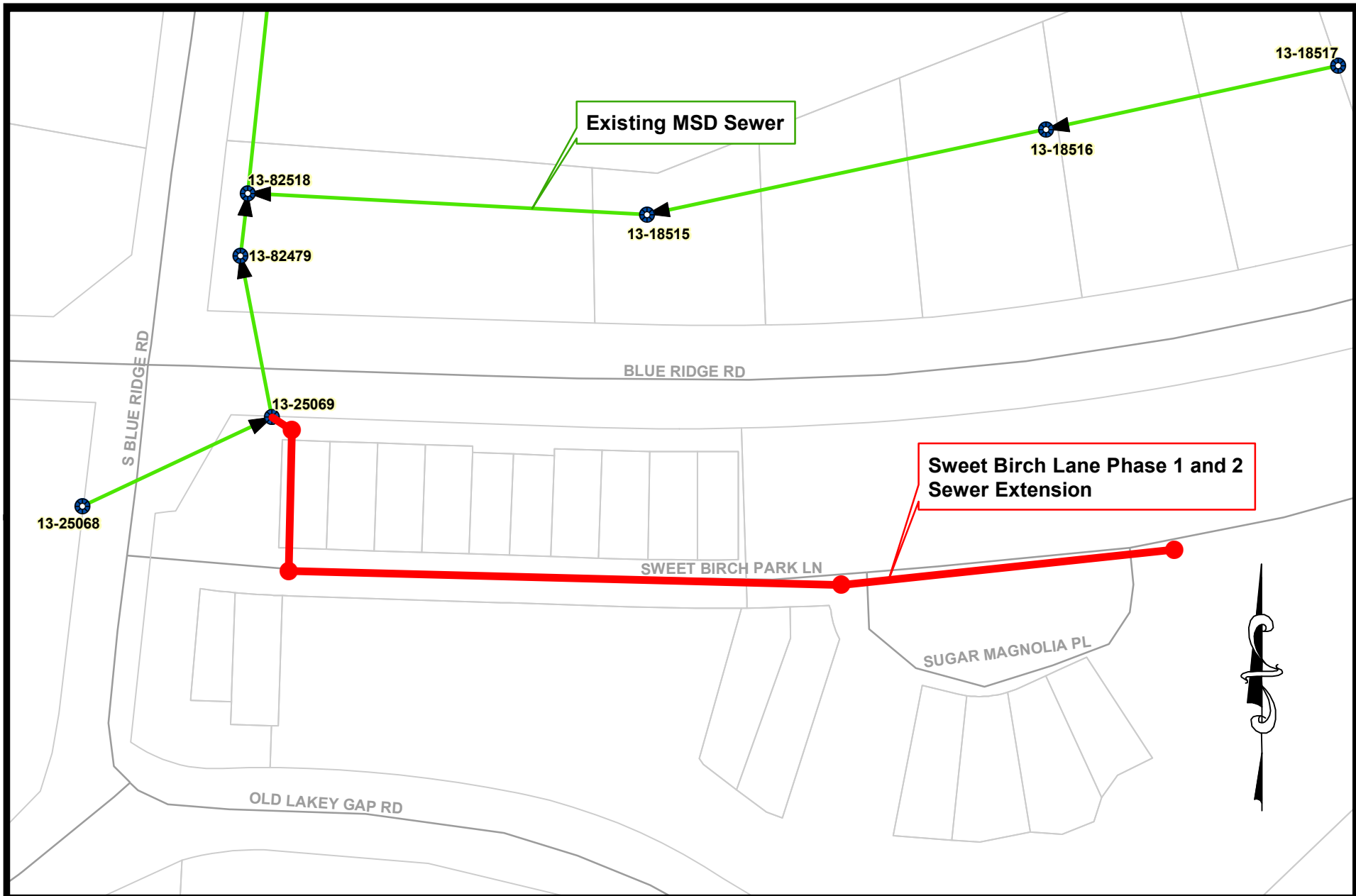
**BACKGROUND:** This project is located inside the District boundary off Blue Ridge Road in the Town of Black Mountain. The developer of the project is Lenny Weaver of Sweet Birch, LLC.

These two phases of the project included extending approximately 772 linear feet of 8-inch public gravity sewer to serve the single-family residential development.

A wastewater allocation was issued in the amount of 18,000 GPD for the sixty (60) townhomes in Phases 1 and 2 of this project. The estimated cost of the sewer construction is \$145,000.00.

All MSD requirements have been met.

**STAFF RECOMMENDATION:** Staff recommends acceptance of this developer constructed sewer system.



**MSD**  
Engineering Division

**Sweet Birch Lane Phase 1 and 2 Sewer Extension  
MSD Project # 2017111**

Metropolitan Sewerage District of Buncombe County

6/1/2020

# Metropolitan Sewerage District of Buncombe County

## Board Action Item

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

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

**PREPARED BY:** Kevin Johnson, P.E. - Planning and Development Manager

**SUBJECT:** Acceptance of Developer Constructed Sewer System for the White Oak Circle Phase 1 Sewer Extension, MSD Project No. 2018197

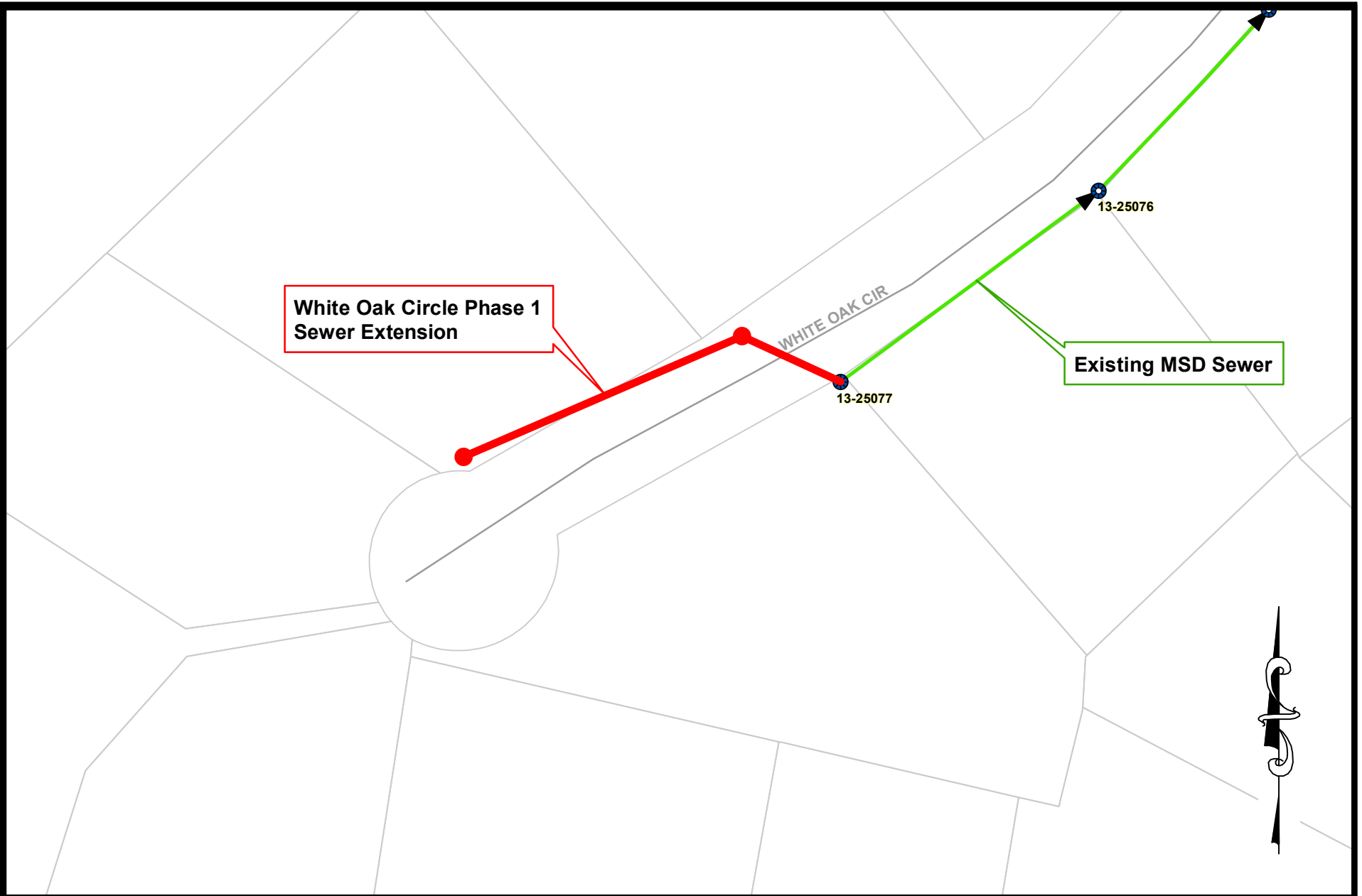
**BACKGROUND:** This project is located inside the District boundary off White Oak Circle in the Town of Black Mountain. The developer of the project is Jack Weaver of Sweet Birch Commons, LLC.

This project included extending approximately 226 linear feet of 8-inch public gravity sewer to serve the single-family residential development.

A wastewater allocation was issued in the amount of 600 GPD for the two residential units for this phase of the project. The estimated cost of the sewer construction is \$29,050.00.

All MSD requirements have been met.

**STAFF RECOMMENDATION:** Staff recommends acceptance of this developer constructed sewer system.



**MSD**  
Engineering Division

**White Oak Circle Phase 1 Sewer Extension  
MSD Project # 2018197**

Metropolitan Sewerage District of Buncombe County

6/1/2020



## Metropolitan Sewerage District of Buncombe County Board Action Item

**Meeting Date:** June 10, 2020

**Subject:** Consideration of Bids – Calcium Nitrate Solution for Odor and Hydrogen Sulfide Control Contract FY21

**Submitted by:** Tom Hartye, General Manager

**Reviewed by:** W. Scott Powell, CLGFO - Finance Director  
Billy Clarke - District Counsel

**Prepared by:** Roger Edwards; Director – WRF Treatment and Maintenance  
Julie Willingham, CLGPO - Purchasing Supervisor  
Chad Ledford – Pretreatment Supervisor

**Background:** MSD has been using a calcium nitrate based solution for the last few years to control hydrogen sulfide formation in the South French Broad Interceptor. Hydrogen sulfide is formed in wastewater after bacteria has used most of the available oxygen. It has a predominate rotten egg odor and is easily broken out of the wastewater. When in the air space in a sewer line, it also converts to sulfuric acid which erodes the inside of sewer pipes. Calcium nitrate has proven to be effective in combating the formation of hydrogen sulfide and preventing the degradation of the collection system. Current contracted cost for calcium nitrate is \$1.99/gallon, with an estimated expenditure for FY20 – based on 70,000 gallons usage – of \$139,300.00.

**Discussion:** Pursuant to North Carolina Purchasing Statutes and MSD Procedures, on April 29, 2020, bids were emailed to vendors and an advertisement was placed on the MSD web site. Three bids were received. With approval of MSD Counsel, a Virtual bid opening - using the medium "GoToMeeting" - was held May 18, 2020. Aulick was the lowest bidder at \$2.18/gallon and agrees to hold their price firm for the total year contract irrespective of market changes. Aulick is a new supplier of calcium nitrate solution to MSD. MSD staff has checked references and feels comfortable with both the quality of the chemicals and the customer service that will be supplied by Aulick.

**Fiscal Impact:** This is a Unit Price Contract, without minimum or maximum quantities. Based on an estimated use of 70,000 gallons at \$2.18/gallon, the annual expenditure for calcium nitrate solution is anticipated to be \$152,600.00 and is within levels budgeted by the WRF.

**Staff Recommendation:** Staff recommends that the Board award the contract for the supply of calcium nitrate solution to Aulick at a unit price of \$2.18/gallon.

**Bid Review:**

Vendor	Price per Gallon	Extended based on 90,000 est. gal	Comments
Southern Environmental Systems, Newberry, SC	\$2.36	\$165,200.00	Price good for one year
Aulick Nicholasville, KY	\$2.18	\$152,600.00	Price good for one year
Evoqua Sarasota, FL	\$2.51	\$175,910.00	Price good for one year

**ROBERTS  
& STEVENS**  
ATTORNEYS AT LAW

MARC RUDOW\*  
WILLIAM CLARKE  
VINCENT D. CHILDRESS, JR.  
GREGORY D. HUTCHINS  
WYATT S. STEVENS  
JACQUELINE D. GRANT  
DAVID L. ENGLISH  
F. LACHICOTTE ("LACH") ZEMP, JR.  
KENNETH R. HUNT  
DENNIS L. MARTIN, JR.  
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JAMES W. K. WILDE  
MARY ROBINSON HERVIG  
\*DRC CERTIFIED MEDIATOR

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L. ASHLEY SAVILLE-AMTOWER  
ELIZABETH TRAMM DECHANT  
SUSAN RUSSO KLEIN  
KATHLEEN POTTER HARGROVE

FOUNDERS  
LONDON ROBERTS  
(1921-2007)  
JOHN S. STEVENS  
(1933-2019)

*Writer's Direct Phone No.: 828/258-6919*  
*Writer's E-mail: [bclarke@roberts-stevens.com](mailto:bclarke@roberts-stevens.com)*

May 20, 2020

Ms. Julie Willingham, CLGPO  
Purchasing Supervisor  
MSD  
2028 Riverside Drive  
Asheville, NC 28804

*Via E-mail: [JWillingham@msdbc.org](mailto:JWillingham@msdbc.org)*

*Re: Calcium Nitrate Solution Bid, Fiscal Year 2020-2021*

Dear Ms. Willingham:

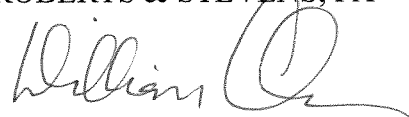
I have received and reviewed the specifications for Odor Control chemicals (Calcium Nitrate) to be purchased by MSD in 2020 and 2021 and the proposals from Evoqua, Aulick and Southern Environmental Systems.

Southern Environmental Systems	2.36 per gallon
Aulick	2.18 per gallon
Evoqua	2.51 per gallon

The proposals are in compliance with the bid specifications. MSD may award the contract for 2020 – 2021 (with an option to extend for another year) to the lowest responsible responsive bidder.

Sincerely,

ROBERTS & STEVENS, PA



William Clarke

BC/sh



# Metropolitan Sewerage District of Buncombe County

## BOARD INFORMATION ITEM

**BOARD MEETING DATE:** 6/10/2020

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

**PREPARED BY:** Mike Stamey, P.E. - Director of System Services Construction

**SUBJECT:** Report on MSD Paving Agreement with City of Asheville  
Project Number 2002101

**BACKGROUND:** This agreement is for asphalt and concrete (patching) restoration of public roads and sidewalks within the Asheville City Limits which have a size of approximately 300 SF or less. This restoration work is the result of District in-house maintenance and rehabilitation activities on the sewer system.

Prior to FY 12, all pavement and sidewalk restoration after MSD work was performed by contractors. This process worked well, with the exception of administrative & permitting issues concerning City of Asheville streets. With these concerns in mind, the City and the District entered an agreement on July 1, 2011 wherein the District would pay the City an annual contribution to a Paving Enterprise Fund and all pavement restoration would be performed by the City's in-house paving crews. This agreement was executed between MSD and the City for both the FY 12 and FY 13 years.

During these two contract years, the City crews provided excellent service relating to asphalt and concrete patching for the subject roadways, especially for the cuts of approximately 300 SF or less. Asphalt restoration for projects larger than 300 SF however was found to be very costly and difficult to complete by City crews in a timely manner due to workload.

As such, MSD and the City worked together in the spring of 2013 to facilitate an annually renewing agreement which provided greater efficiency and economic feasibility for both sides. The details of the agreement include City crews performing asphalt and concrete patching restoration work for MSD within City Right of Ways for areas of approximately 300 SF or less. In areas greater than 300 SF and for asphalt overlays, MSD contracts out the pavement restoration. For this agreement the City provides monthly reports to MSD and MSD makes monthly payments for completed restoration work. Additionally, MSD is not required to pay permit fees.

This annually renewing agreement was approved by the MSD Board at the June 12, 2013 meeting. For FY 20-21, the District's monetary contribution for this agreement is \$374,220.91. This amount is based upon usage throughout the past three years with a yearly patching area of approximately 14,000 SF.

The District must still contract out for paving overlays and patches in the City which exceed approximately 300 SF and for all paving work for the remaining areas outside the Asheville City Limits / Right of Ways.

**FISCAL IMPACT:** The System Services CIP Construction budget for FY 20-21 includes appropriate funding for this item.

**STAFF RECOMMENDATION:** None. Information Only

# Metropolitan Sewerage District of Buncombe County

## BOARD INFORMATIONAL ITEM

**Meeting Date:** June 10, 2020  
**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 April 30, 2020

### Background

Each month, staff presents to the Board an investment report for all monies in bank accounts and specific investment instruments. The total investments as of April 30, 2020 were \$77,276,749. The detailed listing of accounts is available upon request. The average rate of return for all investments is 1.901%. These investments comply with North Carolina General Statutes, Board written investment policies, and the District's Bond Order.

The attached investment report represents cash and cash equivalents as of April 30, 2020 do not reflect contractual commitments or encumbrances against said funds. Shown below are the total investments as of April 30, 2020 reduced by contractual commitments, bond funds, and District reserve funds. The balance available for future capital outlay is \$46,640,376.

Total Cash & Investments as of 04/30/2020		77,276,749
Less:		
Budgeted Commitments (Required to pay remaining FY20 expenditures from unrestricted cash)		
Construction Funds	(11,520,408)	
Operations & Maintenance Fund	<u>(4,599,165)</u>	
		(16,119,573)
Bond Restricted Funds		
Bond Service (Funds held by trustee):		
Funds in Principal & Interest Accounts	(44,017)	
FY20 Principal & Interest Due	<u>(7,488,279)</u>	
		(7,532,296)
District Reserve Funds		
Fleet Replacement	(1,012,505)	
Pump Replacement	(212,514)	
WWTP Replacement	(260,622)	
Maintenance Reserve	<u>(1,003,549)</u>	
		(2,489,190)
District Insurance Funds		
General Liability	(399,273)	
Worker's Compensation	(381,963)	
Post-Retirement Benefit	(2,011,965)	
Self-Funded Employee Medical	<u>(1,702,113)</u>	
		<u>(4,495,314)</u>
Designated for Capital Outlay		<u>46,640,376</u>

Meeting Date: June 10, 2020

Subject: Cash Commitment/Investment Report-Month Ended April 30, 2020

Page 2

### 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**  
*Investment Managers' Report*  
 At April 30, 2020

**Summary of Asset Transactions**

	Original Cost	Market	Interest Receivable
Beginning Balance	\$ 70,781,944	\$ 70,818,604	\$ 143,478
Capital Contributed (Withdrawn)	1,318,897	1,318,897	-
Realized Income	104,219	104,219	(95,498)
Unrealized/Accrued Income	-	50,249	7,523
Ending Balance	<u>\$ 72,205,060</u>	<u>\$ 72,291,969</u>	<u>\$ 55,503</u>

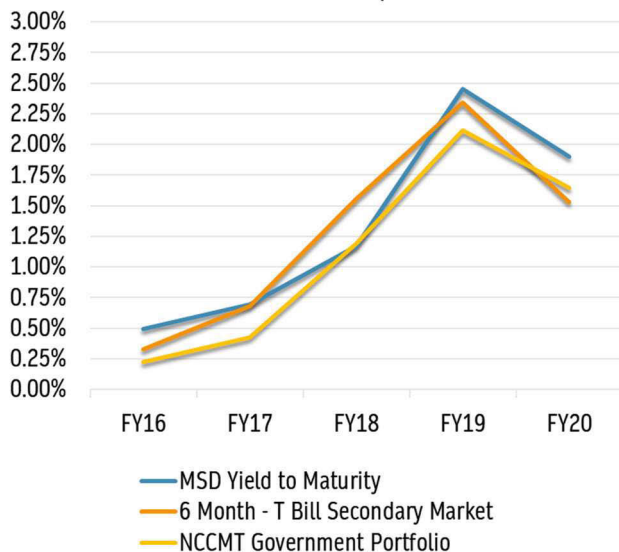
**Value and Income by Maturity**

	Original Cost	Income
Cash Equivalents <91 Days	\$ 65,773,940	\$ 60,570
Securities/CD's 91 to 365 Days	6,431,120	5,922
Securities/CD's > 1 Year	-	-
	<u>\$ 72,205,060</u>	<u>\$ 66,493</u>

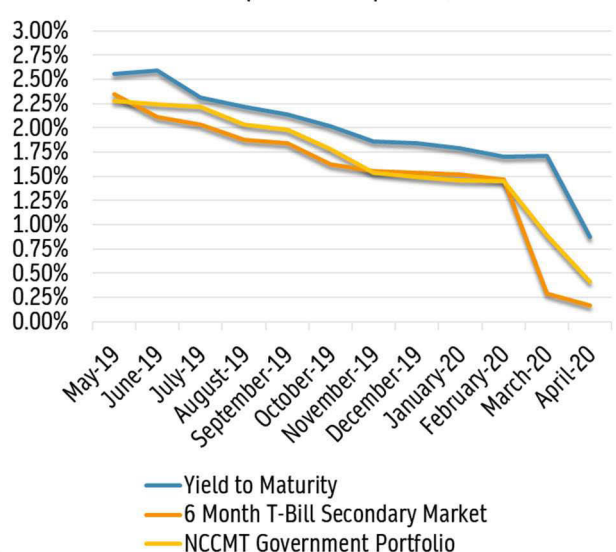
**Month End Portfolio Information**

Weighted Average Maturity	43
Yield to Maturity	0.87%
6 Month T-Bill Secondary Market	0.17%
NCCMT Government Portfolio	0.41%

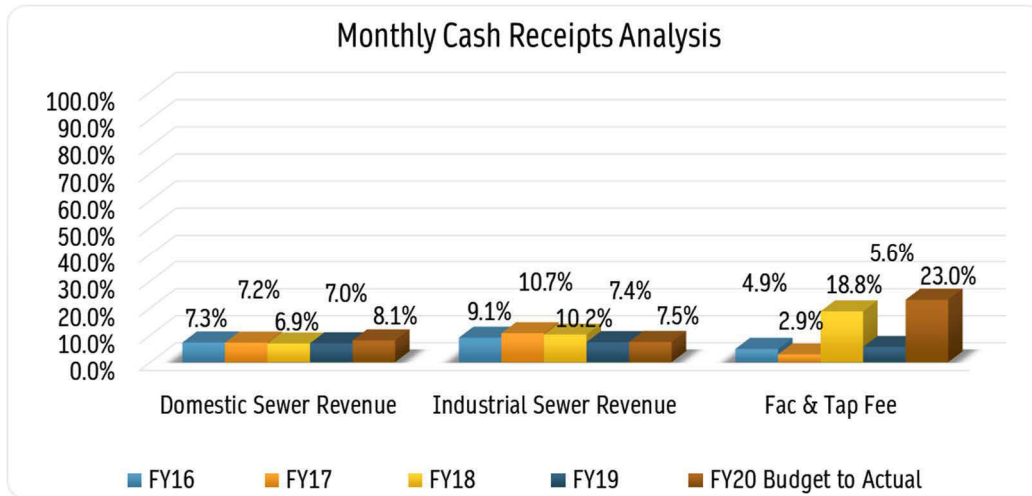
**Metropolitan Sewerage District  
Annual Yield Comparison**



**Metropolitan Sewerage District  
Yield Comparison - April 30, 2020**

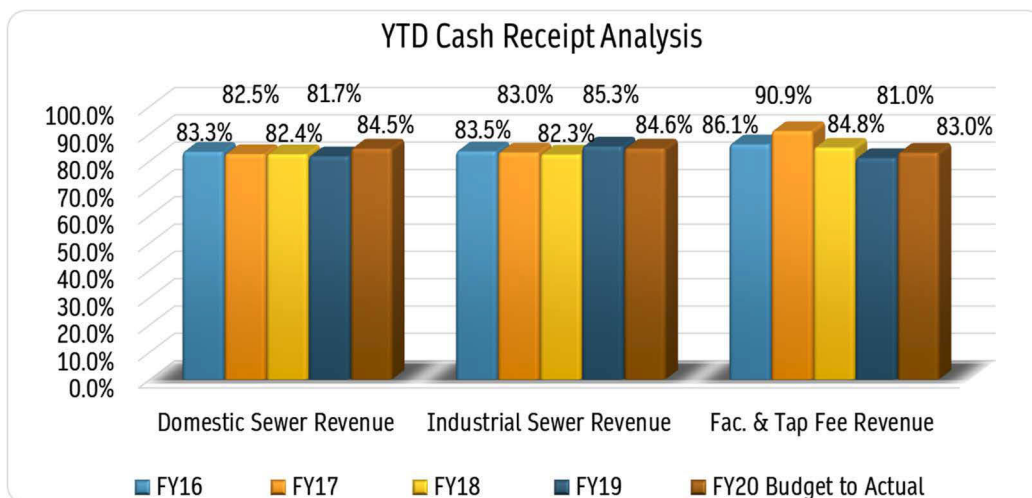


Metropolitan Sewerage District  
*Analysis of Cash Receipts*  
 As of April 30, 2020



Monthly Cash Receipts Analysis:

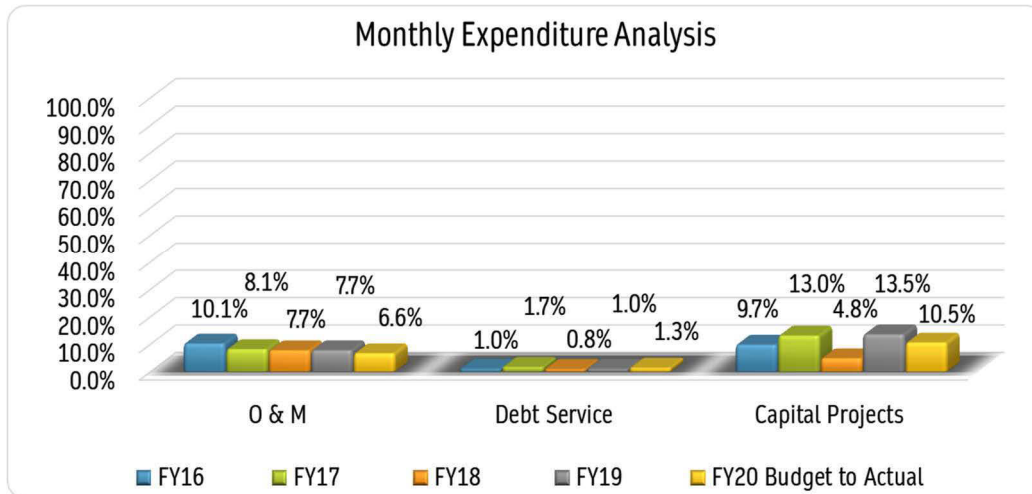
- ✚ Monthly domestic sewer revenue is considered reasonable based on timing of cash receipts in their respective fiscal periods.
- ✚ Monthly industrial sewer revenue is reasonable based on historical trends.
- ✚ Due to the unpredictable nature of facility and tap fee revenue, staff considers facility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



YTD Actual Revenue Analysis:

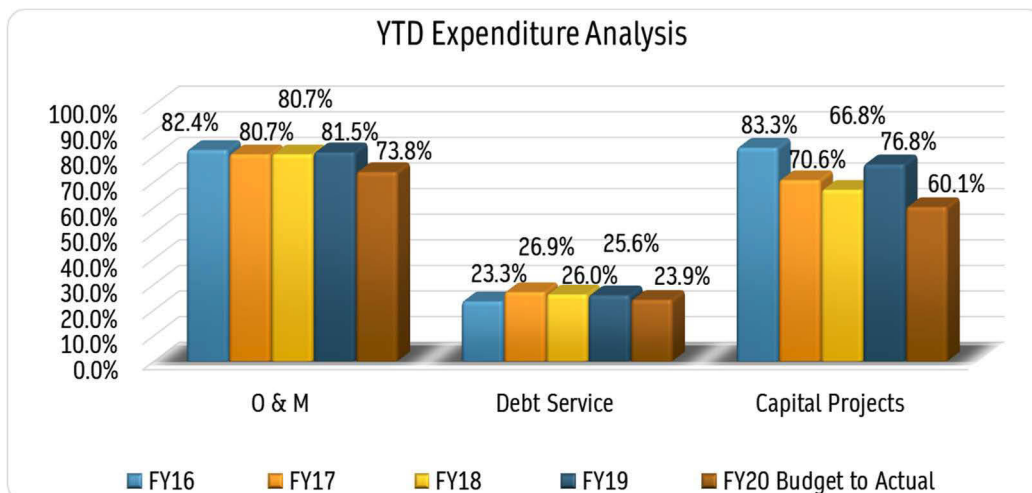
- ✚ YTD domestic sewer revenue is considered reasonable based on historical trends.
- ✚ YTD industrial sewer revenue is reasonable based on historical trends.
- ✚ Due to the unpredictable nature of facility and tap fee revenue, staff considers facility and tap fee revenue reasonable.

Metropolitan Sewerage District  
*Analysis of Expenditures*  
 As of April 30, 2020



**Monthly Expenditure Analysis:**

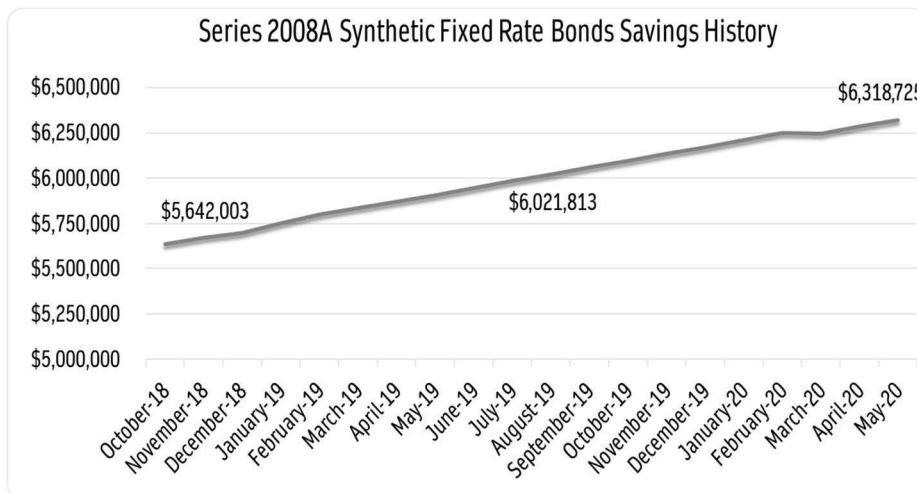
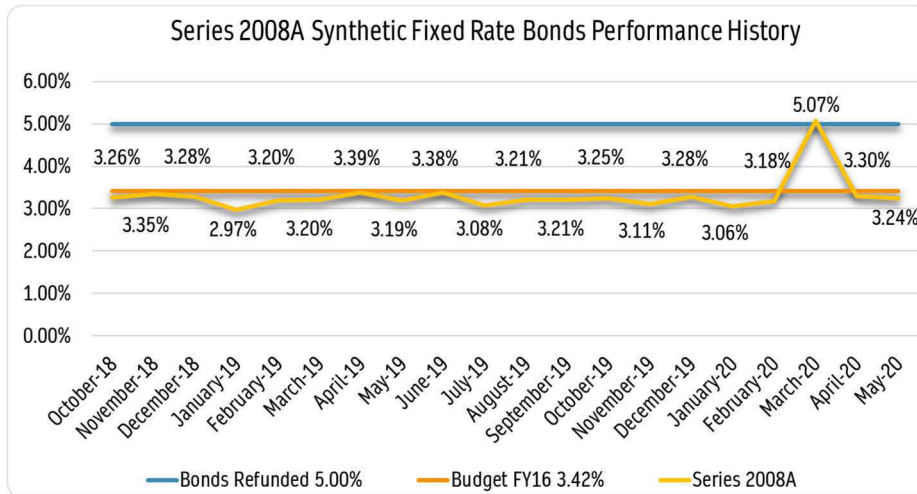
- ✚ Monthly O&M expenditures are considered reasonable based on historical trends and timing of expenditures in the current year.
- ✚ Due to the nature of the variable rate bond market, monthly expenditures can vary year to year. Based on current variable interest rates, monthly debt service expenditures 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 May 31, 2020



Series 2008A:

- ✚ Savings to date on the Series 2008A Synthetic Fixed Rate Bonds is \$6,318,725 as compared to 4/1/2008 fixed rate of 4.85%.
- ✚ Assuming the rate on the Series 2008A Bonds continues at the current all-in rate of 3.9475%, MSD will achieve cash savings of \$4,670,000 over the life of the bonds.
- ✚ MSD would pay \$4,212,273 to terminate the existing Bank of America Swap Agreement.



# Metropolitan Sewerage District of Buncombe County

## BOARD ACTION ITEM

**Meeting Date:** June 10, 2020

**Submitted By:** Thomas E. Hartye – General Manager

**Subject:** Consideration of Consolidation Agreement between MSD  
and Cane Creek Water and Sewer District

**Background:** House Bill 758 (SL 2019-127) amended MSD's enabling legislation to allow for Henderson County to consolidate with MSD under a revised process whereby, once requested, MSD will prepare information to be brought to the Environmental Management Commission (EMC). After the required public hearing/input, if the consolidation is approved by the EMC, Henderson County shall appoint two representatives from the Cane Creek Water and Sewer District (CCWSD) territory to the MSD Board.

At their August 5, 2019 meeting the Henderson County Commissioners passed a resolution requesting inclusion into the District. MSD gathered the required information and conducted an impact study of the requested consolidation. The MSD Board approved the information to be submitted to the EMC at the October 16, 2019 Regular Board Meeting. At their January 9, 2020 meeting the EMC voted to move ahead with the required process. The required public hearings were held on March 12<sup>th</sup> and April 27<sup>th</sup>. The EMC approved the Consolidation at their May 7, 2020 meeting.

MSD and the City of Hendersonville have developed a billing services agreement which was approved by both the Hendersonville City Council and the MSD Board. On this month's agenda is a rental agreement with Henderson County for office space for a Planning and Development employee in their centralized facility.

Attached is a Consolidation Agreement drafted by Billy Clarke with input from both MSD and Henderson County staff for consideration by the MSD Board and the Henderson County Commissioners.

MSD staff has been gearing up over the last 9 months to facilitate the incorporation of the CCSWD system operation into our work plans. This includes Operation and Maintenance, Capital Construction, Planning and Development and Billing. While no agreement can cover everything, we believe that this agreement covers the critical elements to guide a smooth transition.

**Recommendation:** Staff recommends that the MSD Board approve the attached Consolidation Agreement between MSD and CCWSD.

STATE OF NORTH CAROLINA )  
COUNTIES OF BUNCOMBE )  
AND HENDERSON )

CONSOLIDATION AGREEMENT

This CONSOLIDATION AGREEMENT, made this \_\_\_\_ day of June, 2020, by and between the **METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY**, a North Carolina public body and body politic and corporate created and established under the provisions of the North Carolina Metropolitan Sewerage Districts Act, Chapter 153, Article 25, Sections 153-295 to 153-324, inclusive (succeeded by Chapter 162A-64-81, inclusive) of the North Carolina General Statutes, with its principal office and place of business at 2028 Riverside Drive, Woodfin, N.C. 28814 (hereinafter “**MSD**” or “**District**”) and the **CANE CREEK WATER AND SEWER DISTRICT of Henderson County**, a body corporate and politic with its principal office and place of business at 100 North King Street, Hendersonville, N.C. 28792 ( hereinafter “**CCWSD**” or “**CANE CREEK**”).

WITNESSETH

**WHEREAS**, MSD was created and established by the North Carolina State Stream Sanitation Committee by resolution adopted on January 19, 1962, and MSD is currently comprised of the following political subdivisions;

City of Asheville  
Town of Biltmore Forest  
Town of Weaverville  
Town of Black Mountain  
Town of Woodfin  
Woodfin Sanitary Water and Sewer District  
Avery Creek Sanitary District  
Busbee Sanitary District  
Crescent Hill Sanitary District  
Skyland Sanitary District  
Fairview Sanitary District  
East Biltmore Sanitary District  
Caney Valley Sanitary District  
Swannanoa Water and Sewer District  
Beaverdam Water and Sewer District  
Venable Sanitary District  
Enka-Candler Water and Sewer District

**WHEREAS**, MSD operates and maintains a system of interceptor and collector sewer lines and a wastewater treatment facility which system of interceptor and collector sewer lines and wastewater treatment facility is referred to herein as the “District Sewerage System;” and

**WHEREAS**, CCWSD was established on February 26, 1981 pursuant to the provisions of Article 6 of Chapter 162A of the North Carolina General Statutes; and

**WHEREAS**, CCWSD owns, operates and maintains a system of interceptor and collector sewers serving north Henderson County; and

**WHEREAS**, MSD currently accepts and treats wastewater collected by CCWSD in the District Sewerage System pursuant to an agreement between MSD and CCWSD entered into in March 1988 and amended in March 1989 and October 1990 (the “Existing Agreement”); and

**WHEREAS**, in 2019, the North Carolina General Assembly enacted House Bill 768 which created a new section, *G.S. 162A-68.5*, in Article 5 of Chapter 162A of the General Statutes; and

**WHEREAS**, *G.S. 162A-68.5* allows a metropolitan sewerage district to expand into another county if the governing body of the other county requests the extension and meets the criteria in *G.S. 162A-68.5*; and

**WHEREAS**, The Board of Commissioners of Henderson County, acting in its official capacity and as the governing body of CCWSD, adopted, on August 5, 2019, a Resolution requesting the inclusion of CCWSD into MSD; and

**WHEREAS**, the criteria in *G.S. 162A-68.5* are met; and

**WHEREAS**, upon receipt of the August 5, 2019 Resolution, MSD prepared and sent the information described in *G.S. 162A-68.5 (b)* to the North Carolina Environmental Management Commission (“EMC”) on October 16, 2019; and

**WHEREAS**, the Water Quality Committee of the EMC considered the request by CCWSD to be included in MSD at its meeting on November 13, 2019, and recommended that the full EMC proceed to public hearing on the request; and

**WHEREAS**, the full EMC, at its meeting on January 9, 2020, approved proceeding to a public hearing in Henderson County on the request; and

**WHEREAS**, the Henderson County Board of Commissioners and the EMC held a public hearing on CCWSD’s request to be included into MSD on March 12, 2020 at West Henderson High School in Henderson County and a telephonic public hearing on April 27, 2020 with Lon T. Snider, Regional Supervisor, Winston-Salem Regional Office, of the North Carolina Division of Water Resources acting as hearing officer at both hearings; and

**WHEREAS**, the hearing officer prepared and submitted a report to the EMC based on the documentation submitted by CCWSD and MSD and the public hearings; and

**WHEREAS**, the EMC considered the request for inclusion at its May 7, 2020 meeting, and the EMC determined that the criteria of *G.S. 162A-68.5* were met, and the inclusion of the CCWSD of Henderson County within the MSD would not adversely affect customer service in the District and would preserve and promote the public health and welfare of the District; and

**WHEREAS**, the EMC adopted, at its May 7, 2020 meeting, a resolution expanding the boundaries of the Metropolitan Sewerage District of Buncombe County to include all of the territory of the CCWSD of Henderson County, effective July 1, 2020; and

**WHEREAS**, Under Article 5 of Chapter 162A of the General Statutes, MSD is authorized and empowered among other things:

- (a) to acquire, construct, reconstruct, improve, extend, enlarge, equip, repair, maintain and operate a sewerage system;
- (b) to fix and revise rates, fees and charges for the use of or for the services and facilities provided by the District Sewerage System;
- (c) to make and enter into contracts or agreements with the governing body of any political subdivision upon such terms and conditions and for such periods as any such governing body and the District Board of the District may determine with respect to:
  - (i) the collection, treatment and disposal of sewage; and
  - (ii) the collection by such political subdivision or by the District of rents, rates, fees or charges for the services and facilities provide to or for such political subdivision and for the enforcement of collection of such rents, rates, fees or charges;
- (d) to regulate by permit the discharge of waste into the District Sewerage System by any industrial or commercial establishment; and
- (e) to acquire by gift, purchase or the exercise of the right of eminent domain, any improved or unimproved lands or rights in land, and to acquire such personal property as it may deem necessary in connection with the acquisition, construction, reconstruction, improvement, extension, enlargement, repair, equipment, maintenance or operation of any sewerage system; and

**WHEREAS**, CCWSD is a body corporate and politic as defined in *G.S. 162A-88* and has the authority to buy, sell and dispose of real and personal property; and

**WHEREAS**, pursuant to *G.S. 162A-85.5*, CCWSD has the authority to do all acts and things necessary to carry out the powers granted to it under Article 6 of Chapter 162A; and

**WHEREAS**, MSD and CCWSD enter into this Agreement to 1) terminate the Existing Agreement, 2) transfer all assets and liabilities of CCWSD to MSD; and 3) clarify and define their respective responsibilities as to the District Sewerage System; and

**WHEREAS**, MSD is bound by the terms of its Amended and Restated Bond Order adopted by the District Board on April 21, 1999, governing outstanding bonds of MSD, to make improvements to the District Sewerage System only on such land which is owned or can be acquired by MSD in fee simple or over or under which the District shall have acquired or can acquire proper easements or title or rights sufficient for the needs and purposes of the improvements to the District Sewerage System; and

**WHEREAS**, the MSD Board has determined that the inclusion of the CCWSD Sewerage System as a part of MSD, and the related responsibility to operate, maintain, repair, and replace, if necessary, the CCWSD Sewerage System will preserve and promote the public health and welfare within the District and not adversely affect service to users of the District Sewerage System; and

**WHEREAS**, the MSD Board has determined that the CCCWSD Sewerage System is not subject to any lien or other encumbrance which is materially adverse; and

**WHEREAS**, the MSD Board has determined that adequate funding for the acquisition, operation, maintenance, repair, and replacement, if necessary of the CCWSD Sewerage System is or will be available from available funds of the District, from rates, fees and charges

established by the District, from grants or other funds provided by the United States of America, the State of North Carolina or any other source, from the issuance of revenue bonds of the District or from any combination of such sources, as the MSD Board deems appropriate; and

**WHEREAS**, CCWSD desires to transfer ownership of the CCWSD Sewerage System, as defined herein, to MSD, and MSD is willing to accept ownership of the CCWSD Sewerage System according to the terms and conditions set forth in this agreement;

**NOW, THEREFORE**, in consideration of the mutual covenants, terms, conditions and obligations herein undertaken, it is agreed as follows:

1. CCWSD hereby agrees to transfer to MSD all of the CCWSD Sewerage System more particularly described in paragraph 2 herein. The transfer shall occur on July 1, 2020. The transfer shall be in accordance with the terms and conditions set forth in this agreement and relevant provisions of *G.S. 162A-68.5*. The transfer of real property owned by CCWSDS shall be effected by a document in generally the same form as the “DEED” attached to this agreement as Exhibit A. CCWSD and MSD agree to execute all necessary documents to complete the transfer of property from CCWSD to MSD.
  
2. For purposes of this Agreement, the “CCWSD Sewerage System” shall mean all of CCWSD’s interest in the following properties:
  - (a) All of the existing collector and interceptor sewers, pump stations and related appurtenances shown on the map of the Cane Creek Water and Sewer District attached hereto as Exhibit B.

- (b) All of the existing collector and interceptor sewers shown on the CCWSD GIS mapping system.
  - (c) All easements and rights of way for sewer lines used or acquired in connection with the CCWSD Sewerage System. The easements and rights of way intended to be conveyed shall include easements which may have been acquired by long use or maintenance of sewer lines and easements.
  - (d) All sewer lines, easements, or rights of way which appear on any plat recorded in the Office of the Register of Deeds for Henderson County which sewer lines have been or are being used as part of the CCWSD Sewerage System.
  - (e) All engineering records, plans, specifications, maps and reports, warranties, accounting records, appropriate correspondence and other records relating to the CCWSD Sewerage System, including records in digital or electronic format.
  - (f) All tangible personal property as set forth on Exhibit C attached hereto and incorporated herein by reference.
  - (g) All cash on Hand.
3. CCWSD shall be responsible for obligations relating to the operation, maintenance, repair and replacement, if necessary, of the CCWSD Sewerage System arising prior to July 1, 2020. MSD shall be responsible for obligations relating to the operation, maintenance, repair and replacement, if necessary of the CCWSD Sewerage System, arising on or after July 1, 2020. .



4. On and after July 1, 2020, the CCWSD Sewerage System will be part of the District Sewerage System and MSD will be responsible for the operation, maintenance, repair, and replacement, if necessary, of the District Sewerage System.
  
5. On and after July 1, 2020, MSD will be responsible for billing and collecting rates, fees and charges from users of the CCWSD Sewerage System. MSD has contracted with the entities providing water to the users, the City of Asheville and the City of Hendersonville, to bill and collect rates, fees and charges. MSD will bill directly those customers who do not purchase water from the City of Hendersonville or the City of Asheville. MSD reserves the right to bill and collect rates, fees and charges of the District Sewerage System directly from users of the District Sewerage System.
  
6. The following general conditions shall govern MSD's responsibilities with respect to the operation, maintenance, repair and replacement, if necessary, of the District Sewerage System.
  - (a) Adequate funding for the operation, maintenance, repair and replacement, if necessary, shall be available from available funds of the District, from rates, fees or charges established by the District, from revenue bonds issued by MSD, from grant funds from the United States or the State of North Carolina, or any other source. MSD shall have final discretion as to which source or sources of funding will be utilized, subject to the provisions of its Bond Order and to applicable law.
  - (b) MSD shall determine the rates, fees and charges to be charged to the users of the District Sewerage System in its sole and absolute discretion. The rates, fees and

charges may vary from user to user based on the composition and quantity of sewage discharged into the District Sewerage System; however, such rates, fees and charges shall not exceed the rates, fees or charges for comparable service elsewhere within the geographical limits of the District

(c) MSD shall have final discretion in determining the need, priority, timing and location of any operation, maintenance, repair or replacement, if necessary, of the District Sewerage System.

7. Pursuant to North Carolina General Statute *162A 68.5(f)*, upon its inclusion within MSD, CCWSD shall be subject to all debts of the District.

8. MSD and CCWSD acknowledge and agree that CCWSD entered into a contract with Buchanan & Sons, Inc. to construct the Mud Creek Interceptor Sewer Project (the “Mud Creek Project”) in October, 2018, a project with an approximate cost of \$3,056,970. MSD and CCWSD further acknowledge and agree that the Mud Creek Project is expected to be completed on or before December 31, 2020. CCWSD agrees that it will pay all costs arising out of or related to the work on the Mud Creek Project performed prior to July 1, 2020. On or before July 1, 2020, CCWSD will assign the contract with Buchanan & Sons to MSD. MSD will be responsible for completing the contract for the Mud Creek Project and will pay for all work performed on the Mud Creek Project after July 1, 2020.

9. MSD and CCWSD acknowledge and agree that CCWSD entered into an agreement with the Fletcher Academy, Inc. (“Fletcher Academy”) and the Layman Foundation of North Carolina, Inc. (“Layman”) wherein CCWSD, as a part of the Mud Creek Project, agreed to connect the sewer system serving the Fletcher Academy and the Layman Foundation to the CCWSD Sewerage System, and Fletcher Academy and Layman agreed to contribute \$1,025,000 to the cost of the Mud Creek Project upon its completion. In consideration of MSD assuming CCWSD’s obligations to complete construction of and pay for the Mud Creek Project, CCWSD agrees that it will assign its agreement with Fletcher Academy and Layman and all rights thereunder to MSD on or before July 1, 2020.

10. Henderson County has incurred certain debt associated with the construction, operation and maintenance of the CCWSD Sewerage System and the Mud Creek Sewer Project. The indebtedness associated with the construction, operation, and maintenance of the CCWSD Sewerage System (“Outstanding Indebtedness”) as of July 1, 2020 is:

(a) Installment Purchase Indebtedness – Mud Creek Interceptor Project.

(b) Henderson County Limited Obligation Indebtedness assigned to Cane Creek Water and Sewer District.

MSD agrees to pay principal and interest on the Outstanding Indebtedness as it comes due after July 1, 2020.

11. In order to effectively serve sewer customers in CCWSD, MSD will maintain an office in the Henderson County office building located at 100 North King Street in

Hendersonville, or at such other location as MSD, in its sole discretion, may determine. MSD has entered into a Lease Agreement with Henderson County, a copy of which is attached hereto as Exhibit D.

12. All users of the District Sewerage System shall be subject to the Sewer Use Ordinance of the Metropolitan Sewerage District of Buncombe County, North Carolina.

13. MSD and CCWSD acknowledge and agree that this agreement supersedes the Existing Agreement and that the Existing Agreement is terminated, effective July 1, 2020.

14. This agreement represents the entire agreement between MSD and CCWSD.

15. This agreement may be amended only by a writing signed by an authorized representative of MSD and CCWSD.

16. This agreement shall be governed by and under the laws of the State of North Carolina.

17. The effective date of this agreement is July 1, 2020.

IN WITNESS WHEREOF, the parties hereto acting under the authority of their respective governing bodies, have caused this Agreement to be duly executed in two counterparts, each of which shall constitute an original.

METROPOLITAN SEWERAGE DISTRICT OF  
BUNCOMBE COUNTY, NORTH CAROLINA

(SEAL)

By: \_\_\_\_\_

M. Jerry VeHaun, MSD Board Chair

ATTEST:

\_\_\_\_\_  
Jackie W. Bryson, Secretary/Treasurer of the  
Metropolitan Sewerage District of Buncombe  
County

CANE CREEK WATER AND SEWER DISTRICT

(SEAL)

By: \_\_\_\_\_

Grady Hawkins, Commission Chair

ATTEST:

\_\_\_\_\_  
Teresa Wilson, Clerk to the Board of Commissioners

Excise Tax \${revenue stamps}No Stamps

Mail after recording to {mail after recording to}

This instrument was prepared by William Clarke, Esq. of Roberts & Stevens, P.A., a licensed North Carolina attorney. Delinquent taxes, if any, to be paid by the Closing attorney to the county tax collector upon disbursement of closing proceeds.

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## NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made this \_\_\_\_\_ day of April, 2020, by and between

GRANTOR	GRANTEE
Cane Creek Water & Sewer District 100 North King Street Hendersonville, NC 28792	Metropolitan Sewerage District of Buncombe County, North Carolina 2028 Riverside Drive Asheville, NC 28804

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee the following:

- 1) All of the Grantor's existing collector and interceptor sewers, pump stations, and related appurtenances constituting the Cane Creek Water and Sewerage District Sewerage System (hereinafter the "CCWSD Sewerage System");
- 2) All easements and rights of way for sewer lines used or acquired in connection with the CCWSD Sewerage System. A list of the easements acquired by CCSWD is attached hereto as Exhibit A. Reference is made to the specific book and page numbers in the Henderson County Registry for a more particular description of the easements being conveyed by Grantor and acquired by Grantee.
- 3) All sewer lines, easements or rights of way which appear on any plat recorded in the Office of the Register of Deeds for Henderson County which sewer lines have been or are being used as a part of the CCWSD Sewerage System.

TO HAVE AND TO HOLD the aforesaid CCWSD Sewerage System and easements and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions hereinafter stated. Title to the property conveyed herein is subject to the following exceptions:

**The last use of the property by the Grantor \_\_\_ was or X was not as Grantor's primary residence.**

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

HENDERSON COUNTY  
Henderson County Board of Commissioners

\_\_\_\_\_  
Grady Hawkins, Chairman

SEAL-STAMP

**NORTH CAROLINA, Henderson County**

I, a Notary Public for said County and State, do hereby certify that Grady Hawkins personally came before me this day and acknowledged that he is Chairman of the Henderson County Board of Commissioners, a North Carolina, and that by authority duly given and as the act of the corporation, signed the foregoing instrument.

Witness my hand and official seal, this the \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_



## EXHIBIT A

**The Following is a list of Easements on the Public Record acquired by the Cane Creek Water and Sewer District. All Book and Page references are to the Henderson County, North Carolina Register of Deeds Office.**

Book 0654, Page 793  
Book 0654, Page 796  
Book 0657, Page 004  
Book 0658, Page 693  
Book 0658, Page 696  
Book 0658, Page 699  
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Book 0658, Page 720  
Book 0660, Page 063  
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Book 0660, Page 090  
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Book 0865, Page 369  
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Book 3372, Page 555  
Book 3389, Page 239  
Book 3391, Page 477  
Book 3391, Page 479

Permanent Easement and Construction Easement across the property of Jane Coates Owen, Trustee of that Revocable Living Trust dated the 13<sup>th</sup> day of September, 2016 acquired in *County of Henderson v. Jane Coates Owen, Trustee of that Revocable Living Trust dated the 13<sup>th</sup> day of September, 2016, 18CVS 1898.*

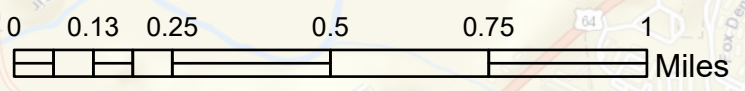
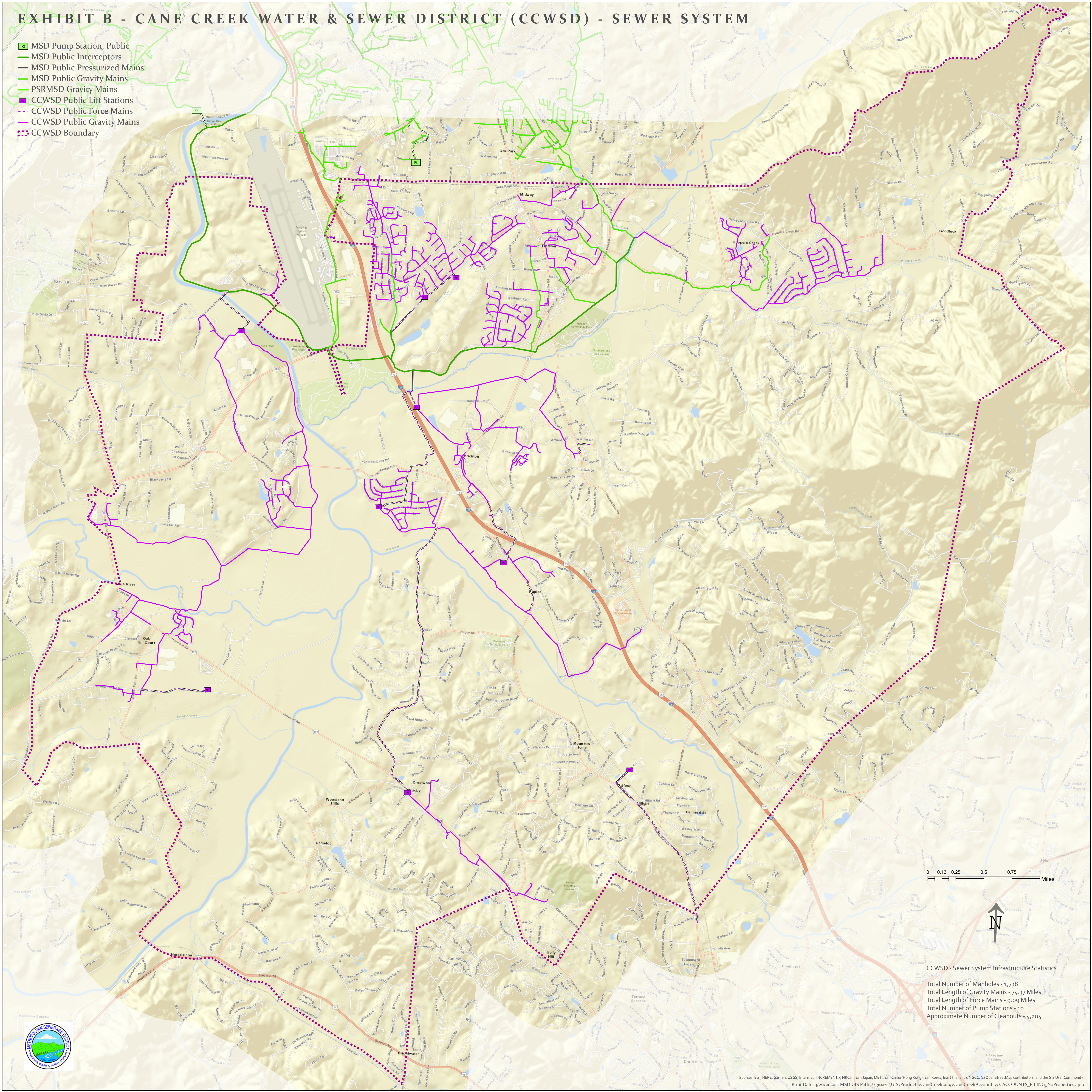
Conveyance of Sewer System and Easement from Fletcher Hospital, Inc. d/b/a Advent Health Hendersonville to the Cane Creek Water and Sewer District recorded in Deed Book \_\_\_\_\_ at page \_\_\_\_\_, Henderson County Registry.

Conveyance of Sewer System and Easements from the Layman Foundation of North Carolina, Inc. to the Cane Creek Water and Sewer District recorded in Deed Book \_\_\_\_\_ at page \_\_\_\_\_, Henderson County Registry.

Conveyance of Sewer System and Easements from Pierce Jones Moore, III and Patricia Jean Moore to the Cane Creek Water and Sewer District recorded in Deed Book \_\_\_\_\_ at page, \_\_\_\_\_ Henderson County Registry.

# EXHIBIT B - CANE CREEK WATER & SEWER DISTRICT (CCWSD) - SEWER SYSTEM

- MSD Pump Station, Public
- MSD Public Interceptors
- MSD Public Pressurized Mains
- MSD Public Gravity Mains
- PSRMSD Gravity Mains
- CCWSD Public Lift Stations
- CCWSD Public Force Mains
- CCWSD Public Gravity Mains
- ⋯ CCWSD Boundary



**CCWSD - Sewer System Infrastructure Statistics**

- Total Number of Manholes - 1,738
- Total Length of Gravity Mains - 74.37 Miles
- Total Length of Force Mains - 9.09 Miles
- Total Number of Pump Stations - 10
- Approximate Number of Cleanouts - 4,204



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community  
 Print Date: 3/26/2020 MSD GIS Path: \\gissvr\GIS\Products\CaneCreek2019\CaneCreekAccounts\CCACCOUNTS\_FILLING\_NoProperties.aprx

ASSET	DESCRIPTION	STATUS	CLASS CD	SUBCLASS	DEPARTMENT	DATE ACQ	ACQ COST	LTD ACCUM DEPR	CURRENT YEAR DEPR
10161A	HURCO RIPCORD SMOKER	A	06	90	5711	11/09/00	1,175.00	1,175.00	0.00
10305	JOHN DEERE 5220 TRACTOR	A	09	90	5711	09/20/02	23,289.90	23,289.90	0.00
10306	MX6 ROTARY CUTTER	A	09	90	5711	09/20/02	1,617.10	1,617.10	0.00
10559	FDG-6700 SENSAPHONE EXPRESS DIALER	A	06	90	5711	10/25/01	1,811.86	1,811.86	0.00
10564	FDG-6700 SENSAPHONE EXPRESS DIALER	A	06	90	5711	04/11/02	1,813.53	1,813.53	0.00
10565	FDG-6700 SENSAPHONE EXPRESS DIALER	A	06	90	5711	04/11/02	1,813.53	1,813.53	0.00
10568	FDG-6700 SENSAPHONE EXPRESS DIALER	A	06	90	5711	04/11/02	1,816.03	1,816.03	0.00
10569	FDG-6700 SENSAPHONE EXPRESS DIALER	A	06	90	5711	03/07/02	1,812.06	1,812.06	0.00
10574	MILLTRONICS HYDRO RANGER 1 TRANSMITTER	A	06	90	5711	02/28/02	3,033.47	3,033.47	0.00
12447	3P TRAILER-MOUNTED DIESEL GENERATOR	A	06	90	5711	11/16/06	31,732.00	31,732.00	0.00
13002	542 NSL LOADER	A	06	90	5711	05/03/07	6,710.87	6,710.87	0.00
13003	S4LX4000 SEWAGE PUMP	A	06	90	5711	05/03/07	9,380.00	9,380.00	0.00
13004	S6L2000 SEWAGE PUMP	A	06	90	5711	05/03/07	5,966.00	5,966.00	0.00
13005	S6L1500 SEWAGE PUMP	A	06	90	5711	05/03/07	5,748.00	5,748.00	0.00
13006	HPGF300M2-4 GRINDER PUMP	A	06	90	5711	05/03/07	3,646.00	3,646.00	0.00
13244	HYDROMATIC S4K2500M4-4 PUMP	A	06	90	5711	03/13/07	6,080.00	6,080.00	0.00
13245	HYDROMATIC HPGFX500JC PUMP	A	06	90	5711	03/13/07	3,218.00	3,218.00	0.00
13246	HYDROMATIC HPGFX500JC PUMP	A	06	90	5711	03/13/07	3,218.00	3,218.00	0.00
13653	TRAILER-MOUNTED SPRAY JETER	A	06	90	5711	06/12/08	33,177.00	33,177.00	0.00
13843	HYDROMATIC S4LX4000 PUMP	A	06	90	5711	08/14/08	10,561.00	10,561.00	0.00
13963	FX500JC PUMP FOR NEWBERN STATION	A	06	90	5711	02/12/09	3,500.00	3,500.00	0.00
14508	ABS PIRANHA SERIES GRINDER PUMP	A	06	90	5711	03/31/10	8,473.00	8,473.00	0.00
15453	EBARA SUBMERSIBLE VORTEX PUMP	A	06	90	5711	04/19/12	8,943.61	8,943.61	0.00
15683	DELL LATITUDE E6420 LAPTOP	A	08	90	5711	09/13/12	3,146.24	0.00	0.00
15684	DELL LATITUDE E6420 LAPTOP	A	08	20	5711	09/13/12	3,146.24	0.00	0.00
15802	2012 FORD F250 TRUCK	A	09	90	5711	06/28/12	39,868.00	39,868.00	0.00
15803	2012 FORD F250 TRUCK	A	09	90	5711	06/28/12	39,868.00	39,868.00	0.00
16178	EBARA SUBMERSIBLE VORTEX PUMP	A	06	90	5711	06/06/13	9,360.87	9,360.87	0.00
16333	SENSAPHONE EXPRESS II AUTO DIALER	A	06	90	5711	09/12/13	2,635.00	0.00	0.00
16417	SUBMERSIBLE PUMP PE185/4	A	06	90	5711	12/31/13	8,754.00	8,754.00	729.50
16418	SUBMERSIBLE PUMP PE185/4	A	06	90	5711	12/31/13	8,754.00	8,754.00	729.50
16699	DELL OPTIPLEX 3020 COMPUTER	A	08	90	5711	11/30/14	1,468.26	0.00	0.00
16730	KIP770 LARGE FORMAT PRINTER	A	08	90	5711	03/20/15	11,634.00	10,082.80	2,326.80
16731	DESIGN JET T120 PRINTER	A	08	90	5711	03/20/15	2,297.31	0.00	0.00
16734	HP LASERJET ENTERPRISE P3015X PRINTER	A	08	90	5711	03/31/15	700.75	0.00	0.00
16757	DELL OPTIPLEX 7020 COMPUTER	A	08	90	5711	04/30/15	1,767.55	0.00	0.00
17001	TD100 TAYLOR GENERATOR	A	06	90	5711	05/30/14	35,500.00	18,341.67	3,550.00
17034	METAL DETECTOR	A	06	90	5711	03/06/14	718.85	0.00	0.00
17035	METAL DETECTOR	A	06	90	5711	03/06/14	718.85	0.00	0.00
17100	ESAB MIGMASTER 215 WELDER	A	06	90	5711	07/31/14	1,849.62	0.00	0.00
17101	K-SUN LABEL MAKER	A	06	90	5711	07/31/14	779.00	0.00	0.00
17102	NORTHSTAR 30 GAL AIR COMPRESSOR	A	06	90	5711	07/31/14	1,949.99	0.00	0.00
17156	BIG TEX TILT TRAILER W/TOOLBOX	A	09	90	5711	08/07/14	5,465.00	4,478.26	910.83
17181	SUMMERSIBLE PUMP XFP100G	A	06	90	5711	09/18/14	8,629.00	8,341.37	1,725.80

17182	DUPLEX CONTROL PANEL 5HP	A	06	90	5711	09/25/14	8,903.00	8,606.23	1,780.60
17183	DUPLEX CONTROL PANEL 20HP	A	06	90	5711	09/25/14	9,169.00	8,863.37	1,833.80
17201	PUMP HPGFX500FC	A	06	90	5711	10/23/14	4,198.00	0.00	0.00
17202	LYNX 100KW DSI GENERATOR	A	06	90	5711	10/30/14	11,200.00	10,640.00	2,240.00
17253	MITEL 3300 PHONE SYSTEM	A	06	90	5711	01/29/15	9,366.21	8,429.59	1,873.25
17462	PLAT CABINET	A	06	90	5711	09/30/15	3,915.00	0.00	0.00
17517	SCADA EQUIPMENT	A	06	90	5711	12/31/15	2,216.43	0.00	0.00
17518	SCADA EQUIPMENT	A	06	90	5711	12/31/15	2,216.43	0.00	0.00
17519	SCADA EQUIPMENT	A	06	90	5711	12/31/15	2,216.43	0.00	0.00
17520	SCADA EQUIPMENT	A	06	90	5711	12/31/15	2,216.43	0.00	0.00
17521	SCADA EQUIPMENT	A	06	90	5711	12/31/15	2,216.43	0.00	0.00
17522	SCADA EQUIPMENT	A	06	90	5711	12/31/15	2,216.43	0.00	0.00
17523	SCADA EQUIPMENT	A	06	90	5711	12/31/15	2,216.42	0.00	0.00
17524	SEWER PUMP	A	06	90	5711	10/26/15	9,785.00	7,338.75	1,957.00
17525	SEWER PUMP	A	06	90	5711	10/08/15	6,495.00	4,871.25	1,299.00
17526	DUPLEX 15HP CONTROL PANEL	A	06	90	5711	11/20/15	8,995.00	6,596.33	1,799.00
17527	TD100 GENERATOR W/ATS - MTN HOME	A	06	90	5711	12/11/15	35,150.00	25,190.83	7,030.00
17637	SUBMERSIBLE PUMP - SCHOOLHOUSE RD	A	06	90	5711	08/30/16	6,280.00	3,663.33	1,256.00
17638	SUBMERSIBLE PUMP - SNOWBALL LANE	A	06	90	5711	08/30/16	21,425.00	12,497.92	4,285.00
17735	NORTHSTAR PRESSURE WASHER	A	06	90	5711	10/31/16	922.97	0.00	0.00
17779	SEWER DRAIN CAMERA	A	06	90	5711	11/18/16	1,376.80	0.00	0.00
17792	DOUBLE WALL SKID TANK 273 GAL	A	06	90	5711	12/22/16	1,495.00	0.00	0.00
17815	2017 RAM 5500 TRUCK W/CRANE BODY	A	09	90	5711	02/17/17	82,765.47	33,336.09	13,794.24
17821	SULZER XFP150G-CB1.7 SUBMERSIBLE PUMP	A	06	90	5711	02/13/17	11,730.00	5,669.50	2,346.00
17822	SULZER XFP150E-CB1.4 SUBMERSIBLE PUMP	A	06	90	5711	02/13/17	6,715.00	3,245.58	1,343.00
17823	SULZER XFP100G-CB1.6 SUBMERSIBLE PUMP	A	06	90	5711	02/13/17	11,445.00	5,531.75	2,289.00
17824	SULZER XFP101G-CB1.4 SUBMERSIBLE PUMP	A	06	90	5711	02/13/17	10,725.00	5,183.75	2,145.00
17825	20HP DUPLEX PANEL NEMA 4X SS	A	06	90	5711	02/13/17	9,965.00	4,816.42	1,993.00
17894	SUBMERSIBLE PUMP	A	06	90	5711	06/16/17	11,500.00	4,791.67	2,300.00
18157	ROCKWELL CONTROL PANEL	A	06	90	5711	06/25/18	8,600.00	931.67	860.00
18239	MARTIN YALE LETTER OPENER	A	06	90	5711	08/31/18	1,270.45	0.00	0.00
18644	SULZER/ABS XFP100G PUMP	A	06	90	5711	12/14/18	10,775.00	628.54	628.54
18645	SULZER/ABS XFP100G PUMP	A	06	90	5711	12/14/18	10,775.00	628.54	628.54
19698	DELL OPTIPLEX 7050 COMPUTER	A	08	10	5711	02/12/18	1,325.00	0.00	0.00
20083	IPAD PRO 12.9 WF CL 256 GRY	A	08	90	5711	02/18/19	1,348.00	0.00	0.00
20084	IPAD PRO 12.9 WF CL 256 GRY	A	08	90	5711	02/18/19	1,348.00	0.00	0.00
20085	IPAD PRO 12.9 WF CL 256 GRY	A	08	90	5711	02/18/19	1,348.00	0.00	0.00
20086	HP LASERJET M608DN	A	08	90	5711	02/18/19	1,200.00	0.00	0.00
3059	METAL DETECTOR	A	06	90	5711	06/30/89	846.00	846.00	0.00
3089	STEELCASE ROUND TABLE	A	07	90	5711	06/30/92	728.00	728.00	0.00
3145	ROLLING STAND	A	06	90	5711	06/26/89	512.78	512.78	0.00
4154	ENDURO PLAT CABINET	A	06	90	5711	01/30/92	1,743.78	1,743.78	0.00
4418	PLAT CABINET	A	06	90	5711	04/14/93	1,756.37	1,756.37	0.00
4538	DESK	A	07	90	5711	06/30/93	1,048.00	1,048.00	0.00
4787	200 ENDURO PLAT CABINET	A	06	90	5711	02/17/94	3,512.48	3,512.48	0.00

4840	CONFINED SPACE UNIT	A	07	90	5711	03/02/94	4,284.92	4,284.92	0.00
4841	CONFINED SPACE UNIT	A	07	90	5711	03/02/94	4,284.92	4,284.92	0.00
4867	SAFCO MOBILE STAND W/CLAMPS	A	07	90	5711	05/11/94	545.98	545.98	0.00
4950	SCOTT SKA AIR PAK	A	06	90	5711	06/29/94	1,360.00	1,360.00	0.00
7065	CD100 OLYMPIAN DIESEL GENERATOR	A	06	90	5711	06/19/00	24,900.70	24,900.70	0.00
7067A	CD100 OLYMPIAN DIESEL GENERATOR	A	06	90	5711	06/19/00	24,900.70	24,900.70	0.00
7217	FAIRBANKS MORSE 4''' PUMP	A	06	90	5711	06/19/00	6,870.00	6,870.00	0.00
7226	MAP FILE CABINET - 5 DRAWER	A	07	90	5711	02/25/99	872.48	872.48	0.00
7227	MAP FILE CABINET - 5 DRAWER	A	07	90	5711	02/25/99	872.48	872.48	0.00
7231	HYDROMATIC SEWAGE PUMP	A	06	90	5711	03/11/99	3,103.00	3,103.00	0.00
CC1	PLANT & DISTRIBUTION SYSTEM	A	03	90	5711	07/01/85	71,440.00	48,579.20	1,428.80
CC10	ENGINEERING-PHASE II	A	13	90	5711	07/01/90	22,165.29	16,069.81	554.14
CC100	EMPIRE SEWER PROJECT - .16 MILES	A	12	90	5711	06/30/15	46,464.00	4,743.20	1,161.60
CC101	RIVERSTONE 2A - .47 MILES	A	12	90	5711	06/30/15	136,488.00	13,933.15	3,412.20
CC102	FLETCHER WAREHOUSE SEWER PROJECT	A	12	90	5711	11/01/15	1,631,201.00	149,526.76	40,780.03
CC103	TRI-HISHTIL SEWER PROJECT	A	12	90	5711	02/01/16	297,275.00	25,392.24	7,431.87
CC104	FLETCHER WAREHOUSE LINE - 2.75 MILES	A	12	90	5711	06/30/16	791,883.36	61,041.00	19,797.08
CC105	LANCE PROPERTIES - .19 MILES	A	12	90	5711	06/30/16	55,247.68	4,258.67	1,381.19
CC106	SEASON AT CANE CREEK - .24 MILES	A	12	90	5711	06/30/16	73,663.56	5,678.24	1,841.59
CC107	WINGATE - .05 MILES	A	12	90	5711	06/30/17	14,546.15	757.60	363.65
CC108	GOODE - .24 MILES	A	12	90	5711	06/30/17	69,821.54	3,636.54	1,745.54
CC109	BUTLER BRIDGE COTTAGES - .11 MILES	A	12	90	5711	06/30/17	32,001.54	1,666.75	800.04
CC11	CONSTRUCTION-PHASE II	A	12	90	5711	07/01/91	1,067,498.83	747,249.16	26,687.47
CC110	HOLLAMAN - .02 MILES	A	12	90	5711	06/30/17	5,818.46	303.04	145.46
CC111	MILL POND - 2.44 MILES	A	12	90	5711	06/30/17	709,852.31	36,971.48	17,746.31
CC112	SNOWBALL LANE SEWER PROJECT	A	12	90	5711	06/30/17	543,244.07	28,293.96	13,581.10
CC113	CANE CREEK VISTAS PHASE 1 - .52 MILES	A	12	90	5711	06/30/18	163,880.41	4,438.43	4,097.01
CC114	RIVERSTONE PHASE 2D & 2E - .33 MILES	A	12	90	5711	06/30/18	104,001.03	2,816.70	2,600.03
CC115	RIVERSTONE PHASE 2C - .52 MILES	A	12	90	5711	06/30/18	163,880.41	4,438.43	4,097.01
CC116	NORAFIN - .31 MILES	A	12	90	5711	06/30/18	97,697.94	2,645.99	2,442.45
CC117	JOHNSON FARM/CASLETON PLACE - .08 MILES	A	12	90	5711	06/30/18	25,212.37	682.84	630.31
CC118	BANNER FARM ROAD - .18 MILES	A	12	90	5711	06/30/18	56,727.84	1,536.38	1,418.20
CC119	MILL POND CREEK SEWER LINE PROJECT 1509	A	12	90	5711	06/30/18	2,617,109.00	70,880.04	65,427.73
CC12	ENGINEERING-PHASE II	A	13	90	5711	07/01/91	52,868.97	37,008.27	1,321.72
CC120	CASTLETON SEWER EXTENSION PROJECT	A	12	90	5711	06/30/18	54,805.00	1,484.30	1,370.12
CC121	JOHNSON FARM SEWER EXTENSION PROJECT	A	12	90	5711	06/30/18	14,254.00	386.05	356.35
CC122	NORAFIN SEWER EXTENSION PROJECT (1707)	A	12	90	5711	06/30/18	215,565.00	5,838.22	5,389.13
CC123	O'REILLY AUTOMOTIVE STORE - .23 MILES	A	12	90	5711	06/30/19	87,955.47	183.24	183.24
CC124	THE GROVES AT TOWN CENTER - .21 MILES	A	12	90	5711	06/30/19	80,307.17	167.31	167.31
CC125	CASTETON LANE_HIST JOHNSON FARM - .09 MI	A	12	90	5711	06/30/19	34,417.36	71.70	71.70
CC13	LEGAL & ADMIN FEES	A	10	90	5711	07/01/91	49.00	0.00	0.00
CC14	CONDEMNATIONS-PHASE II	A	10	90	5711	07/01/91	22,497.50	0.00	0.00
CC15	EASEMENTS	A	11	90	5711	07/01/91	36,800.00	0.00	0.00
CC1500	MTN HOME PUMP STATION	A	03	90	5711	10/29/14	0.00	0.00	0.00
CC16	CONSTRUCTION-PHASE II	A	12	90	5711	07/01/93	48,415.19	31,469.88	1,210.38

CC17	ENGINEERING-PHASE II	A	13	90	5711	07/01/93	40,856.12	26,556.45	1,021.41
CC18	LEGAL & ADMIN FEES	A	10	90	5711	07/01/93	5,150.00	0.00	0.00
CC19	CONSTRUCTION-BROADPOINTE PROJECT	A	12	90	5711	08/31/97	383,204.02	209,963.86	9,580.10
CC2	CONSTRUCTION OF CANE CREEK SEWER	A	12	90	5711	07/01/88	1,442,086.20	1,117,616.81	36,052.16
CC20	ENGINEERING-BORADPOINTE PROJECT	A	13	90	5711	08/31/97	29,209.83	16,004.57	730.25
CC2000	NEW BERN PUMP STATION	A	03	90	5711	10/29/14	0.00	0.00	0.00
CC21	LEGAL & ADMIN FEES-BROADPOINTE PROJECT	A	10	90	5711	08/31/97	3,872.00	0.00	0.00
CC22	SOUTHCHASE SEWER PROJECT	A	12	90	5711	06/30/98	651,658.00	343,478.07	16,291.45
CC23	WINDSOR FOREST SEWER PROJECT	A	12	90	5711	12/31/96	351,859.00	198,653.73	8,796.48
CC24	ST JOHNS COMMON SEWER PROJECT	A	12	90	5711	10/31/98	150,797.00	78,225.94	3,769.92
CC25	RIVERBIRCH SEWER PROJECT	A	12	90	5711	11/30/99	166,954.00	82,085.72	4,173.85
CC26	RUTLEDGE LAKE RV PARK SEWER PROJECT	A	12	90	5711	12/31/97	26,928.00	14,529.90	673.20
CC27	CHADBURY PARK SEWER PROJECT	A	12	90	5711	12/31/97	53,856.00	29,059.80	1,346.40
CC28	ASHEVILLE AIRPORT/TYSON SEWER PROJECT	A	12	90	5711	07/31/96	61,037.00	35,096.28	1,525.93
CC29	PAUL YOUNG SEWER PROJECT	A	12	90	5711	10/31/98	48,470.00	25,143.81	1,211.75
CC3	LEGAL & ADMIN FEES	A	10	90	5711	07/01/88	47,949.26	0.00	0.00
CC30	PARK RIDGE IND PARK SEWER PROJECT	A	12	90	5711	12/31/94	39,494.00	24,272.35	987.35
CC3000	ROCKWELL PUMP STATION	A	03	90	5711	10/29/14	0.00	0.00	0.00
CC31	FLETCHER COMMERCE PARK SEWER PROJECT	A	12	90	5711	03/31/95	82,579.00	50,235.56	2,064.48
CC32	ASHEVILLE AIRPORT COMM SEWER PROJECT	A	12	90	5711	08/31/92	15,618.00	10,509.61	390.45
CC33	CUNNINGHAM SEWER PROJECT	A	12	90	5711	02/28/94	10,232.00	6,501.58	255.80
CC34	INGLES SUPERMARKET SEWER PROJECT	A	12	90	5711	04/30/00	21,542.00	10,367.09	538.55
CC35	MARLOWE ELEM SCHOOL SEWER PROJECT	A	12	90	5711	06/30/00	156,182.00	74,511.83	3,904.55
CC3500	NAPLES PUMP STATION	A	03	90	5711	10/29/14	0.00	0.00	0.00
CC36	TOWN OF FLETCHER SEWER PROJECT	A	12	90	5711	06/30/01	111,302.00	50,317.78	2,782.55
CC37	BUDWEISER/HUBERT WOOD SEWER PROJECT	A	12	90	5711	06/30/01	19,747.00	8,927.29	493.68
CC38	SMOKY SUBDIVISION SEWER PROJECT	A	12	90	5711	06/30/01	59,241.00	26,781.87	1,481.02
CC39	GREENS ON HOOPERS CREEK SW PROJECT	A	12	90	5711	06/30/01	78,988.00	35,709.16	1,974.70
CC4	ENGINEERING	A	13	90	5711	07/01/89	94,208.78	70,656.60	2,355.22
CC40	MILLS RIVER SEWER - PHASE 1	A	12	90	5711	07/01/06	1,609,773.37	523,176.32	40,244.33
CC4000	ITT PUMP STATION	A	03	90	5711	10/29/14	0.00	0.00	0.00
CC41	ENGINEERING-MILLS RIVER SEWER PHASE 1	A	13	90	5711	07/01/06	183,150.52	59,523.88	4,578.76
CC42	LEGAL & ADMIN FEES-MILLS RIVER PHASE 1	A	10	90	5711	07/01/06	140,763.91	0.00	0.00
CC43	EASEMENTS-MR SEWER PHASE 1	A	11	90	5711	07/01/06	29,336.23	0.00	0.00
CC44	CONSTRUCTION-MR PROJECT COMM DISTRICT	A	12	90	5711	09/07/06	463,481.86	148,700.47	11,587.05
CC45	ENGINEERING-MR SEWER COMM DISTRICT	A	13	90	5711	09/07/06	33,899.49	10,876.12	847.49
CC4500	MUD CREEK PUMP STATION	A	03	90	5711	10/29/14	0.00	0.00	0.00
CC46	LEGAL & ADMIN FEES-MR PROJECT COMM DIST	A	10	90	5711	09/07/06	10,237.00	0.00	0.00
CC47	CONSTRUCTION-MILLS RIVER SCHOOL	A	12	90	5711	09/07/06	334,329.67	107,264.08	8,358.24
CC48	ENGINEERING-MILLS RIVER SCHOOL	A	13	90	5711	09/07/06	44,737.00	14,353.12	1,118.42
CC49	LEGAL & ADMIN FEES-MILLS RIVER SCHOOL	A	10	90	5711	09/07/06	11,256.50	0.00	0.00
CC5	LAND & RIGHTS	A	01	90	5711	07/01/89	120,519.41	0.00	0.00
CC50	CONSTRUCTION-MUD CREEK PHASE 1	A	12	90	5711	10/31/07	1,474,393.31	433,103.00	36,859.83
CC51	ENGINEERING-MUD CREEK PHASE 1	A	13	90	5711	10/31/07	130,760.00	38,410.75	3,269.00
CC52	LEGAL & ADMIN FEES-MUD CREEK PHASE 1	A	10	90	5711	10/31/07	2,800.00	0.00	0.00

CC53	LIVINGSTON FARMS SUBDIVISION SEWER PROJ	A	12	90	5711	12/31/01	353,654.00	155,460.40	8,841.35
CC54	LIVINGSTON FARMS (RESERVE)	A	12	90	5711	06/30/02	171,072.00	73,062.00	4,276.80
CC55	NCDOT PROJECT	A	12	90	5711	06/30/02	46,464.00	19,844.00	1,161.60
CC56	FLETCHER NURSING HOME SEWER PROJECT	A	12	90	5711	06/30/02	54,912.00	23,452.00	1,372.80
CC57	STAFFORD CROSSING SEWER-PHASE I	A	12	90	5711	06/30/02	57,024.00	24,354.00	1,425.60
CC58	STAFFORD CROSSING SEWER - PHASE 2	A	12	90	5711	05/31/04	46,464.00	17,617.60	1,161.60
CC59	LIVINGSTON FARMS - PHASE 3	A	12	90	5711	02/29/04	219,648.00	84,656.00	5,491.20
CC6	CAPITALIZED INTEREST	A	03	90	5711	07/01/89	86,182.09	62,481.99	2,154.56
CC60	FLETCHER COMMERCIAL PARK	A	12	90	5711	03/31/05	17,001.60	6,092.24	425.04
CC61	TOWNES AT BAGWELL MILLS	A	12	90	5711	05/31/05	55,862.40	19,784.60	1,396.56
CC62	ST JOHN WOOD SUBDIVISION	A	12	90	5711	06/30/05	68,006.40	23,943.92	1,700.16
CC63	BALDWIN CIRCLE PROJECT	A	12	90	5711	08/31/05	53,433.60	18,590.44	1,335.84
CC64	RUNWAY BUSINESS PARK	A	12	90	5711	11/30/05	51,300.00	17,527.50	1,282.50
CC65	TWIN OAKS MHP	A	12	90	5711	04/30/06	25,650.00	8,496.56	641.25
CC66	RIVERSTONE SUBDIVISION SEWER PROJECT	A	12	90	5711	04/30/07	524,620.80	160,665.12	13,115.52
CC67	MILLS RIVER VILLAGE SEWER PROJECT	A	12	90	5711	05/31/07	265,161.60	80,653.32	6,629.04
CC68	SUMMEY SEWER PROJECT	A	12	90	5711	02/28/07	8,553.60	2,655.18	213.84
CC69	HOLLABROOK FARMS SEWER PROJECT	A	12	90	5711	04/30/07	883,872.00	270,685.80	22,096.80
CC7	ALLOCATED COSTS	A	03	90	5711	07/01/89	46,891.95	35,168.99	1,172.30
CC70	ADDISON CREEK SEWER PROJECT	A	12	90	5711	10/31/06	179,625.60	57,255.66	4,490.64
CC71	STAFFORD HILLS SEWER PROJECT	A	12	90	5711	04/30/07	188,179.20	57,629.88	4,704.48
CC72	BRICKTON INDUSTRIAL PARK - PHASE 1	A	12	90	5711	01/31/07	74,131.20	23,166.00	1,853.28
CC73	BRICKTON INDUSTRIAL PARK - PHASE 2	A	12	90	5711	06/30/07	136,857.60	41,342.40	3,421.44
CC74	THE VILLAGE (BRICKTON)	A	12	90	5711	11/30/07	68,428.80	19,958.40	1,710.72
CC75	TOWNES AT CONNER CREEK	A	12	90	5711	03/31/08	88,387.50	25,043.15	2,209.69
CC76	A & A CONSTRUCTION	A	12	90	5711	03/31/08	14,256.00	4,039.20	356.40
CC77	ASHEVILLE SAVINGS BANK	A	12	90	5711	04/30/08	19,958.40	19,958.40	0.00
CC78	RUTLEDGE RIDGE	A	12	90	5711	05/31/08	11,404.80	3,183.84	285.12
CC79	NAPLES HOTEL	A	12	90	5711	05/31/08	142,560.00	39,798.00	3,564.00
CC8	LAND & RIGHTS	A	01	90	5711	07/01/91	65,688.76	0.00	0.00
CC80	VILLAGE AT WINDSTONE	A	12	90	5711	05/31/08	202,435.20	56,513.16	5,060.88
CC81	THE COVE 1 & 2	A	12	90	5711	05/31/08	173,923.20	48,553.56	4,348.08
CC82	FIRE TRAINING CENTER PROJECT	A	12	90	5711	07/01/94	9,240.00	5,775.00	231.00
CC83	MTN HOME INDUSTRIAL PARK PROJECT	A	12	90	5711	07/01/98	310,118.54	162,812.21	7,752.97
CC84	ENGINEERING-MTN HOME IND PARK	A	13	90	5711	07/01/98	33,249.41	17,455.94	831.23
CC85	LEGAL & ADMIN FEES-MTN HOME IND PARK	A	10	90	5711	07/01/98	12,411.42	0.00	0.00
CC86	MUD CREEK TRANSFERRED COSTS	A	11	90	5711	07/01/02	72,105.83	25,237.06	0.00
CC87	FLETCHER FIRE & RESCUE SEWER LINE	A	12	90	5711	10/01/08	139,709.00	37,546.79	3,492.72
CC88	STAFFORD HILLS - PHASE 4 SEWER LINE	A	12	90	5711	12/01/08	17,107.00	3,038.67	287.24
CC89	MILLS RIVER SEWER EXTENSION - PT GREENE	A	12	90	5711	12/01/08	71,280.00	18,859.50	1,782.00
CC9	LEGAL & ADMIN FEES	A	10	90	5711	07/01/91	6,478.25	0.00	0.00
CC90	RIVERSTONE 1-B .5 MILES/2640'	A	12	90	5711	06/01/10	142,560.00	32,373.00	3,564.00
CC91	RIVERSTONE 1-D - .27 MILES	A	12	90	5711	01/25/11	77,092.02	16,382.05	1,927.30
CC92	RIVERSTONE 2-B - .54 MILES	A	12	90	5711	01/04/12	153,965.00	28,868.44	3,849.13
CC93	JEFFERIES ROAD - 1.57 MILES	A	12	90	5711	10/06/11	447,638.00	86,729.86	11,190.95



CC94	GLENS OF ABERDEEN - .25 MILES	A	12	90	5711	08/01/11	71,280.00	14,107.50	1,782.00
CC95	NAPLES KNOLLS .059 MILES	A	12	90	5711	06/30/13	17,132.50	2,605.55	428.31
CC96	GOACHER .034 MILES	A	12	90	5711	06/30/13	9,872.50	1,501.43	246.81
CC97	FRENCLIFF - .274 MILES	A	12	90	5711	06/30/13	79,568.50	12,101.03	1,989.21
CC98	REDMOND SEWER EXTENSION	A	12	90	5711	06/30/14	31,944.00	4,059.55	798.60
CC99	MISSION/PARDEE EXTENSION	A	12	90	5711	06/30/14	119,064.00	15,131.05	2,976.60

**STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON**

**LEASE AGREEMENT**

This Interlocal Agreement, pursuant to Article 20 of Chapter 160A, is made by and between the County of Henderson, a body corporate and politic of the State of North Carolina ("the County") and the Metropolitan Sewerage District of Buncombe County, North Carolina, a body corporate and politic of the State of North Carolina ("the District").

*Facts Leading to Agreement:*

- A. The County and the District have discussed leasing a portion of the County's King Street Office Building to the District, so that the District will have a physical presence within the County permitting offices. This presence is desired due to the merger of the Cane Creek Water and Sewer District with the District.
- B. It is the intent of the parties that this presence by the District will:
- (1) Facilitate a single location for the residents within the Henderson County portion of the District to obtain all land development information and permits.
  - (2) Provide a better opportunity for District and County staff to communicate regarding permitting and inspection issues associated with planned and active projects.
  - (3) Provide citizens and staff an opportunity to resolve issues that may arise in the development process in a central location accessible to both District and County residents.

*Statement of Agreement*

The parties agree as follows:

- (1) The County hereby leases to the District office space in the County's office building at 100 North King Street, or such other premises as the parties may later agree (such office space hereafter "the leased premises"), suitable for a satellite location of the Planning and Development Department of the District.
- (2) The leased premises consist of 90 square feet, and is part of a larger area. The larger area space may contain County files and may periodically be a shared space by other County staff.
- (3) The initial term of this lease shall be five (5) years, beginning 1 July 2020. However, unless either party shall give notice of the intention to terminate this provision at least six (6) months prior to the end of the term (that is, not later than 31 December 2024), then the lease shall be extended for another term of five (5) years. The District or the County may terminate this lease without penalty, prior to the end of the initial term or any subsequent term on 60 days written notice to the other party.
- (4) The District will pay to the County as rent the sum of Ten Dollars (\$10.00) per square foot of the leased premises per year, beginning 1 July 2020.

**MSD OF BUNCOMBE COUNTY, N.C.**

By \_\_\_\_\_

**Thomas E. Hartye, P.E.**  
**GENERAL MANAGER**

Date \_\_\_\_\_

\_\_\_\_\_  
**W. Scott Powell, MSD Director of Finance**

“This instrument has been pre-audited in the manner required  
by the Local Government Budget and Fiscal Control Act”

**HENDERSON COUNTY, N.C.**

By \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

# Metropolitan Sewerage District of Buncombe County

## BOARD ACTION ITEM

Meeting Date: June 10, 2020  
Submitted By: Thomas E. Hartye, PE., General Manager  
Prepared By: W. Scott Powell, CLGFO, Director of Finance  
Reviewed By: Billy Clarke, Legal Counsel  
Subject: Consideration of the Resolution Adopting the Final Budget for FY 2020-2021 and the Schedule of Sewer Rates & Fees

### Background

The District Budget process must comply with North Carolina General Statutes and the MSD Revenue Bond Order. The Bond order requires that the District adopt its final budget on or before June 15 of each year. The North Carolina General Statutes required that an annual balanced budget ordinance, based upon expected revenues, along with a budget message, to be presented to the governing board no later than June 1 of each year.

The Finance Committee met in May and unanimously approved staff's recommendation to forward to the Board for approval the FY2020-2021 Preliminary Budget Document, proposed Budget Resolution, and Schedule of Rates, Fees, and Charges. On May 20th, the Board approved staff's recommendations.

### Recommendation

There have been no changes to the proposed Final Budget, Budget Resolution, and Schedule of Rates, Fees, and Charges. Staff recommends approval of the [FY2021 Final Budget Document](#) along with the attached Budget Resolution, and Schedule of Rates, Fees, and Charges.

#### Action Taken

Motion by:

Second by:

Other:

Follow-up Required:

to

Approve  
Table

Person Required:

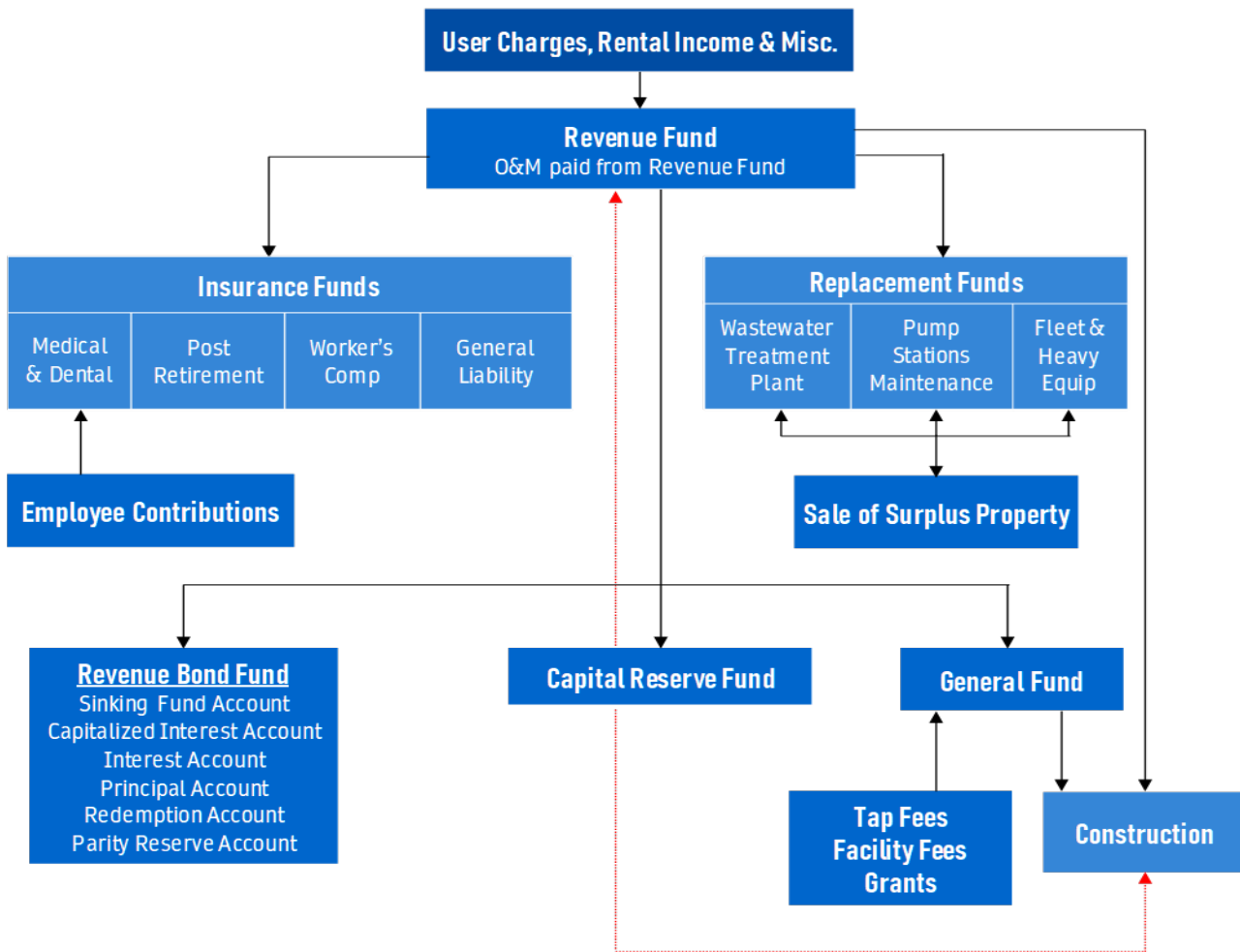
Disapprove

Send to Committee

Deadline:



## Flow of Funds Chart



**Priority of expenditures per Bond Order**

1. Current Expenditures
2. Debt Service
3. Capital Reserve
4. Any Lawful Purpose

- Income Sources
- Trustee Funds
- Expenditures

————— Flow of Funding

..... Flow of Funding if required for emergency repairs or maintenance

## Budget Resolution

RESOLUTION ADOPTING FINAL BUDGET AND SEWER USE CHARGES  
FOR THE  
METROPOLITAN SEWERAGE DISTRICT  
OF BUNCOMBE COUNTY, NORTH CAROLINA  
FOR THE FISCAL YEAR July 1, 2020 THRU June 30, 2021

WHEREAS, the Board of Directors has reviewed the Operations and Maintenance, Bond, Reserves, Construction Expenditures of the District, and the sources of revenue and allocations (uses) of expenditures for the 2020-2021 fiscal year; and

NOW, THEREFORE, BE IT RESOLVED:

- 1 The following amounts are hereby appropriated in the Revenue Fund for the Operations and Maintenance of the District and for transfers to the Debt Service, General Fund, and Insurance Funds for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

Operating and Maintenance Expenses	\$ 13,718,039
Transfer to Insurance Accounts	\$ 3,582,187
Transfer to Fleet & Heavy Equipment Fund	\$ 500,000
Transfer to Wastewater Treatment Plant Reserve	\$ 200,000
Transfer to Pump Station Maintenance	<u>\$ 50,000</u>
Subtotal O&M	\$ 18,050,226
Transfer to the General Fund	\$ 25,897,375
Transfer to Debt Service Fund	<u>\$ 9,837,382</u>
	<u><u>\$ 53,784,983</u></u>

It is estimated that the following revenues will be available in the Revenue Fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

Domestic User Fees	\$ 32,234,286
Industrial User Fees	\$ 2,881,690
Billing and Collection Fees	\$ 934,101
Investment Interest	\$ 403,919
Reimbursement for Debt Service from COA	\$ 35,000
Rental Income	\$ 71,641
Appropriated from Net Position	<u>\$ 17,224,346</u>
	<u><u>\$ 53,784,983</u></u>

2. The following amounts are hereby appropriated in the General Fund for the transfers to the Construction Fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

Transfer into Construction	\$ <u>28,000,000</u>
----------------------------	----------------------

It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

Facility and Tap Fees	\$ 2,175,000
Investment Income	\$ 2,625
Transfer in from Revenue Fund	\$ 25,897,375
Contribution to Net Position	\$ <u>(75,000)</u>
	\$ <u>28,000,000</u>

3. The following amounts are hereby appropriated in the Construction Fund for Capital Improvement Plan expenditures for the fiscal year beginning July 1, 2020 and ending June 30, 2021.

Capital Improvements Projects	\$ <u>28,131,316</u>
-------------------------------	----------------------

It is estimated that the following revenues will be available to the Construction Fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021.

Investment Income	\$ 2,500
Transfer in from General Fund	\$ 28,000,000
Appropriated from Net Position	\$ <u>128,816</u>
	\$ <u>28,131,316</u>

4. The following amounts are presented as the financial plan of the Insurance Funds that are used to provide insurance services. Estimated operating expenditures for the fiscal year beginning July 1, 2020 and ending June 30, 2021 are:

Operating Expenditures	\$ <u>3,633,862</u>
------------------------	---------------------

It is estimated that the following revenues will be available in the Insurance Funds for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

Transfer in from the Revenue Fund	\$ 3,582,187
Investment Income	\$ 12,500
Employee/Retirees Medical Contributions	\$ 389,048
Contribution to Net Position	\$ <u>(349,873)</u>
	\$ <u>3,633,862</u>

5. The following amounts are presented as the financial plan of the Fleet & Heavy Equipment Fund designated for capital equipment expenditures for the fiscal year beginning July 1, 2020 and ending June 30, 2021 estimated as follows:

Capital Equipment	\$ <u>896,000</u>
-------------------	-------------------

It is estimated that the following revenues will be available in the Fleet & Heavy Equipment Fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

Transfer in from the Revenue Fund	\$ 500,000
Sale of Surplus Property	\$ 71,680
Investment Income	\$ 3,886
Appropriated from Net Position	\$ <u>320,434</u>
	\$ <u>896,000</u>

6. The following amounts are presented as the financial plan of the Wastewater Treatment Plant Replacement Fund designated for wastewater treatment plant capital expenditures for the fiscal year beginning July 1, 2020 and ending June 30, 2021 estimated as follows:

Capital Equipment	\$ <u>319,227</u>
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It is estimated that the following revenues will be available in the Wastewater Treatment Plant Replacement Fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

Transfer in from the Revenue Fund	\$ 200,000
Investment Income	\$ 1,024
Appropriated from Net Position	\$ <u>118,203</u>
	\$ <u>319,227</u>

7. The following amounts are presented as the financial plan in the Pump Station Replacement Fund designated for pump capital expenditures for the fiscal year beginning July 1, 2020 and ending June 30, 2021 estimated as follows:

Capital Equipment	\$ 65,000
Transfer in Capital Reserve	\$ <u>16,500</u>
	\$ <u>81,500</u>

It is estimated that the following revenues will be available in the Pump Station Replacement Fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

Transfer in from the Revenue Fund	\$ 50,000
Investment Income	\$ 883
Appropriated from Net Position	\$ <u>30,617</u>
	\$ <u>81,500</u>



8. The following amounts are hereby appropriated in the Debt Service Fund for principal and interest payments for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

Debt Service	\$ <u>9,837,382</u>
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It is estimated that the following revenues will be available in the Debt Service Fund for the fiscal year beginning July 1, 2020 and ending June 30, 2021:

Transfer in from the Revenue Fund	\$ 9,837,382
Investment Income	\$ 1,500
Contributions to Net Position	\$ <u>(1,500)</u>
	<u>\$ 9,837,382</u>

9. That the Board of the Metropolitan Sewerage District does hereby approve an increase in the Budgets to the amount necessary to reflect any contributions to the Debt Service Reserve Fund or Capital Reserve Fund as determined by the Bond Trustee to be necessary to comply with covenants in the Bond Order.

10. The General Manager is hereby authorized to transfer appropriations as contained herein under the following conditions:

- a. He may transfer amounts without limitation between departments in a fund.  
He may transfer any amounts within Debt Service and Reserve Funds designated as excess by the
- b. Trustee into another fund.  
He may transfer up to 10% of Insurance Fund reserves to meet current year expenditures in excess
- c. of budget.

11. That the attached Schedule of Fees and Charges be adopted as effective July 1, 2020.

12. That this resolution shall be entered in the minutes of the District and within five (5) days after its adoption, copies thereof are ordered to be filed with the Finance and Budget Officer and Secretary of the Board as required by G.S. 159-13 (d).

Adopted this 10th day of June 2020

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M. Jerry VeHaun, Chairman  
Metropolitan Sewerage District of  
Buncombe County, North Carolina

Attest:

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Jackie W. Bryson  
Secretary/Treasurer

## Schedule of Rates, Fees, and Charges – FY2021

Effective July 1, 2020

	ADOPTED FY20 RATE	PROPOSED FY21 RATE
<b>Collection Treatment Charge</b>		
Residential & Commercial Volume Charges (per CCF) Inside	\$ 4.73	\$ 4.73
Industrial Volume Charges (per CCF) Inside	\$ 4.73	\$ 4.73
Industrial Surcharge for BOD (per lb., BOD >250 mg/l) Inside	\$ 0.300	\$ 0.300
Industrial Surcharge for TSS (per lb., TSS >250 mg/l) Inside	\$ 0.250	\$ 0.250
Residential & Commercial Volume Charges (per CCF) Outside	\$ 4.74	\$ 4.74
Industrial Volume Charges (per CCF) Outside	\$ 4.74	\$ 4.74
Industrial Surcharge for BOD (per lb., BOD >250 mg/l) Outside	\$ 0.300	\$ 0.300
Industrial Surcharge for TSS (per lb., TSS >250 mg/l) Outside	\$ 0.250	\$ 0.250
<b>Base Meter/Maintenance Charge &amp; Billing Fee</b>		
5/8"	\$ 7.29	\$ 7.29
3/4"	\$ 10.61	\$ 10.61
1"	\$ 18.83	\$ 18.83
1 1/2"	\$ 43.09	\$ 43.09
2"	\$ 76.20	\$ 76.20
3"	\$ 168.99	\$ 168.99
4"	\$ 301.57	\$ 301.57
6"	\$ 679.34	\$ 679.34
8"	\$ 1,206.24	\$ 1,206.24
10"	\$ 1,888.91	\$ 1,888.91
Billing Fee (per bill)	\$ 2.45	\$ 2.45
<b>Sewer System Development Fees</b>		
This impact fee is for allotted capacity in the treatment and transmission system. A differential fee will be charged for increases to an existing meter size.		
<i>Residential</i>		
Per Unit	\$ 2,836.00	\$ 2,836.00
Multifamily Unit	\$ 1,900.00	\$ 1,900.00
Affordable Housing	\$ 670.00	\$ 670.00

## Schedule of Rates, Fees, and Charges – FY2021

	ADOPTED FY20 RATE	PROPOSED FY21 RATE
<b>Sewer System Development Fees</b> (continued)		
<i>Nonresidential</i>		
5/8"	\$ 2,836.00	\$ 2,836.00
3/4"	\$ 4,254.00	\$ 4,254.00
1"	\$ 7,090.00	\$ 7,090.00
1 1/2"	\$ 14,180.00	\$ 14,180.00
2"	\$ 22,688.00	\$ 22,688.00
3"	\$ 45,376.00	\$ 45,376.00
4"	\$ 70,900.00	\$ 70,900.00
6"	\$ 141,800.00	\$ 141,800.00
8"	\$ 226,800.00	\$ 226,800.00
10"	\$ 595,560.00	\$ 595,560.00
12"	\$ 751,540.00	\$ 751,540.00
<b>Sewer Connection Fees**</b>		
This fee is to provide new or re-establish existing service connections to the MSD system.		
Sewer Connection by MSD	\$ 1,300.00	\$ 1,300.00
Pavement Disturbance and Boring Fee	\$ 2,300.00	\$ 2,300.00
Inspection Fee for Developer (or Utility Contractor) Installed Sewer Connection	\$ 140.00	\$ 140.00
<p>**The Sewer Connection Fee will apply to all new construction, as well as existing structures which have been demolished/rebuilt and sewer service is reinstated under new property ownership. MSD reserves the right to require that a licensed utility contractor install any sewer connection/service line. Sewer service lines within public rights-of-way between 75 and 300 feet shall be constructed by a licensed utility contractor to MSD Standards. All work will be subject to MSD inspection.</p>		
<b>Manhole Installation/Replacement</b>		
Cost per foot	\$ 250.00	\$ 250.00
Pavement replacement (if required)	\$ 1,800.00	\$ 1,800.00

## Schedule of Rates, Fees, and Charges – FY2021

	ADOPTED FY20 RATE	PROPOSED FY21 RATE
<b>Other Fees</b>		
Allocation Fee	\$ 170.00	\$ 170.00
Non-Discharge Permit	\$ 200.00	\$ 200.00
Plan Review Fee	\$ 450.00	\$ 450.00
Plan re-review Fee	\$ 350.00	\$ 350.00
Pump Station Acceptance Fee	Note 1	Note 1
Note 1--See policy for details of computation of O&M and equipment replacement costs for upcoming 20 years; 50% discount for affordable housing		
<b>Bulk Charges</b>		
Volume Charge for Septic Haulers (per 1,000 Gal.)	\$ 45.00	\$ 45.00
Biochemical Oxygen Demand >250 mg/l (per lb.)	\$ 0.300	\$ 0.300
Total Suspended Solids >250 mg/l (per lb.)	\$ 0.250	\$ 0.250
<b>Returned Check Charge</b>		
Returned Check (per event)	\$ 25.00	\$ 25.00
Dishonored Draft (per event)	\$ 25.00	\$ 25.00
<b>Copy/Printing Fees/Miscellaneous (each)</b>		
8x11 first print of standard GIS inquiry	\$ 1.00	\$ 1.00
8x14 first print of standard GIS inquiry	\$ 1.00	\$ 1.00
11x17 first print of standard GIS inquiry	\$ 2.00	\$ 2.00
24x36 first print of standard GIS inquiry	\$ 7.00	\$ 7.00
34x44 first print of standard GIS inquiry	\$ 12.00	\$ 12.00
36x48 first print of standard GIS inquiry	\$ 14.00	\$ 14.00
8x11 or 8x14 copies after first print	\$ 0.11	\$ 0.11
11x17 copies after first print	\$ 0.20	\$ 0.20
24x36 copies after first print	\$ 0.94	\$ 0.94
34x44 copies after first print	\$ 1.76	\$ 1.76
36x48 copies after first print	\$ 2.03	\$ 2.03
Foam Core mounting per sq. foot	\$ 3.00	\$ 3.00
Data CD	\$ 30.00	\$ 30.00
Shipping for CD	\$ 5.00	\$ 5.00
Permit Decals for Septic Haulers	\$ 50.00	\$ 50.00

# **STATUS REPORTS**

**MSD System Services In-House Construction  
FY 19-20**

PROJECT NAME	LOCATION	ZIP CODE	ESTIMATED FOOTAGE	ESTIMATED PROJECT DATES	WO#	CREW	COMPLETION DATE	ACTUAL FOOTAGE	NOTES
Saint Johns Street Force Main Replacement	Arden	28704	1040	6/10/19-7/5/19	238516	631	7/1/2019	1048	Complete
Brown Avenue at Elk Mtn Rd	Woodfin	28804	484	7/6/19 - 7/17/19	252976	631	7/17/2019	500	Complete
324 Brooklyn Road Sewer Rehabilitation	Asheville	28803	100	7/18/19-7/19/19	258462	631	7/19/2019	85	Complete
Tried Street Sewer Rehab	Asheville	28803	100	7/20/19 - 7/28/19	263127	631	7/25/2019	86	Complete
415 Chunn's Cove Road at Willow Ridge Sewer Rehabilitation	Asheville	28805	100	8/1/19 - 8/8/19	258463	631	8/2/2019	100	Complete
106 Seventh St Sewer Rehabilitation	Black Mountain	28711	200	8/9/19 - 8/20/19	225198	631	8/13/2019	200	Complete
122 Wendover Road Sewer Rehabilitation	Asheville	28806	113	8/14/19 - 8/16/19	258561	631	8/16/2019	112	Complete
2 Spartan Avenue Sewer Replacement	Asheville	28806	110	8/14/2019	264550	614	8/14/2019	110	Complete
Riverside Drive @ Vine Street	Woodfin	28804	220	8/19/19 - 8/21/19	264742	631	8/21/2019	220	Complete
Barnard Avenue at Lookout Sewer Rehabilitation	Asheville	28804	200	8/22/19 - 8/27/19	236089	631	8/27/2019	205	Complete
Waynensville Avenue at Brownwood	Asheville	28806	798	6/24/19 - 8/31/19	247283	674	8/30/2019	698	Complete
Lower Melody Lane Sewer Rehabilitation	Asheville	28803	694	8/28/19 - 10/1/19	256882	631	9/27/2019	667	Complete
149 State Street Sewer Rehabilitation	Asheville	28806	265	9/1/19 - 9/20/19	237791	674	9/24/2019	233	Complete
15 New Jersey Sewer Rehabilitation	Asheville	28806	250	9/21/19 - 10/7/19	238782	674	10/2/2019	228	Complete
Old Haw Creek Road at Dillingham Road Phase I	Asheville	28805	419	10/2/19 - 11/1/19	220080	631	10/28/2019	420	Complete
Montgomery Street Construction Rehabilitation Section 1	Asheville	28806	218	11/4/19 - 11/8/19	266979	674	11/7/2019	218	Complete
Montgomery Street Construction Rehabilitation Section 2	Asheville	28806	218	11/4/19 - 11/8/19	266673	674	11/6/2019	382	Complete
12 Mayflower Drive Sewer Rehabilitation	Asheville	28804	279	11/16/19 - 12/1/19	247347	631	11/15/2019	313	Complete
Erwin Hills Force Main Relocation	Leicester	28806	60	11/11/19 - 11/20/19	266981	674	11/19/2019	68	Complete
28 Mayflower Drive Sewer Replacement	Asheville	28804	272	11/2/19 - 12/2/19	265101	631	11/26/2019	185	Complete
East Grovestone Quarry Sewer Rehabilitation	Black Mountain	28711	780	10/21/19-12/15/19	213459	674	12/18/2019	787	Complete
217 Mountain View Road Sewer Rehabilitation Ph. 2	Asheville	28805	483	12/2/19-1/1/20	260470	631	12/18/2019	442	Complete
139 Old County Home Road	Asheville	28806	352	1/2/20 - 1/23/20	260128	674	1/22/2020	351	Complete
Reddick Road Sewer Construction Rehabilitation	Asheville	28805	635	12/15/19 - 1/1/20	267501	674	1/21/2020	648	Complete
332 Wilson Avenue	Swannanoa	28778	235	1/24/20 - 2/10/20	210202	674	2/24/2020	280	Complete
Riverside Drive at Norton Road	Woodfin	28804	700	1/23/20 - 3/7/20	267504	631	3/12/2020	605	Complete
Sarvena Place Repair	Asheville	28804	160	3/13/20 - 3/19/20	262466	631	3/19/2020	156	Complete
Kenilworth Road at Warwick Sewer Rehabilitation Phase 1	Asheville	28803	573	2/25/20 - 4/1/20	268182	674	3/26/2020	491	Complete
225 Westwood Avenue Construction Repair	Swannanoa	28778	244	3/13/2020	269942	631	3/13/2020	244	Complete
Kenilworth Road at Warwick Sewer Rehabilitation Phase 2	Asheville	28803	80	5/18/2020 - 5/27/20	271196	674	5/26/2020	78	Complete
East Chestnut Ave. @ Five Points Line A Sewer Rehabilitation	Asheville	28801	580	5/11/2020 - 6/22/20	268188	631			Construction 20% complete
Forest Hill Drive at Kenilworth Road	Asheville	28803	353	5/27/20 - 6/22/20	268193	674			Construction Started
Caledonia Road at Springdale Rd	Asheville	28803	629	FY 19-20	268194	674			Ready for construction
WRF Ash Pump Line Replacement	Woodfin	28804	1000	FY 19-20	267391	631			Ready for construction



## CONSTRUCTION TOTALS BY DATE COMPLETED - Monthly

From 7/1/2019 to 4/30/2020

	Dig Ups	Emergency Dig Ups	Dig Up ML Ftg	Dig Up SL Ftg	Manhole Repairs	Taps Installed	ROW Ftg	IRS Rehab Ftg *	Const Rehab Ftg *	D-R Rehab Ftg *	Manhole Installs	Bursting Rehab Ftg *	Total Rehab Ftg *
July 2019	25	12	163	718	27	24	12,239	0	24	606	10	1,121	1751
August 2019	32	6	138	488	27	28	2,615	0	110	1543	12	0	1653
September 2019	13	10	286	431	18	21	11,200	0	0	800	10	100	900
October 2019	23	9	156	1,008	22	29	3,445	0	0	236	8	420	656
November 2019	15	8	60	396	25	15	1,250	0	608	566	7	0	1174
December 2019	13	11	35	544	20	13	150	0	298	1237	6	0	1535
January 2020	28	15	68	746	15	29	5,092	0	1031	351	2	0	1382
February 2020	25	8	126	515	15	16	0	0	0	198	3	82	280
March 2020	35	13	75	1,075	7	38	0	0	528	1096	8	0	1624
April 2020	19	5	35	568	15	34	0	0	0	30	0	0	30
<b>Grand Totals</b>	<b>228</b>	<b>97</b>	<b>1,141</b>	<b>6,489</b>	<b>191</b>	<b>247</b>	<b>35,991</b>	<b>0</b>	<b>2599</b>	<b>6663</b>	<b>66</b>	<b>1,723</b>	<b>10985</b>

\* Used to calculate Total Rehab Footage



## CUSTOMER SERVICE REQUESTS

### Monthly - All Crews

CREW	MONTH	JOBS	AVERAGE RESPONSE TIME	AVERAGE TIME SPENT
<b>DAY 1ST RESPONDER</b>				
	July, 2019	108	25	35
	August, 2019	85	23	41
	September, 2019	59	24	38
	October, 2019	94	24	40
	November, 2019	80	26	35
	December, 2019	96	27	36
	January, 2020	90	23	43
	February, 2020	103	24	34
	March, 2020	119	28	35
	April, 2020	138	36	23
		<b>972</b>	<b>27</b>	<b>35</b>
<b>NIGHT 1ST RESPONDER</b>				
	July, 2019	13	24	15
	August, 2019	18	25	20
	September, 2019	7	30	36
	October, 2019	13	28	23
	November, 2019	28	21	22
	December, 2019	42	30	30
	January, 2020	40	33	32
	February, 2020	30	24	37
	March, 2020	36	38	30
	April, 2020	38	35	25
		<b>265</b>	<b>30</b>	<b>28</b>
<b>ON-CALL CREW *</b>				
	July, 2019	41	41	37
	August, 2019	29	34	30
	September, 2019	24	39	59
	October, 2019	38	34	25
	November, 2019	32	41	56
	December, 2019	56	50	31

\* On-Call Crew Hours: 8:00pm-7:30am (Jul. - Oct.) 11:30pm-7:30am (from Nov. onward) Monday-Friday, Weekends, and Holidays





## CUSTOMER SERVICE REQUESTS Monthly - All Crews

CREW	MONTH	JOBS	AVERAGE REPSONSE TIME	AVERAGE TIME SPENT
<b>ON-CALL CREW *</b>				
	January, 2020	36	49	46
	February, 2020	31	37	38
	March, 2020	50	57	26
	April, 2020	32	50	28
		<b>369</b>	<b>44</b>	<b>36</b>
<b>Grand Totals:</b>		<b>1,606</b>	<b>31</b>	<b>34</b>

\* On-Call Crew Hours: 8:00pm-7:30am (Jul. - Oct.) 11:30pm-7:30am (from Nov. onward) Monday-Friday, Weekends, and Holidays



## PIPELINE MAINTENANCE TOTALS BY DATE COMPLETED - Monthly

July 01, 2019 to April 30, 2020

	Main Line Wash Footage	Service Line Wash Footage	Rod Line Footage	Cleaned Footage	CCTV Footage	Smoke Footage	SL-RAT Footage
<b>2019</b>							
July	89,420	739	8,930	98,350	21,980	325	17,474
August	100,227	1,060	1,520	101,747	20,013	2,700	6,860
September	62,575	696	3,060	65,635	13,188	14,821	44,100
October	88,177	972	5,789	93,966	41,345	500	49,697
November	64,927	1,519	5,862	70,789	11,418	0	23,503
December	61,961	2,873	5,695	67,656	18,165	0	28,567
<b>2020</b>							
January	90,722	2,276	3,951	94,673	10,357	200	21,239
February	71,292	1,360	6,097	77,389	17,672	1,050	19,284
March	101,294	2,110	4,976	106,270	8,396	0	17,568
April	10,562	1,417	720	11,282	2,108	0	0
<b>Grand Total:</b>	<b>741,157</b>	<b>15,022</b>	<b>46,600</b>	<b>787,757</b>	<b>164,642</b>	<b>19,596</b>	<b>228,292</b>
<b>Avg Per Month:</b>	<b>74,116</b>	<b>1,502</b>	<b>4,660</b>	<b>78,776</b>	<b>16,464</b>	<b>1,960</b>	<b>22,829</b>

**CAPITAL IMPROVEMENT PROGRAM**

**STATUS REPORT SUMMARY**

**June 3, 2020**

PROJECT	LOCATION OF PROJECT	CONTRACTOR	AWARD DATE	NOTICE TO PROCEED	ESTIMATED COMPLETION DATE	*CONTRACT AMOUNT	*COMPLETION STATUS (WORK)	COMMENTS
NEW HAW CREEK @ WATER BOOSTER STATION	Asheville 28805	Terry Brothers Construction Company	2/19/2020	4/22/2020	6/30/2020	\$368,074.50	98%	Construction complete and ready for final walkthrough.
NORTH LEXINGTON AVENUE @ I-240	Asheville 28801	Terry Brothers Construction Company	11/11/2019	4/1/2020	6/30/2020	\$112,522.00	100%	Project complete and in close out.
PATTON HILL ROAD (4-INCH MAIN)	Swannanoa	Terry Brothers Construction Company	2/19/2020	4/22/2020	10/19/2020	\$271,980.50	95%	Waiting on final resurfacing.
SOUTH FRENCH BROAD INTERCEPTOR LINING (FY 19-20)	Biltmore	Am-Liner East, Inc.	10/16/2019	1/1/2020	6/30/2020	\$867,811.00	99%	Construction complete, waiting on test results.
TOWN BRANCH INTERCEPTOR LINING	Asheville 28801	Am-Liner East, Inc.	10/16/2019	1/1/2020	6/30/2020	\$187,272.95	98%	Construction complete, except for paving; waiting on test results.
NEW WALNUT STREET @ RIVERSIDE DRIVE	Asheville 28804	Terry Brothers Construction Company	12/18/2019	5/4/2020	7/31/2020	\$336,435.00	0%	Contractor has mobilized.
WALNUT STREET @ RANKIN AVENUE (COA COST SHARE)	Asheville 28801	Tennoca Construction Company	Contract administered thru COA - approved 11/20/19	1/6/2020	12/31/2020	\$1,709,532.00	98%	Sewer work is complete; ready for final walkthrough.
WEAVERVILLE FORCE MAIN @ PLANT	Woodfin	Terry Brothers Construction Company	7/17/2019	11/4/2019	7/1/2020	\$2,188,114.10	100%	Project complete and in close out.
WRF- PLANT HIGH RATE PRIMARY TREATMENT	Woodfin	Shook Construction Company	10/17/2018	1/7/2019	12/31/2020	\$15,147,234.13	48%	Poured top slab over pump room; tied in 12-inch sludge line.

**\*Updated to reflect approved Change Orders and Time Extensions**

## Planning & Development Project Status Report

Active Construction Projects Sorted by Work Location and Project Number

May 28, 2020

No.	Project Name	Project Number	Work Location	Zip Code	Units	LF	Pre-Construction Conference Date	Comments
1	First Baptist Relocation	2015032	Asheville	28801	Comm.	333	7/21/2015	Final Inspection complete, awaiting close-out docs
2	8 Sulphur Springs Road	2015116	Asheville	28806	6	80	11/22/2016	Final Inspection complete, awaiting close-out docs
3	Towne Place Suites	2016012	Asheville	28801	83	342	9/11/2018	Testing
4	Hounds Ear (Mears Ave Cottages)	2016123	Asheville	28806	18	402	8/18/2017	Pre-con held, construction not yet started
5	Element Hotel	2016124	Asheville	28805	Comm.	177	1/21/2020	Waiting on final inspection
6	Hawthorne at Mills Gap	2016222	Asheville	28803	272	442	10/3/2017	Final Inspection complete, awaiting close-out docs
7	Ashecroft	2016229	Asheville	28806	40	2,450	2/20/2018	Phase 1 - Final complete, awaiting close-out docs / Phase 2 - on hold
8	Hotel Milan	2017003	Asheville	28805	112	24	9/20/2019	Waiting on final inspection
9	Gerber Road Storage	2017049	Asheville	28803	Comm.	156	2/9/2018	Final Inspection complete, awaiting close-out docs
10	RADTIP	2017052	Asheville	28801	0	919	2/13/2018	Installing
11	White Oak Grove	2017053	Asheville	28801	114	1,185	6/28/2019	Waiting on final inspection
12	Rock Hill Road	2017096	Asheville	28803	15	990	7/24/2018	Final Inspection complete, awaiting close-out docs
13	McCormick Place	2017150	Asheville	28801	17	210	8/3/2018	Final Inspection complete, awaiting close-out docs
14	Ingles - Airport Rd.	2017195	Asheville	28704	Comm.	792	2/11/2020	Pre-con held, construction not yet started
15	Wanoca Cottages	2017214	Asheville	29903	15	378	3/26/2019	Waiting on final inspection
16	17 N. Market Street	2017238	Asheville	28801	16	256	5/10/2019	Pre-con held, construction not yet started
17	Biltmore Terrace Ph. 3	2018000	Asheville	28803	15	294	7/16/2019	Waiting of final inspection
18	US 74 Commercial Development	2018010	Asheville	28803	4	265	5/25/2018	Waiting on testing
19	Old Haywood Subdivision Phase 1	2018073	Asheville	28806	79	1,770	3/19/2019	Final Inspection complete, awaiting close-out docs
20	Fern Street	2018081	Asheville	28803	8	60	2/15/2019	Testing
21	Lee Walker Heights	2018126	Asheville	28801	116	1,755	10/1/2019	Waiting on testing
22	Le An Hurst Road	2018127	Asheville	28803	5	245	3/22/2019	Final Inspection complete, awaiting close-out docs
23	Tru by Hilton	2018131	Asheville	28805	1	248	1/25/2019	Waiting on final inspection
24	Hamrick Farms	2018133	Asheville	28715	69	3,483	8/30/2019	Installing
25	Bear Creek Hotel	2018141	Asheville	28806	Comm.	860	11/5/2019	Installing
26	Rowhouse Development	2018205	Asheville	28801	20	365	1/7/2020	Testing
27	Birch Lane	2018241	Asheville	28704	26	875	1/3/2020	Testing
28	Habitat - Old Haywood Road	2018258	Asheville	28806	38	1,355	8/20/2019	Final Inspection complete, awaiting close-out docs
29	Joyner Avenue	2018264	Asheville	28801	4	215	6/4/2019	Final Inspection complete, awaiting close-out docs
30	Mountain Song	2019065	Asheville	28806	5	263	5/1/2020	Pre-con held, construction not yet started
31	Amaranth Apartments	2019068	Asheville	28715	70	840	5/21/2020	Pre-con held, construction not yet started
32	UNC-A Edgewood Road Parking Lot	2019078	Asheville	28801	Comm.	373	7/19/2019	Waiting on final inspection
33	100 Airport Road Sewer Relocation	2019125	Asheville	28704	Comm.	548	8/23/2019	Waiting on final inspection
34	Abundance Run Subdivision	2019141	Asheville	28805	16	500	12/20/2019	Installing
35	Towne Place by Marriott (Bear Creek)	2019187	Asheville	28806	Comm.	264	2/28/2020	Testing
36	West Keesler Avenue	2007176	Black Mountain	28711	6	410	11/15/2016	Final Inspection complete, awaiting close-out docs
37	808 Montreat Road	2015126	Black Mountain	28711	4	371	4/18/2017	Final Inspection complete, awaiting close-out docs
38	Avadim	2017001	Black Mountain	28711	Comm.	2,286	1/11/2019	Testing complete, awaiting final inspection
39	Chapman's Cove	2017227	Black Mountain	28711	10	430	9/21/2018	Final Inspection complete, awaiting close-out docs
40	402 Blue Ridge Road	2018206	Black Mountain	28711	6	372	2/5/2019	Final Inspection complete, awaiting close-out docs
41	262 Flat Creek Road	2018223	Black Mountain	28711	3	286	12/6/2019	Waiting on final inspection
42	Givens Highland Farms-Cottage Development	2018272	Black Mountain	28711	16	1,355	9/13/2019	Waiting on final inspection
43	Padgettown Road - Phase 1	2019003	Black Mountain	28711	6	240	7/19/2019	Final Inspection complete, awaiting close-out docs
44	Padgettown Road - Phase 2	2019085	Black Mountain	28711	43	1,308	7/19/2019	Final Inspection complete, awaiting close-out docs
45	White Oak Circle Ph. 2	2019206	Black Mountain	28711	2	94	3/3/2020	Installing
46	Hyde Park Phase 2	2013058	Buncombe Co.	28704	14	500	12/3/2013	Final Inspection complete, awaiting close-out docs
47	Waightsill Mountain Phase 2B	2015155	Buncombe Co.	28704	16	1,784	4/23/2019	Punchlist pending, awaiting closeout documents
48	Bee Tree Village	2015158	Buncombe Co.	28778	26	1,118	3/17/2017	Waiting on final inspection
49	NC DOT I-5504 NC 191/I-26 Interchange	2016132	Buncombe Co.	28806	0	355	10/23/2017	In Construction
50	Bradley Branch Phase 4A	2016189	Buncombe Co.	28704	27	2,420	5/10/2019	Testing
51	Villas of Avery Creek	2017068	Buncombe Co.	28704	270	3,170	9/18/2018	Final Inspection complete, awaiting close-out docs
52	ABCCM	2017083	Buncombe Co.	28806	60	4,069	12/4/2018	Final Inspection complete, awaiting close-out docs
53	Glenn Bridge Meadows	2017151	Buncombe Co.	28704	30	1,692	7/19/2019	Final Inspection complete, awaiting close-out docs
54	Sweetgrass Apartments	2018015	Buncombe Co.	28704	270	1,090	4/12/2019	Installing
55	The Ramble Block I	2018050	Buncombe Co.	28803	39	7,316	12/4/2018	Final Inspection complete, awaiting close-out docs
56	Upper Grassy Branch Road	2018087	Buncombe Co.	28805	6	250	8/31/2018	Waiting on final inspection
57	Victoria Hills (Lance Road) Ph. 1	2018094	Buncombe Co.	28704	38	1,176	3/6/2020	Installing
58	Starnes Cove Subdivision	2018106	Buncombe Co.	28806	14	315	9/6/2019	Pre-con held, construction not yet started
59	705 Bee Tree Road	2018113	Buncombe Co.	28778	11	500	11/15/2019	Waiting on final inspection
60	Bee Tree Road	2018115	Buncombe Co.	28778	6	240	12/18/2018	Final Inspection complete, awaiting close-out docs
61	Holbrook Road Subdivision	2018125	Buncombe Co.	28715	170	2,225	1/14/2020	Waiting on final inspection
62	Rockdale Subdivision	2018145	Buncombe Co.	28778	9	630	3/17/2020	Pre-con held, construction not yet started
63	Cedar Lane	2018164	Buncombe Co.	28704	9	145	3/22/2019	Final Inspection complete, awaiting close-out docs
64	East Haven Apartments	2018198	Buncombe Co.	28778	95	34	7/30/2019	Ready for testing
65	Retreat at Arden Farms	2018207	Buncombe Co.	28704	416	299	11/19/2019	Testing
66	Reserve at Gashes Creek	2018208	Buncombe Co.	28803	190	1,940	8/2/2019	Installing
67	Birch Lane	2018241	Buncombe Co.	28704	26	875	1/3/2020	Pre-con held, construction not yet started
68	Riverbend Forest Subdivision	2018247	Buncombe Co.	28805	25	2,738	1/14/2020	Installing
69	Lower Grassy Branch Ph. 2	2018252	Buncombe Co.	28805	12	270	1/21/2020	Waiting on final inspection
70	Rice MHP Off-Site	2019029	Buncombe Co.	28715	TBD	460	4/24/2020	Pre-con held, construction not yet started
71	Roberson Relocation	2019037	Buncombe Co.	28715	Comm.	200	4/24/2020	Pre-con held, construction not yet started
72	Amaranth Apartments	2019068	Buncombe Co.	28715	70		5/21/2020	Pre-con held, construction not yet started
73	Riceville Road Development	2019156	Buncombe Co.	28805	7	145	1/21/2020	Final Inspection complete, awaiting close-out docs
74	School Road East	2019185	Buncombe Co.	28803	3	169	12/13/2019	Final Inspection complete, awaiting close-out docs
75	80 Deerhaven Lane	2019232	Buncombe Co.	28803	2	257	2/11/2020	Waiting on final inspection
76	Creekside Cottages	2019255	Buncombe Co.	28704	6	400	3/12/2015	Phase 2 Construction Not started
77	Fountain Park Subdivision - Ph. 2	2020026	Buncombe Co.	28806	120	4,611	7/12/2019	Installing
78	Ambler's Chase	2017249	Weaverville	28787	21	1,235	11/29/2018	Testing
79	Northridge Commons Townhomes	2018082	Weaverville	28787	53	1,380	4/9/2019	On hold, waiting on grading
80	Maple Trace Ph. 4	2018214	Weaverville	28787	35	1,265	5/24/2019	Final Inspection complete, awaiting close-out docs
81	Crest Mountain Phase 3B	2013041	Woodfin	28806	69	1,329	10/15/2013	Punchlist pending, awaiting closeout documents (roadwork remaining)
82	Reese & Jan Lasher (High Hopes)	2015152	Woodfin	28806	14	320	4/26/2016	Final Inspection complete, awaiting close-out docs
83	Apple Lane	2017130	Woodfin	28804	4	60	8/31/2018	Final Inspection complete, awaiting close-out docs
84	88 North Merrimon Avenue	2017196	Woodfin	28804	Comm.	455	5/11/2018	Final Inspection complete, awaiting close-out docs
85	Olivette Gravity Phase 2	2018116	Woodfin	28804	94	12,406	11/27/2018	Installing
86	Skyfin-Terraces at Reynolds Mtn -Phase 2	2018187	Woodfin	28804	10	140	8/8/2017	Final Inspection complete, awaiting close-out docs
87	Skyfin-Terraces at Reynolds Mtn -Phase 3&4	2018187	Woodfin	28804	12	705	8/8/2017	Installing
88	Brown Avenue	2018267	Woodfin	28804	3	62	7/2/2019	Final Inspection complete, awaiting close-out docs
			<b>TOTAL</b>		3,582	91,616		



# Metropolitan Sewerage District

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OF BUNCOMBE COUNTY, NORTH CAROLINA

MSD BOARD  
MEETING NOTICE  
June 10, 2020 @ 2:00 PM

You may join meeting by dialing in:

United States (Toll Free): 1 866 899 4679

United States: +1 (646) 749-3117

Access Code: 983-539-717

*~Protecting Our Natural Resources~*

**MSD**  
Regular Board Meeting

Metropolitan Sewerage District  
of Buncombe County, NC

**AGENDA FOR 6/10/2020**

✓	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 May 20, 2020 Board Meeting	VeHaun	2:10	
	03. Discussion and Adjustment of Agenda	VeHaun	2:15	
	04. Introduction of Guests	VeHaun	2:20	
	05. Informal Discussion and Public Comment	VeHaun	2:25	
	06. Report of General Manager	Hartye	2:30	
	07. Consolidated Motion Agenda	Hartye	2:45	
	a. Consideration of Lease Agreement: MSD Office Space in Henderson County Permitting Building	Hartye		
	b. Consideration of Developer Constructed Sewer Systems: Central Avenue Sewer Extension; Sweet Birch Lane Phases 1 & 2; White Oak Circle Phase 1	Hartye		
	c. Consideration of Bids – Calcium Nitrate Solution for Odor & Hydrogen Sulfide Control Contract FY21	Hartye		
	d. Report on MSD Paving Agreement with City of Asheville	Hartye		
	e. Cash Commitment/Investment Report-Month ended April, 2020	Powell		
	08. Consideration of Consolidation Agreement between MSD and Cane Creek Water & Sewer District	Hartye	3:00	
	09. Public Hearing: Consideration of Resolution Adopting Final Budget for FY 20-21 and Schedule of Sewer Rates and Fees	Powell	3:15	
	10. Old Business:	VeHaun	3:20	
	11. New Business:	VeHaun	3:25	
	12. Adjournment: (Next Meeting 07/22/20)	VeHaun	3:30	
	STATUS REPORTS			