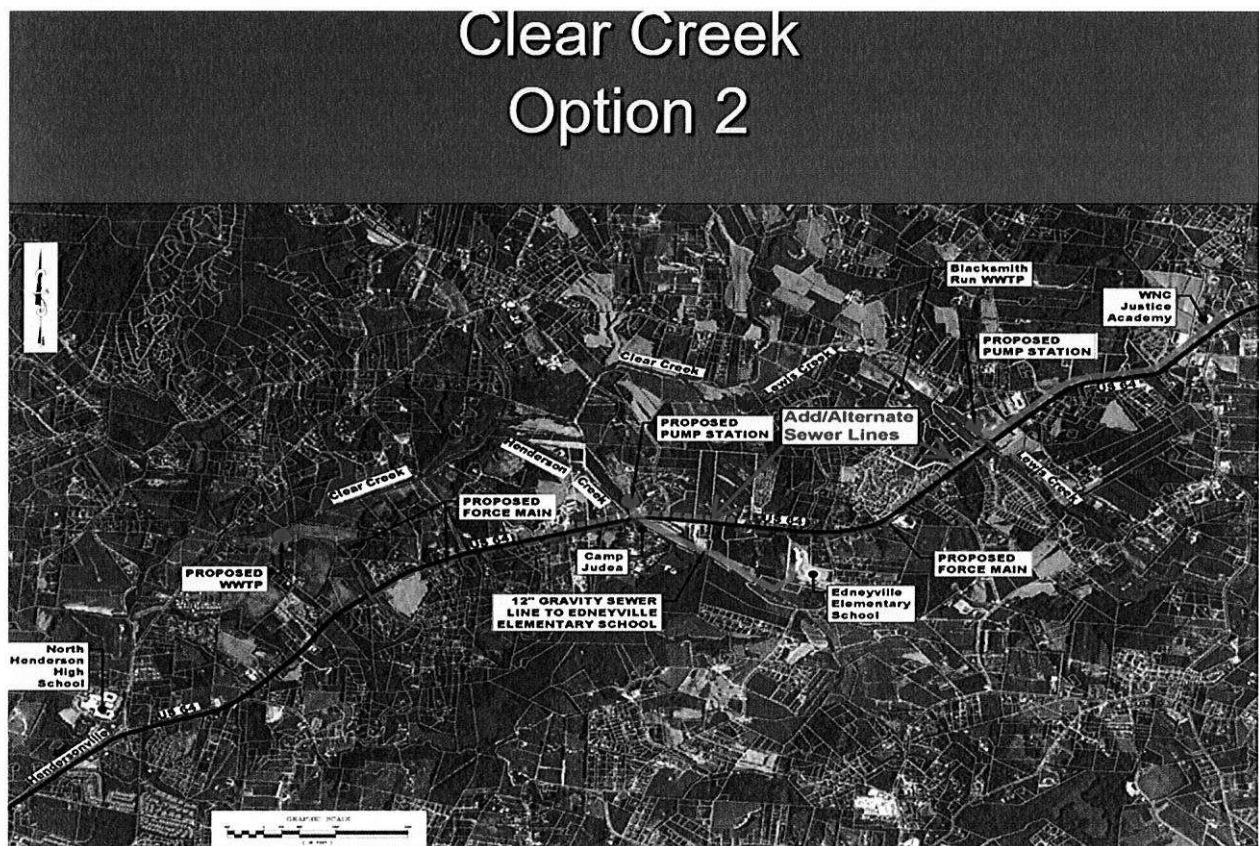


Clear Creek Sewer Project Update

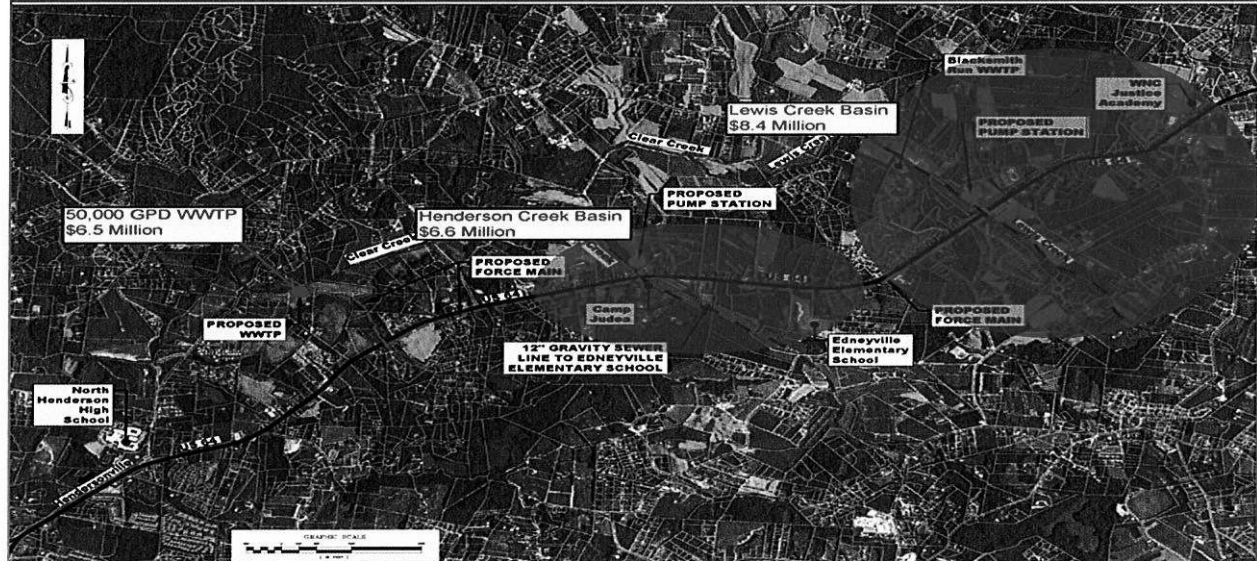
John Mitchell explained that the Clear Creek Sewer Project discussion arose from Edneyville Elementary School, as it was the last elementary school not connected directly to sewer. The Board began deliberating on this project in August 2017. After numerous public hearings and meetings, the Board determined it was necessary to look at a sewer system in Edneyville and seek a discharge permit in April 2022. The permit would not be issued until two years later by the state. The time between that draft permit and the issuance of the permit was approximately ten months.

Marcus Jones referred to a Special Called Meeting that was held the previous week to discuss Clear Creek Sewer options. During that meeting, Staff and consultants received direction from the Board on two specific options to explore in detail. Will Buie with WGLA presented those options as follows:

- A reduced WWTP serving as much of the US 64 corridor as possible with gravity sewer in the Henderson Creek and Lewis Creek Basins.
- A connection to the Hendersonville system serving as much of the US 64 corridor as possible with gravity sewer in the Henderson Creek and Lewis Creek basins.

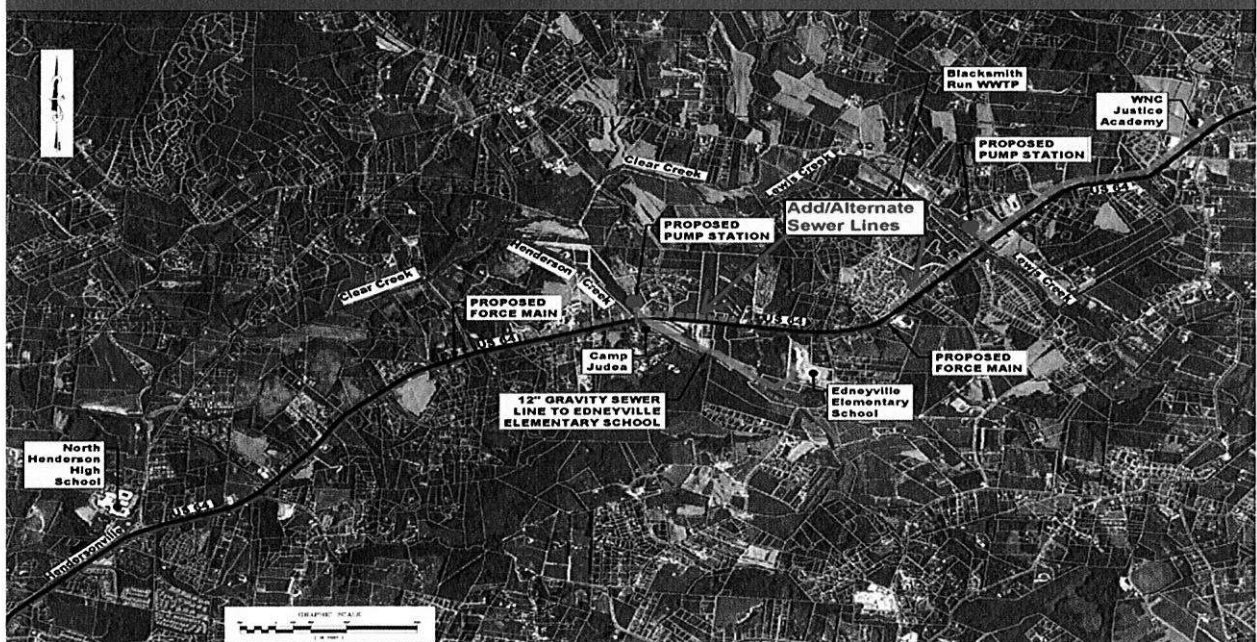


Clear Creek Option 2

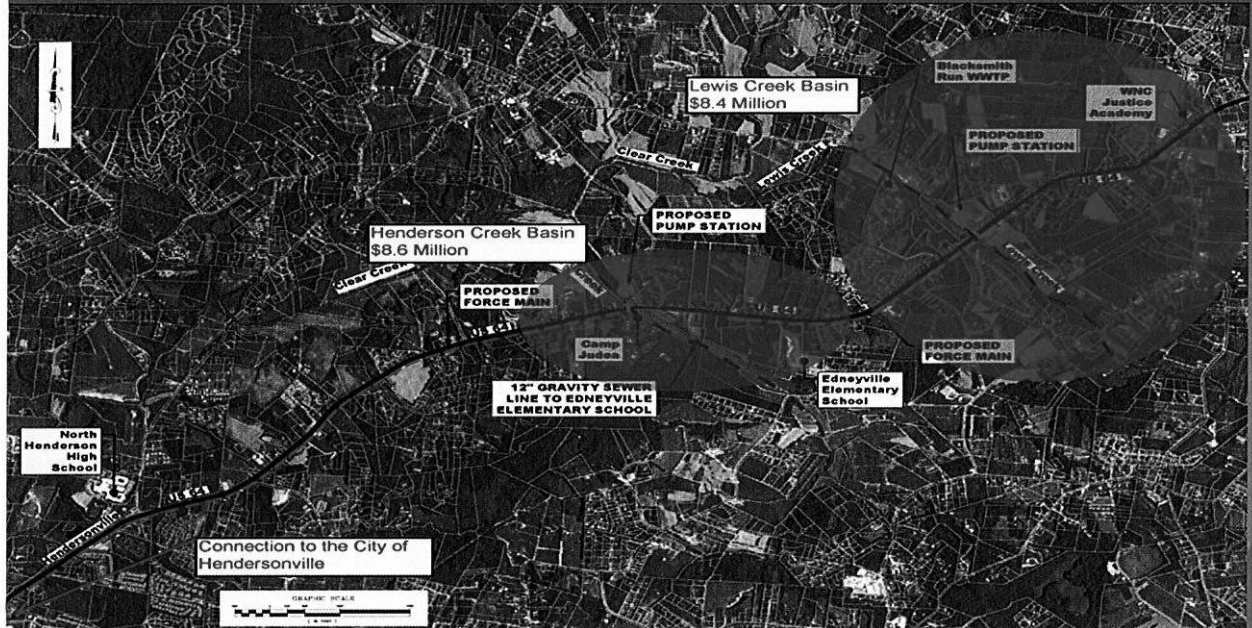


Vice-Chair Edney stated that he had asked that the Laurel Branch also be included in the options. Mr. Buie said that he could go back and look at that cost. Option two, as the Board saw, was about \$21.5 million. If the lines that were dashed were delayed or eliminated, that cost goes down to about \$18.7 million. He said county staff had confirmed that the funding available for this option was approximately \$18 million. There was a gap in funding, but the estimated costs did include contingency.

Clear Creek Option 3



Clear Creek Option 3



Summary of Estimated Costs

- ◆ **Option 2 - \$21.5 Million**
- ◆ Option 2 - \$18.7 Million without add/alternate sewer lines on US 64
- ◆ Staff has confirmed funding available for this option is \$17,929,789

- ◆ **Option 3 - \$17.0 Million**
- ◆ Option 3 - \$14.2 Million without add/alternate sewer lines on US 64
- ◆ Staff has confirmed funding available for this option is \$17,069,789

Mr. Buie mentioned that the Laurel Branch option would slightly exceed the available funding but could be added as an add/alternate. This would allow WGLA to design and bid for it, with the option for the county to incorporate it if within budget constraints. Edney said this should be included as an add/alternate at a minimum. Buie estimated the cost of adding Laurel Branch to be \$3.5 million, which would bring the total cost to just over \$20 million.

Clear Creek Easements Required

- ◆ **Option 2** will require easements from approximately **67** properties
- ◆ **Option 3** will require easements from approximately **60** properties
- ◆ Note that additional easements and/or construction easements may be required for the project based on the final project design.

Mr. Edney asked about the anticipated monthly fees for users associated with each of the options. Mr. Buie said that option 3 would involve connecting the City of Hendersonville, subjecting users to the out-of-city rates. If the county manages the collection system, additional costs could increase residential customers' bills by \$10 to \$25 per month, depending on the number of customers. Buie said when considering the treatment plant option, the key factor is determining which entities will connect to the system. The confirmed customers include Edneyville Elementary, likely Camp Judaea, and the Justice Academy. The estimated operational costs would total around \$100,000, which these entities would share.

If these costs were extrapolated to a typical residential customer, the fees would likely be three to four times higher than the city's out-of-city rates until the number of users increases.

Commissioner Lapsley proposed the county explore negotiating with the City to become a "bulk" customer, aiming to secure a lower rate.

Commissioner Andreotta's comments were as follows: "If we were going to pursue partnering with the city, any decision made today would be somewhat tentative because we haven't seen, or they haven't agreed to, any terms going forward, be it the bulk customer rate, annexation, things like that. So there are some to be determined on that. I would like to see, personally, before I would support that option, I would like to see from them where they are willing to be. Otherwise, we could vote to go that way. If we don't get on the same page with them, then we have to circle back and revisit it again."

Chairman McCall emphasized that the primary objective for today's meeting was to provide clear

direction to Mr. Buie regarding the design.

Vice-Chair Edney made the motion to direct staff to pursue option 3, including the add/alternates And including the additional add/alternate of Laurel Branch while removing the Jaymar line. And to pursue an agreement with the City.

Commissioner Hill stated that the City was extending its annexation into the county and showed no signs of stopping. Mr. Hill said he would not support the motion.

Commissioner Lapsley noted that a small group of people had influenced the state to push the county towards option three. While this group didn't succeed in halting or denying the permit process, they did achieve a one-year delay, potentially causing the county to lose an additional \$9.3 million intended for option one. This situation has forced the Board to prioritize option three.

From the beginning, Mr. Lapsley's stance has been that the project should be financially self-sustaining in terms of both capital and operating costs. He said he would not support any option that surpasses the funds available. He was hesitant to endorse any of the alternatives under option three due to the actions of the City Council in recent years with regard to satellite annexation of properties in the rural areas of the county, which are far beyond their existing corporate limits. He believed that Alternative 3C provides as much service to the Edneyville community within the financial constraints of the available funds.

After discussion, Chairman McCall proposed that the Board commit to option 3C, which includes Henderson Creek and Lewis Creek, and connect to the City of Hendersonville's sewer system. The terms of the agreement with the City regarding management of the system would be worked out in the future. Additionally, the system should be designed to include Laurel Branch in case additional funds become available.

Commissioner Andreotta's comments were as follows: "If we adopt any option 3A-E that involves connecting with the City and then a month later we cannot come to terms with them. What do we do then after having lost another month? Because, as I understand it, time has become, as Commissioner Laplsey said, because of the actions of some, time is now putting a squeeze on us. And we need not think that it is not possible that we all do not get on the same page. We never have until this point on the topic of annexation."

Chairman McCall said the City had stated in writing that they would agree to no annexation to the Edneyville area. The decision on the table would be who manages the system, the City or the County. She said this was the only way to provide a reasonable fee to use the sewer system.

Commissioner Andreotta's comments were as follows: "Would the county be collecting or sharing in the collection of the revenue at all?" Mrs. McCall said that was unknown at the time, but the direction for design was what the Board needed to determine at today's meeting.

Commissioner Andreotta's comments were as follows: "Summary of my thoughts is design it with, and I heartily agree with Commissioner Lapsley that we don't spend what we don't have in this topic or ever, But, certainly here. Design the system so that over time it could be scaled up and customer's added. So if the county is not going to realize in perpetuity going forward any benefit from the revenue from the rate paying customers then why should we pay to build it. Solely pay to build it. I think that be it the City or the County should pay part of the construction if proportion to the revenue share you are going to get for the next several decades. I think that is

purely just. That would be like someone building a brand new apartment building and filling it full of renters and saying here it's yours. Gee, thanks. And remember, it is called urban sprawl. It's not called rural fill. It's the urban spreading out too far, as Commissioner Lapsley said. I think we need to protect the jurisdiction of the county areas-territories. We need to maximize the most money that we can for what we have and allow for, at some point, as soon as possible, that corridor to be fully served; my preference would be by a county sewer system. But I would not; I think we could; I would maybe make an amended motion that we turn them loose to design but do not design only toward connecting it to Hendersonville. Allow an option if we cannot come to terms and feel like there are any teeth in it; then, we don't have to go back and start over. Is that possible?"

Mr. Buie said the challenge becomes designing a treatment plant that you may or may not build. He said what he has heard indicates that the preference is toward 3C possibly with an alternate to add Laurel Branch. He said the ownership and operation of the system could be decided later. Commissioner Andreotta said, "After the county spent the money to build it." Vice-Chair Edney said it was not the county or the state's money. It's the federal and state taxpayers. He said there were no property tax dollars being used at all. Commissioner Andreotta said, "Well, it is still taxpayer money. This is generations forward mortgaged their future to pay for this."

Commissioner Lapsley asked Mr. Edney to clarify his motion.

Vice-Chair Edney made the motion to direct Staff and the Engineers to design Option 3, including the add/alternates on the highway. The add/alternate design for Laurel Branch minus Jaymar should also be included. The final decision as to what is built would be subject to the funds available and if acceptable terms have been agreed upon with the City of Hendersonville.

Chairman McCall asked the Clerk to poll the Board.

The motion passed with a 3-2 vote. Commissioner Hill and Commissioner Andreotta were the nay votes.

Construction Project Update

Bryan Rhodes, Chris Todd, and Andrew Griffin provided the Board with an update on construction projects around Henderson County.

The monthly report was a review of the scope and statuses of assigned construction management responsibilities and included specific updates in regard to County funded construction activities.

Henderson County Capital Projects

The Hedrick – Rhodes Veterans Center had been completed on time and under budget.



Henderson County Public Schools MRTS Projects