From: Matt Stone
To: Jon Creighton
Subject: Re: Follow up after meeting with MSD
Date: Wednesday, March 25, 2015 10:37:51 AM

Hey do you have some time available over next few days to discuss. If so just let me know what works and I will come in.

Sent from my iPad

On Mar 25, 2015, at 8:33 AM, Jon Creighton <Jon.Creighton@buncombecounty.org> wrote:

> FYI
>
> Sent from my iPhone
>
> Begin forwarded message:
>
> > **From:** Wanda Greene <Wanda.Greene@buncombecounty.org>
> > **Date:** March 25, 2015 at 8:28:43 AM EDT
> > **To:** Jon Creighton <Jon.Creighton@buncombecounty.org>
> > **Subject: Fwd: Follow up after meeting with MSD**
> >
> > Sent from my iPhone
> >
> > Begin forwarded message:
> >
> > > **From:** Kathy Hughes <Kathy.Hughes@buncombecounty.org>
> > > **Date:** March 25, 2015 at 8:18:38 AM EDT
> > > **To:** "Michael C. Frue" <Michael.Frue@buncombecounty.org>, Wanda Greene <Wanda.Greene@buncombecounty.org>
> > > **Subject: FW: Follow up after meeting with MSD**
> > >
> > > Just FYI
> > >
> > > **From:** Joseph DeSantola [mailto:jdesantola@gmail.com]
> > > **Sent:** Tuesday, March 24, 2015 9:32 PM
> > > **To:** Kathy Hughes
> > > **Cc:** Matt Stone; Tom McVay; Jordan Bell; Joseph DeSantola; Taylor Bell; Adana Taylor; Nancy Donahue
> > > **Subject:** Follow up after meeting with MSD

Hi Kathy,

Adana Taylor Kirk and Megan Taylor had a good meeting with MSD Kevin Johnson and Ed Bradford today. Adana was able to clarify that Bill Dorf had also told her that he had brought a public sewer line to the back of her property. She also says that after she had a certificate of occupancy, she flushed a toilet and found out the sewer was not hooked up yet as one of Bill Dorf's employees was still digging it. This is disconcerting.

MSD informed us that they are only required to inspect to within 10 feet of a public MSD line. They have a hookup date in 2012 of private lines that Bill Dorf, the developer put in before we were building. Bill Dorf never clarified that the sewer of the concerned homeowners was going to be behind the houses when he made an application to MSD for each home and for this reason Cecelia did not advise him that he needed an easement. However, since he owned the property that the lines were going through, MSD was not concerned when he hooked private lines in before the homes were constructed. These were misrepresented to the all 3 homeowners independently by Bill Dorf as a MSD sewer and no discussion about the need for maintenance was given to any new homeowner as Bill Dorf the developer and contractor completed their homes. The DeSantola and Bell family had no discussion about the option of hooking into the MSD sewer in front of their homes.

In summary, the construction of these private lines was not done under a permit, was not surveyed, was not platted nor given easement, nor supervised by any regulatory division. The designation of a private sewer line and responsibility for maintenance was not disclosed to the prospective homeowners.

MSD believes that the Buncombe County Building Inspectors and Plumbers are responsible for having permits and inspections on these lines. MSD thinks that the developer/contractor needs to obtain permits from Buncombe County. We were told by Mike Silver at the NC Licensing board that the Buncombe County inspectors are only responsible for clean out inspection 5 feet from the house and MSD does the rest. The Buncombe County Inspectors sent us to MSD initially when we inquired about the lines in the woods behind our house having no record of these lines. We wanted to

know why our lines were indicated as connecting in front of our home on the website and in documentation, when, in fact, they connected in the back of the property. We were told that MSD supervises the hook up off the homeowners property. MSD thinks that a building permit needs to be taken out and the lines inspected by Buncombe County plumbing inspectors before they can be operational. It appears that there was no building permit. In fact, in Adana Kirk's case a certificate of occupancy was given without a sewer connection. It is still unclear which County regulatory branch takes care of insuring lines are placed appropriately. There is a gray zone of inspection that needs to be cleared up. If indeed sewer lines traversing woods and leaving distant ends of properties are not inspected for proper placement, there is a potential health risk if these lines rupture due to improper depth/pitch, roots growing in them, etc with leakage of sewage into the catch area of Reems Creek as well as other streams, as did Bill Dorf's poorly placed and non- surveyed lines.

Tom McVay, the father of the Bell's, looked at the lines with Matt Stone the Buncombe County Building Inspector and the Buncombe County Plumbing Inspector 3 weeks ago and there were concerns about the pitch of the lines and undrained sewage in the lines. Kevin Johnson and Ed Bradford are planning to discuss the situation with the Buncombe County Building and Plumbing Inspector this week and we hope there can be a resolution of how to remediate these lines. We are hoping that the developer who falsely represented the lines as an MSD maintained sewer will remediate the situation as he is in the process of developing over 80 more homes in this area with a civil engineer who is looking at putting in sewers.

We are still in discovery and are awaiting the outcome for the health and safety of our community. Buncombe County is rapidly growing and we can not afford to allow for errors in development that jeopardize the safety of our community.

Thank you

Megan Taylor