

METROPOLITAN SEWERAGE DISTRICT BOARD

June 16, 1981

The regular monthly meeting of the Metropolitan Sewerage District Board was held in the Boardroom of MSD's Administration Building at 2 p.m., Tuesday, June 16, 1981.

Chairman Robinson called the meeting to order, and Mrs. Crowe called the roll. In addition to the Chairman, the following members were present: Messrs. Black, Boggs, Clark, Griffith, Hyatt, Pope, Warlick, and Williams.

In addition to the Board members, the following attorney, consultants, and staff members were present: Mr. John S. Stevens; Mr. Dean Huber and Dr. Lloyd R. Robinson, Jr.; Mr. W. H. Mull and Mrs. Jan Crowe. Mr. Doug Thrash, right-of-way coordinator for MSD's interceptor sewer projects, also attended.

Mr. Clark moved that the Minutes of the May 19 meeting stand approved as written. Mr. Black seconded the motion, and voice vote was unanimous in favor of the motion.

Mr. W. H. Mull, Engineer-Manager, reported on the following:

- (a) Tentative award of contract for Phase II of Hominy Valley Interceptor Sewer project to Harrison Construction Company: Mr. Williams moved that the Board award the contract to Harrison Construction Company, who submitted the apparent low bid of \$2,383,768.20 for Phase II of Hominy Valley Interceptor Sewer project, subject to final review by counsel of the bid documents and EPA and State approval, and authorize Mr. Mull to execute the construction contract with Harrison officials. Mr. Warlick seconded the motion, and roll call vote was unanimous in favor of the motion. A copy of the resolution is attached hereto and thereby made a part of these minutes.
- (b) Ratification of telephone poll authorizing condemnation of parcels on Weaverville Pumping Station/Force Main: Mr. Griffith moved that the board authorize condemnation of 17 parcels (5 and 5A were combined; 9 and 10 were combined) on the proposed Weaverville Pumping Station/Force Main System in order that the MSD could apply for State and Federal grant funds by the deadline of June 12, 1981, thereby ratifying the telephone poll of Board members conducted on June 9. Mr. Black seconded the motion, and roll call vote was unanimous in favor of the motion. The resolution in its entirety is as follows:

RESOLUTION AUTHORIZING CONDEMNATION OF RIGHTS-OF-WAY
FOR THE WEAVERVILLE PUMPING STATION/FORCE MAIN
PROJECT NO. 587, BUNCOMBE COUNTY, NORTH CAROLINA

WHEREAS, the Metropolitan Sewerage District, acting under Federal and State Laws and the authority granted to it by the General Statutes of North Carolina, particularly Chapter 162A, Article 5, of said General Statutes, is undertaking the design and construction of certain pumping station/force main system to serve the Weaverville area of Buncombe County, commonly known as a Section 201 Facilities Program; and

WHEREAS, the Federal and State Governments have offered grants of funds substantially to cover the cost of design and construction of this project subject to the acquisition of rights-of-way for the pumping station/force main system; and

WHEREAS, the Metropolitan Sewerage District has caused an appraisal to be made by at least one competent independent real estate appraiser of the lands through which said pumping station/force main system is proposed to be built; and

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WHEREAS, as a result of the appraisal reports received, the Metropolitan Sewerage District has established maximum acquisition values for rights-of-way through said properties; and

WHEREAS, the Metropolitan Sewerage District has been unable to reach agreements with certain property owners to acquire said rights-of-way at the approved value of the same;

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Sewerage District of Buncombe County, North Carolina, that the following rights-of-way be condemned in order that the Metropolitan Sewerage District may carry out its approved plan for said Weaverville Pumping Station/Force Main System, Project No. 587:

<u>Parcel</u>	<u>Landowner(s)</u>	<u>Ward</u>	<u>Acres</u>	<u>Deed Book</u>	<u>Page Ref.</u>
3	Rufus H. & Edna Rice	French Broad	30.9	630 838	42 595
4	Hubert H. & Reva M. Redmon	French Broad	80	983	76
5 & 5A	Carroll D. & Patsy W. Rice	French Broad	5.29	920 1204	633 94
6	Ellis H. & Annie R. Rice	French Broad	36.6	846	468
7	Wesley & Janice D. Carscaddon	French Broad	6.27	1066	391
8	Calvin W. & Doris I. Plemmons	French Broad	7.27	999	263
9 & 10	Wiley L. & Louise R. Plemmons	French Broad	46.91	609 1066 999 1066	420 527 269 516
11	Ben & Joy P. Radford	French Broad	9.31	999 1067	218 125
12	James N. & Margaret Morrow	French Broad	49.21	814 814	65 67
13	Calvin Myers, Jr.	French Broad	30.41	1037 1235	420 435
14	M. H. & Ina Mae DeBruhl	French Broad	5.1	749	136
15	Jesse J. & May Roberts	French Broad	7.21	796	355
16	Albert O'Neil & Minnie H. Roberts	French Broad	5.89	1159	315
17	Ellis S. & Virginia S. Greene	French Broad	1.7	666	520
18	County of Buncombe	French Broad	132.98	1263 1263	182 180
19	Vadie Emily Burris	French Broad	96.5	736	74
20	Robert D. Armstrong	French Broad	84.31	1271	175

- (c) Results of attempt to purchase and retire 1985 bonds: Mr. Mull told the Board that \$155,000 of MSD bonds that were on the market about ten days ago at a price of \$114,300 had been sold before a poll of the Board members could be completed. These were 3.6% bonds due July 1, 1985. Mr. Boggs requested that the Board ask MSD's attorney to draw up a formal resolution which would allow Mr. Mull, after obtaining approval from the Chairman, the Secretary, and one other Board members, to purchase any such bonds that may be put on the market at a good price in the future. The other Board members concurred with Mr. Boggs request, and Mr. Stevens will prepare the resolution for Board consideration.
- (d) Status report on Hominy Valley, South Buncombe, and Weaverville sewer projects: Mr. Mull told the Board that four additional parcels had been acquired in Hominy Valley and in South Buncombe and that two parcels had been acquired in Weaverville

since the May 19 Board meeting. Fifteen cases in Hominy Valley and 23 cases in South Buncombe are under active condemnation. This report was received as information by the Board.

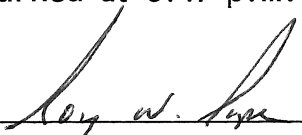
- (e) Ratification of action taken by Right-of-Way Review Committee: Mr. Boggs moved that the Board ratify these actions, and Mr. Hyatt seconded the motion, to accept the total report of the committee, which was to authorize monetary payment for easement over the following parcels: HV #3, Sprinkle, up to \$4,000; SB #21, Tatham, \$4,000; SB #47, Morosani, \$3,000; SB #47A, Glenn McClendon Trucking, \$625; Weaverville #7, Carscaddon, \$600. Roll call vote was unanimous in favor of the motion.
- (f) New Special Order by Consent for Weaverville Plant: Mr. Mull advised that this new Order was required by the State in order to allow Rheem Manufacturing to connect to the Weaverville System and to allow additional domestic wastes from residences. The content of the Order had been worked out with staff of the Western Field Office of NRCO and approved by the EMC last Thursday. Mr. Pope moved that the Board accept this new Order and authorize the Chairman to execute the document. Mr. Black seconded the motion, and roll call vote was unanimous in favor of the motion.
- (g) Ranking of MSD's projects on FY '82 Municipal Grants Funding list: Mr. Mull told the Board that rehabilitation of the Main Plant, etc., ranked high on the list and would be funded; however, Reed Creek, Beaverdam, and Swannanoa interceptors were considered on the list as treatment facilities "to provide for normal growth and expansion of communities," were ranked 350 on the list, and would receive no funding as the list stands now. Mr. Mull attended a hearing in Raleigh on June 10 and convinced (hopefully) the DEM that these three projects were in existence and needed rehabilitation and were not needed solely for growth and expansion of the community. As a result, a new list will be forthcoming and the three projects should be ranked much higher on the funding list.
- (h) Report on POTW Program and Industrial Wastes Monitoring: Mr. Mull told the Board that intensive monitoring of local industries during April, 1981, had uncovered numerous violations and had resulted in increased costs to the MSD, i.e., laboratory, monitoring technicians, chemicals, etc., and that having to conduct the intensive monitoring because violations had continuously upset the Main Plant since December had delayed the completion of the Main Plant Optimization Study by some six months. Although occasional plant upsets are normal, the frequency and duration of operational problems had increased considerably since the enactment of RCRA late last year. While the nature of the optimization study caused fluctuations in operational parameters, it had become apparent by mid-March that other factors were involved. A strategy of spot sampling throughout the system was initiated with the thought that two or three industries might be dumping wastewaters having an adverse effect on the plant. This sampling revealed that 16 industries were violating ordinance parameters at least part of the time. Based on these results, more complete composite sampling and flow monitoring started this week. Dr. Robinson spoke to the Board regarding specific violations by certain industries, after which Mr. Boggs moved that the Board sanction additional monitoring costs over the anticipated amount as set when the FY '81-82 budget was made up. Mr. Hyatt seconded the motion, and roll call vote was unanimous in favor of the motion. A complete report, including all costs, etc., will be presented to the Board at the July meeting.

Mr. Black, Chairman of the Right-of-Way Review Committee, reported to the Board regarding easements on the Weaverville Pumping Station/Force Main, saying that it was the Committee's recommendation that the Board authorize Doug Thrash to deal with landowners on this project and negotiate with them on a value per lineal foot per acre of land to be utilized for the project as a means to expedite obtaining the desired easements since there are no benefits to be derived by the property owners. After discussion, Mr. Black moved that his recommendation be received as a motion by the Board. Mr. Warlick seconded the motion. Roll call vote was as follows: AGAINST: Boggs, Clark, Griffith, Hyatt; FOR: Black, Pope, Warlick, Williams, and Robinson. Roll call vote carried 5-4 in favor of the motion.

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Date of the next regular meeting of the MSD Board will be July 21, 1981.

There being no further business, the meeting was adjourned at 3:47 p.m.


Secretary

RESOLUTION

WHEREAS, the Metropolitan Sewerage District of Buncombe County, North Carolina, desires to expand its sewerage system in the interest of the public's health; and

WHEREAS, competitive bids have been solicited and received from contractors for Project No. 586, Section II, Hominy Valley Interceptor Sewers; and

WHEREAS, the following low bidder has been reviewed by Harry Hendon and Associates, Inc., and found to be responsible:

Harrison Construction Company
Division of APAC-Tennessee, Inc.
P. O. Box 359
Alcoa, Tennessee 37701
\$2,383,768.20

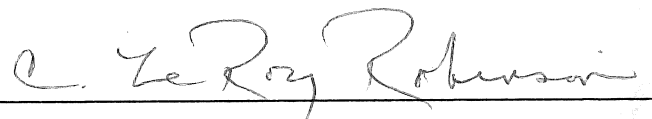
NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Sewerage District Board to award said contract to said low bidder pending North Carolina Department of Natural Resources and Community Development and United States Environmental Protection Agency approval; and

BE IT FURTHER RESOLVED to pledge the required local funds to pay for the Metropolitan Sewerage District's share (approximately \$297,971.02); and

BE IT FINALLY RESOLVED to authorize Mr. W. H. Mull, Engineer-Manager of the Metropolitan Sewerage District of Buncombe County, to execute all contracts and documents relating to this project on behalf of the Metropolitan Sewerage District.

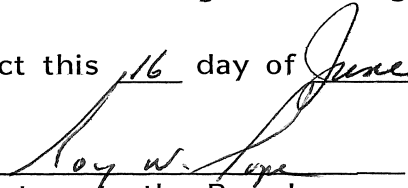
RESOLVED, this 16 day of June, 1981, by the Chairman of the Board of the Metropolitan Sewerage District of Buncombe County.

METROPOLITAN SEWERAGE DISTRICT OF
BUNCOMBE COUNTY, NORTH CAROLINA


C. LeRoy Robinson
Chairman of the Board

I, Roy W. Pope, Secretary to the District Board of the Metropolitan Sewerage District of Buncombe County, North Carolina, DO HEREBY CERTIFY that the above attached copy is a true and correct copy of the resolution adopted by the Metropolitan Sewerage District Board at its regular meeting held June 16, 1981.

WITNESS my hand and seal of said District this 16 day of June, 1981.

Signed by: 
Secretary to the Board
Metropolitan Sewerage District
of Buncombe County