

METROPOLITAN SEWERAGE DISTRICT BOARD

September 15, 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, September 15, 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, Pope, Smith, and Williams.

In addition to the Board members, the following attorney, consultants, and staff members were present: Mr. John S. Stevens; Messrs. Dean Huber and Bill Kinsland; Mr. W. H. Mull and Mrs. Jan Crowe.

Mr. Clark moved that the Minutes of the August 18 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. Ratification of telephone poll regarding Resolution to award tentative contracts to Hobson Construction Company and to Elcon, Sections 1 and 2 of Phase I, South Buncombe Interceptor Sewer project: Mr. Clark moved that the Board ratify actions taken by the Board on August 27 by telephone poll. Mr. Williams seconded the motion, and roll call vote was unanimous in favor of the motion. The resolution in its entirety is as follows:

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. 522, South Buncombe, for Section 1, Interceptor Sewers, Pumping Station, and Force Main and for Section II, Electrical Contract; and

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

Hobson Construction Company
P. O. Box 250
Arden, NC 28704
\$356,421.00

and

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

Elcon Corporation
P. O. Box 2180
Hendersonville, NC 28739
\$37,820.00

NOW, THEREFORE, BE IT RESOLVED by the Metropolitan Sewerage District Board to award said contracts to said low bidders 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 for Sections I and II (approximately \$49,280.13); and

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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 27th day of August, 1981, by the Chairman of the Board of the Metropolitan Sewerage District of Buncombe County.

METROPOLITAN SEWERAGE DISTRICT OF
BUNCOMBE COUNTY, NORTH CAROLINA

/s/ C. LeRoy Robinson
Chairman of the Board

/s/ Roy W. Pope
Secretary

- b. Status report on Hominy Valley, South Buncombe, and Weaverville projects: Mr. Mull told the Board (1) that construction is underway on both Phase I and II in Hominy Valley; (2) that bids have been opened and contracts tentatively awarded for Phase I of South Buncombe and (3) that MSD will advertise for bids September 21 for Phase II of South Buncombe; (4) that, in regard to the Weaverville project, the State has certified to EPA and advised that MSD should receive a grant offer by the end of September. This report was received as information by the Board.

Mr. Stevens told the Board that Vulcan has agreed to sign the deed of easement over their property in Hominy Valley for the sum of \$5,000. Mr. Smith then moved that the Board approve that sum as settlement with Vulcan Materials, and Mr. Black seconded the motion. Roll call vote was unanimous in favor of the motion.

- c. Resolution authorizing condemnation of rights-of-way for the Weaverville Pumping Station/Force Main: Mr. Pope moved that the Board adopt this resolution in order that the MSD may be in position to accept grant funds referred to in b(4) above, and Mr. Black seconded the motion. Roll call vote was unanimous in favor of the motion. The resolution in its entirety as adopted 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

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;

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

Parcel	Landowner(s)	Ward	Acres	Deed Book	Page Ref.
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
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
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. & Minnie H. Roberts	French Broad	5.89	1159	315
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

Read, approved, and adopted, this the 15th day of September, 1981.

METROPOLITAN SEWERAGE DISTRICT OF
BUNCOMBE COUNTY, NORTH CAROLINA

/s/ C. LeRoy Robinson
Chairman of the Board

/s/ Roy W. Pope
Secretary

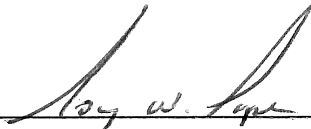
- d. Report on POTW Program and Industrial Wastes Monitoring: Mr. Mull told the Board that meetings have been held with the following industries since the Board met last: CTS, Beacon, Strawberry Hill, and Chemtronics. He stated that each industry is working diligently to bring or have brought their discharge into compliance with MSD Regulations and that there is good rapport with each of these industries. He also told the Board that the MSD has received a reply to a letter sent to Sayles regarding their alleged violations and that he would be preparing an answer in the very near future. This report was received as information by the Board.
- e. Audit Report--A. M. Pullen & Company: Mr. Alan Bolick of A. M. Pullen & Company presented this report, which was received as information by the Board.
- f. Mr. Mull told the Board that the 208 Task Force met on September 9 to discuss consolidation of collection sewers in Buncombe County and that the member districts had raised the question as to whether MSD, in the absence of available grant funds, could legally use MSD funds to rehabilitate sewer lines and then the member districts would reimburse the District. The Board requested that Mr. Stevens obtain this information from the bonding attorneys and bring this information back to the Board. Mr. Smith suggested that the Board members make an effort in the future to attend the 208 meetings and requested that the members be notified of each meeting.

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Mr. Mull told the Board that the Communications System Committee had drawn up specifications for the radio system and that Mr. Stevens was preparing an advertisement for bidders to be placed in the local newspaper. He said the bid opening would be scheduled for sometime before the next meeting in order that the Committee could present bids received for consideration by the Board.

Date of the next regular meeting of the MSD Board will be October 20, 1981.

There being no further business, the meeting was adjourned at 3:20 p.m.


Secretary