

METROPOLITAN SEWERAGE DISTRICT BOARD

November 20, 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, November 17, 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. Boggs, Clark, Griffith, Pope, and Williams.

In addition to the Board, the following attorneys, consultants, and MSD staff attended the meeting: Mr. John S. Stevens and Miss L. Sheryl Howell; Messrs. Dean Huber and Bill Kinsland; Mr. W. H. Mull and Mrs. Jan Crowe.

Mr. Boggs moved that the minutes of the October 20 meeting stand approved as written. Mr. Clark 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 contract to Blythe Industries, Hominy Valley Interceptor Sewer, Section III: Mr. Boggs moved that the Board ratify action taken by the Board on October 28 by telephone poll, subject to review by legal counsel regarding the validity of Blythe's bid. 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. 586, Hominy Valley, for Section III, Interceptor Sewers; and

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

Blythe Industries, Inc.
P. O. Box 31635
Charlotte, NC 28231
\$1,343,785.50

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 for Section III (approximately \$167,973.19); 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 28th day of October, 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

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- b. Status report on Hominy Valley, South Buncombe, and Weaverville projects: For these three projects, Mr. Mull submitted the following to the Board. Hominy Valley: Construction is 81% complete on Phase I; construction is 1% complete on Phase II; bids were opened on Phase III, and the contract has been tentatively awarded to Blythe Industries; 16 parcels remain to be acquired, of which 15 are under condemnation and 1 (Vulcan) is under negotiation. South Buncombe: Construction is 13% complete on Phase I; a bid opening for Phase II will be December 17, 1981; Phase II is being reevaluated due to the failure of the October 13 bond referendum in Henderson County regarding collection sewers; 30 parcels remain to be acquired, of which 27 are under condemnation and 3 are under negotiation. Weaverville: Of the 17 parcels to be acquired, 5 have been acquired. Of the 12 remaining, 7 are under negotiation and 5 are to be condemned. This report was received as information by the Board.
- c. Ratification of action taken by Right-of-Way Review Committee: Mr. Boggs moved that the Board ratify these actions, with Mr. Clark seconding the motion, thereby accepting the total report of the committee, which was to authorize monetary payment for easement over the following parcels on the South Buncombe Interceptor Sewer project: #15-B, Shuford, \$6,000; #15-C, Fitzpatrick, \$3,000 to \$4,000; #33 and #34, Schmidt, \$2,000; #93, Brown, \$1,500 and relocate line to miss oak tree. (Comply with commissioners figure of \$1,710., if necessary.)
- d. POTW Program and Industrial Wastes Monitoring: This report, presented in letter form to the Board by Mr. Kinsland, was received as information by the Board.
- e. Hydroelectric project progress report: Mr. Huber told the Board that he, Mr. Woodruff, Mr. Mull, and two CP&L representatives had met on November 19 to discuss the feasibility of constructing a power plant on the French Broad River either at the existing MSD dam or at the old power plant and that the latter would entail reconstructing the raceway. If the existing dam were used, cost would be approximately \$3 million; if the old power plant were used, cost would be roughly \$6 million. Mr. Huber told the Board that a complete report would be given at the January, 1982, Board meeting on this project.

Mr. Mull presented to the Board bids received on the communications system, after which Mr. Boggs moved that the Board accept the apparent low bid contingent upon the attorney's review of the bid documents and Mr. Griffith's review of the technical part of the bids. Mr. Pope seconded the motion, and roll call vote was unanimous in favor of the motion with the exception of Mr. Clark, who abstained. The apparent low bidder was M. B. Haynes with a bid of \$29,554.77. Motorola Communications and Electronics was the only other bidder with a bid of \$29,587.00. (This was the result of a readvertisement, so three bids were not necessary for an opening.)

Mr. Mull informed the Board that a break-in had occurred at the MSD Administration Building the night of November 11, in which thieves removed a safe from the building by breaking out a window in the Boardroom. The safe contained approximately \$265 in cash, \$80 in checks, and the corporate seal of the District. Miscellaneous items believed to be in the safe were a key to the cash box and pH strip charts. Following this report, Mr. Stevens presented the following resolution for the Board's consideration:

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RESOLUTION

WHEREAS, the Metropolitan Sewerage District of Buncombe County has heretofore adopted a seal and has used this seal in all of its official transactions requiring the use of a seal; and

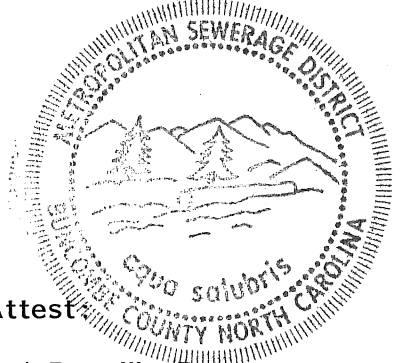
WHEREAS, sometime during the night of November 11 and November 12, 1981, the Administration Office of the District was broken into and a safe stolen which contained the District Seal; and

WHEREAS, the District desires to adopt an official seal to use in all transactions in which an official seal is required; and

WHEREAS, North Carolina General Statutes Section 162A-69(2) provides that the District is empowered to adopt the official seal and to alter the same at its pleasure;

NOW, THEREFORE, BE IT RESOLVED that the Metropolitan Sewerage District of Buncombe County does hereby adopt as its official seal the stamped impression which is imprinted on the face of this Resolution and directs that the same be the official seal of the District to be used in all transactions in which an official seal is required.

DULY ADOPTED this 17th day of November, 1981.



/s/ C. LeRoy Robinson
Chairman of the Board

Attest
/s/ Roy W. Pope
Secretary

Thereafter, Mr. Pope moved that the Board adopt the foregoing resolution, with Mr. Clark seconding. Roll call vote was unanimous in favor of the motion.

Date of the next regular meeting of the MSD Board will be December 15, 1981.

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

Roy W. Pope
Secretary

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#22, Rutledge heirs, \$2,500; #24, Double J, Ltd., \$1,800; #49, Willis, \$3,000. Weaverville--#11, Radford, \$200; #16, Roberts, \$2,300. South Buncombe--#22, Rutledge heirs, \$3,500. Mr. Hyatt seconded the motion, and roll call vote was unanimous in favor of the motion.

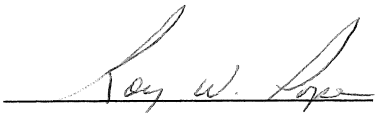
- e. Schedule of Meeting Dates, 1982: Mr. Clark moved that the Board accept this schedule of meeting dates, and Mr. Williams seconded the motion. Roll call vote was unanimous in favor of the motion.

As the MSD Administration Building had been broken into in November, Mr. Mull told the Board that he had asked the Buncombe County Sheriff's Department to make a security inspection of the building. After the inspection, the Sheriff's Department recommended that a burglar alarm system be installed, one which would sound alarms by telephone to four different locations (the Buncombe County Sheriff's Department, the Woodfin Police Station, Mr. Mull's and Mr. Cunningham's residences). Mr. Pope then moved that the Board authorize Mr. Mull to obtain proposals for a burglar alarm system, and Mr. Williams seconded the motion. Roll call vote was unanimous in favor of the motion.

Following up on the communications system, Mr. Mull told the Board that Mr. Stevens had reviewed the specifications on the bid document, that Mr. Griffith and he had checked the technical aspects of same, that Mr. Wayne Cordell had started work on installation, and that the system should be ready for use by March, 1982.

Date of the next regular meeting of the MSD Board will be January 19, 1982.

There being no further business, the meeting was adjourned at 2:30 p.m.


Secretary