

## METROPOLITAN SEWERAGE DISTRICT BOARD

April 20, 1982

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, April 20, 1982.

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, Dent, Griffith, Pope, Smith, and Williams and Mrs. Sciara. A City of Asheville appointee to a three-year term, Mrs. Diane McDonald Sciara replaced Mr. D. Frank Hyatt on the Board and was administered the oath of office earlier in the day in the Clerk's office.

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

Mr. Clark moved that the minutes of the March 23 regular meeting stand approved as written. Mr. Dent seconded the motion, and voice vote was unanimous in favor of the motion.

Mr. Stevens presented the following resolution to the Board:

RESOLUTION

WHEREAS, D. Frank Hyatt has been a member of the Metropolitan Sewerage District Board since June 19, 1973; and

WHEREAS, D. Frank Hyatt has rendered conscientious and distinguished service to the Board and to the citizens of Buncombe County; and

WHEREAS, D. Frank Hyatt rendered unusual and unique service to the Board because of his familiarity in the field of electronics and electrical contracting;

NOW, THEREFORE, BE IT RESOLVED:

ONE: That D. Frank Hyatt be and he hereby is congratulated and thanked by the Board for his nine years of dedication to the work of the Board and on behalf of the people of Buncombe County.

TWO: That the original of this Resolution be placed in the permanent records of the Board and a copy be transmitted to D. Frank Hyatt.

Duly adopted this 20th day of April, 1982.



Chairman

Mr. Dent then moved the adoption of the foregoing resolution, and Mr. Boggs seconded the motion. Voice vote was unanimous in favor of the motion.

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

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- a. Amended Engineering Contract, Hominy Valley Interceptor Sewer project: Mr. Pope moved that the Board accept this amendment which decreases the direct cost ceiling for engineering services for the Hominy Valley Intercepting Sewers from \$30,248 to \$26,698 and authorize the Chairman to execute the document on behalf of the Board. Mr. Clark seconded the motion, and roll call vote was unanimous in favor of the motion.
- b. Request for engineers to evaluate ownership of several sewer lines (Beaverdam Creek, Sweeten Creek, and Lower Broadway): After discussion, Mr. Smith moved that the Board direct the engineer-manager and the consulting engineers to evaluate ownership of the sewer lines that are in question with the City of Asheville and, after that has been accomplished, the District and the City of Asheville (or any other governing body) explore contractual arrangements regarding maintenance of the lines. Mr. Williams seconded the motion, and roll call vote was unanimous in favor of the motion.
- c. Amended Crescent Hills Permit (NPDES): The amended permit deals specifically with extending the expiration date for the interim effluent limitations and clarifying flow limitations during wet weather conditions until such time the plant can be abandoned after the completion of the South Buncombe Interceptor Sewers. This report was received as information by the Board.
- d. Status report on Hominy Valley, South Buncombe, and Weaverville projects: Mr. Mull submitted the following information to the Board: Hominy Valley: Construction is 99% complete on Phase I; Construction is 23% complete on Phase II; construction is 15% complete on Phase III; Phase I should be in service by May 15; completion date for Phase II is 11/22/82 and for Phase III, 12/26/82; 7 parcels remain to be acquired, of which all 7 are under condemnation. South Buncombe: Construction is 60% complete on Phase I, completion date is 7/12/82; construction has begun on Phase II, completion date is 8/20/83; 15 parcels remain to be acquired, of which 14 are under condemnation and 1 is under negotiation. Weaverville: Of the 17 parcels on this project, 9 have been acquired, 5 are under negotiation, and 3 are to be condemned. This report was received as information by the Board.
- e. Ratification of action taken by Right-of-Way Review Committee: Mr. Smith moved that the Board ratify these actions, thereby accepting the total report of the committee, which was to authorize monetary payment for settlement for easement over the following parcels: Hominy Valley: #24, Trueblood, up to \$2,000 to settle before the court of appeals; #70, Lollis & Beatty, up to \$10,000 to settle before the court of appeals; #93, Robinson, \$1,500. South Buncombe: #97, Brown, up to \$4,000. Mr. Clark seconded the motion, and roll call vote was unanimous in favor of the motion.
- f. Status report on hydroelectric facility: Mr. Huber told the Board that the State and EPA are reviewing the project through A-95 reviewing process to obtain EPA funding and to go through the environmental process to get a license from FERC and that he is preparing a reply to Fish and Wildlife Services, which will be mailed this week. Mr. Stevens stated that bond counsel has approved the project but that the District does not have authority to sell bonds without voter approval and that sale of bonds must comply with local and state laws. He told the Board that arbitrage (making money on tax free bonds, i.e., sell tax free bonds at a 12% rate, take that money, invest it at a higher rate) cannot be practiced. This report was received as information by the Board.

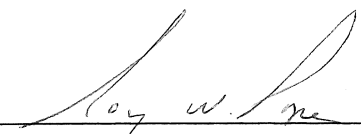
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- g. Request from Coca-Cola for rebate of certain sewer service charges: After discussion, Mr. Smith moved that the District send Coca-Cola a check for \$4,830.30 which constitutes excess charges for water shipped in product, along with a letter stating that the Board will not authorize payment of interest charges because it was Coca-Cola's responsibility to report certain meter readings but did not and that the District will not be responsible for such readings in the future. Mr. Dent seconded the motion, and roll call vote was unanimous in favor of the motion with the exception of Mr. Boggs, who voted in the negative.
- h. Consulting Engineers' Annual Report: Mr. Huber presented this report to the Board, which included a recommendation that the Board authorize Mr. Mull and any interested Board members to go to France to evaluate a biological activated filter process to be installed at the Main Plant in lieu of other expansion processes. No such system is in use in the United States, so the MSD would pioneer the process if put into use. Mr. Huber justified this process by informing the Board that this system would be the most cost effective option the District has for expansion and would also be eligible for a 10% bonus in federal grant funds due to the alternative and innovative aspect. After discussion, Mr. Boggs moved that Chairman Robinson appoint an Expansion Committee to hear and to evaluate information on this system, to determine if a trip to France would be justified, and to report their findings to the Board. Mr. Dent seconded the motion, and roll call vote was unanimous in favor of the motion. Chairman Robinson appointed Messrs. Boggs, Dent, and Smith to the committee, which Mr. Smith will chair.
- i. WPCF Conference, St. Louis, October 3-8, 1982: After a brief discussion, Mr. Pope moved that Mr. Mull be authorized to make hotel reservations for himself and Board members who would like to attend the conference. Mr. Smith seconded the motion, and roll call vote was unanimous in favor of the motion.
- j. Request to authorize Budget Committee to prepare amended budget for 1981-82: It was the consensus of the Board that this item needed no action, as the committee was already empowered to do this.

Mr. Smith told the Board that the Budget Committee would meet April 29, at which time they will prepare a preliminary budget and, by telephone, poll the Board so that the budget can be ratified before June 15. A public hearing on the budget will be held at the June 15 regular meeting.

Date of the next regular meeting of the MSD Board will be May 18, 1982.

There being no further business, the meeting was adjourned at 3:45 p.m.

  
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Roy W. Pope