

RESOLUTION ADOPTED TO TRANSFER \$10,000 TO REVOLVING FUND.

MOTION FOR NECESSARY CHANGE ORDERS IN HOBSON'S CONTRACT ON SWEETEN CREEK PROJECT ADOPTED.

SPECIAL COMMITTEE APPOINTED RE: SWEETEN CREEK ROW & MRS. TANDY'S REQUEST.

The regular monthly meeting of the Metropolitan Sewerage District Board was held in the Board Room 501, City Building, Asheville, North Carolina, at 2:00 p.m. on Tuesday, September 28, 1971.

Chairman Peterson called the meeting to order and Mrs. Swicegood, Secretary, called the roll with the following members present: Mr. Peterson, Mr. Dawson, Mrs. Swicegood, Mr. Liles, Mr. Clark, Mr. Longshore, Mr. Warlick, and Mr. Williams.

The members having received copies of the previous minutes, Mr. Dawson moved and Mr. Williams seconded the motion that they be approved as recorded. This motion was carried unanimously.

Each member of the Board was presented a copy of the Auditors Report for the Year Ended June 30, 1971.

Mr. Johnson, Engineer-Manager, in his communications report stated we had received a check for \$109,281.00 representing Federal Grant on the Beaverdam Sewer Project and was deposited in the Repair & Extension Fund. Mr. Johnson stated we had received communication from E.P.A. indicating they still owe us \$271,400.00 Grant money on the original project. These funds are expected within sixty days and this action will terminate all the original construction financing.

The following resolution was read:

RESOLUTION

WHEREAS, the Revolving Fund has been depleted to approximately \$3,000.00

THEREFORE BE IT RESOLVED that the Trustee be directed to transfer \$10,000.00 from the Construction Fund to the Revolving Fund Account as authorized by the Bond Resolution.

Mr. Dawson moved the resolution be adopted and Mr. Warlick seconded the motion. The roll call vote was unanimous.

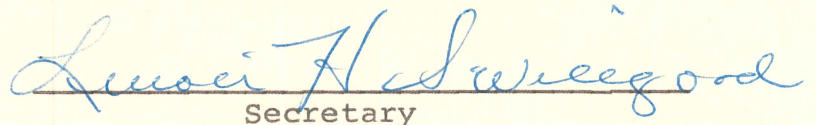
The Sweeten Creek problem involving a change in plans requiring a different procedure of crossing under the railroad tracks was commented upon by Mr. Hendon who stated the Southern Railway was extremely nice and had given permission for the work to proceed and that the matter was resolved. He stated and commented on the necessity for two change orders in Mr. Hobson's contract and said he would like to have the Board's approval for such changes. This was discussed and explained by Mr. Redmond, Attorney, whereupon Mr. Dawson moved that certain change orders are necessary in Hobson's contract and that the Consulting Engineer be instructed to write up the necessary change orders to be submitted to our Engineer-Manager for his approval and then the change orders to be added after he approves them. Mr. Warlick seconded this motion and the roll call vote was unanimous.

The Sweeten Creek problem over right of way at North State Material Company property on Fairview Road was brought before the Board. Mr. Redmond stated that we are in the process of negotiation and would like the Board's approval to continue to negotiate. He thinks the negotiation way is still open to the MSD and momentarily has some favorable response. Mr. Redmond stated that if it is necessary to take any other action he would like for the Chairman to recall a special meeting of the Board for that purpose. As of now, he would like to continue negotiation and, subject to reaching a settlement of the financial end of it, suggested the Chairman might want a special committee of the Board to approve the settlement. On this recommendation, Chairman Peterson appointed Mr. Clark, Mr. Dawson, and Mrs. Swicegood as a Special Committee to work with Mr. Redmond on this problem.

Mr. Johnson stated the Chairman had had communication from Mrs. Tandy and that Mr. Redmond had met with her attorney. Chairman Peterson asked if there was any objection to the previously appointed committee serving on the Tandy matter and there was no objection.

There being no further business, the meeting adjourned at 2:35 p.m.

September 28, 1971

  
Secretary