

MINUTES OF THE METROPOLITAN SEWERAGE DISTRICT BOARD**RESOLUTION - TO THE COUNTY COMMISSIONERS RELATING TO GERBER SCREENING PLANT OPERATION AGREEMENT TO BE CANCELLED AFTER 30 DAYS NOTICE.**

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, March 20, 1973.

Mr. Philip C. Brownell, representing Buncombe County as a new member of the Metropolitan Sewerage District Board, was sworn in by J. Ray Elingburg, Clerk of Superior Court.

Chairman Peterson called the meeting to order and Mrs. Swicegood, Secretary, called the roll with the following members present: Chairman Peterson, Mr. Clark, Mr. Dawson, Mr. Williams, Mr. Robinson, Mrs. Swicegood, Mr. Brownell, and Mr. Redmond, Attorney.

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

Mr. Johnson, Engineer-Manager, mentioned the following communications: Resolution by Mr. Redmond, Resolution concerning Mr. W. T. Goodson, Resolution concerning Mr. Philip C. Brownell, notice of Water Supply Grant to the City of Asheville. No action was necessary.

Mr. Johnson read letters from Tidewater Supply Company and Mr. Harvey Heywood. The Chairman referred these letters to the Board's Attorney for a later opinion.

OLD BUSINESS: Mr. Johnson brought the Board up-to-date on the Gerber Screening Plant matter and ask Mr. Dawson to comment on the meeting with the County Commissioners. Mr. Dawson discussed the matter, after which Mr. Williams moved and Mr. Dawson seconded the following resolution: Roll call vote was unanimous. Affirmative.

RESOLUTION

WHEREAS, at the February 20 meeting of the District Board, the situation with regard to the operation of the screening plant at Gerber Products Company was brought up for discussion and as a result of such discussion, the Chairman appointed a committee composed of George E. Dawson, Ben Clark, P. Greer Johnson and Anthony Redmond to meet with the County Commissioners in an effort to resolve the problem connected with the screening plant, and

WHEREAS, such a meeting with the Chairman of the County Commissioners, R. Curtis Ratcliff and the County Attorney, Larry McDevitt, was held on February 26, 1973 at which time it was the sense of the meeting that in order to bring the matter to the table for formal discussion, Mr. Johnson would write a letter of intent to recommend to the District Board termination of the Agreement between Buncombe County and the Metropolitan Sewerage District of Buncombe County having to do with the maintenance and operation of the Gerber Screening Plant, if no solution of the problem was offered, and

WHEREAS, such a letter was written under date of February 26, 1973 by Mr. Johnson, advising that it would be his recommendation to the Board at their March 20 meeting that the Board invoke the 30 day termination clause in the Agreement between the County and the Metropolitan Sewerage District, and

WHEREAS, the matter came on for discussion at the meeting of March 20 and it appearing that no further action had been taken in the interim by the County Commissioners or by Gerber in regard to the matter and it appearing to the Board that the recommendation of Mr. Johnson, its Engineer-Manager, with respect to notice of termination of the Agreement should be approved, it was resolved by unanimous vote of the Board that formal notice be given to the County of Buncombe pursuant to the provisions of the aforesaid Agreement of the 14th day of March, 1968 that the Agreement be cancelled by the Metropolitan Sewerage District of Buncombe County at the end of 30 days from the date of such notice.

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Chairman Peterson recognized Mr. Robert Turner, Engineer from Register and Cummings Engineers, Inc. Mr. Turner reported that the field work and plans were completed on the Black Mountain Sewer Project and he was awaiting State review. Mr. Turner reported that the survey on the South Buncombe Sewer Project had been completed and he is awaiting a review by the State Task Force.

Chairman Peterson recognized Mr. Lou Hoffman, Consulting Engineer from Harry Hendon Associates, Inc. Mr. Hoffman stated that he was a partner in the Corporation and would personally handle any duties required by MSD. He stated that he would have his annual report for the next meeting.

There being no further business, the meeting adjourned at 2:45 p.m.

March 20, 1973

  
Secretary