

MINUTES OF THE METROPOLITAN SEWERAGE DISTRICT BOARD

AUGUST 17, 1976

The regular monthly meeting of the Metropolitan Sewerage District Board was held in the old office of the Junior Chamber of Commerce on the first floor, City Hall Building, Asheville, North Carolina, at 2 p.m., on Tuesday, August 17, 1976.

Chairman Robinson called the meeting to order, and Mrs. Crowe called the roll. In addition to Chairman Robinson, the following members were present: Messrs. Clark, Dawson, Dent, Dillingham, Hyatt, McDevitt, and Smith.

In addition to the Board members, the following consultants and staff members were present:

Mr. Anthony Redmond
Mr. Lew E. Hoffmann
Mr. Dean Huber
Mr. W. H. Mull
Mrs. Jan Crowe
Mrs. Linda Duncan

The members having received copies of the Minutes of the July 20 meeting, Mr. Smith moved the motion and Mr. Dawson seconded that the Minutes stand approved as read. Voice vote was unanimous.

Mr. Dent, Chairman of the Office Space Committee, reported to the Board that the Committee had met briefly before the Board meeting to discuss a proposal submitted by Mr. Lawrence J. Traber of Traber and Associates for an Administration Building. It was the Committee's recommendation that a final proposal be drawn up by Mr. Traber and offered to the Board at a later meeting, which proposal to include a contract using a fixed fee basis. Mr. Dent moved the motion, which was seconded by Mr. Dawson, that the Board accept this recommendation from the Committee. Roll call vote was unanimous.

At Chairman Robinson's request, Mr. David Aiton of Traber and Associates outlined three building sites and three building plans submitted to the Office Space Committee for consideration.

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

- (a) Arrangements for Public Hearing on Partial 201 Facilities Planning: Received as information by the Board; Hearing has already been scheduled for September 14.
- (b) Painting of MSD's Main Plant: Received as information by the Board. Paint, primer, cleaner, and thinner at a total cost of \$2,400 has been ordered for this purpose.
- (c) Water Pollution Control Federation/American Water Works Association Convention to be held in Asheville this year on November 15, 16, and 17: Since the regular monthly meeting of the MSD Board was scheduled for November 16, Mr. Smith moved the motion that the Board meeting be moved up one week to November 9 so as not to coincide with the Convention. Mr. Hyatt seconded the motion, and roll call vote was unanimous.

- (d) Construction related to repair and maintenance projects--Swannanoa Sewer at Sweeten Creek and Raw Sewage Sample Pump: Received as information by the Board.
- (e) Proposed Resolutions with respect to the extension of the South Buncombe and Hominy Valley Intercepting Sewers: Mr. Redmond and Mr. Mull informed the Board that these Resolutions, along with the original Resolutions, will be attached to the State and Federal grant applications when they are submitted to the funding agencies. Mr. Dent moved the motion that the Board adopt both Resolutions (South Buncombe and Hominy Valley), and Mr. Dawson seconded the motion. Roll call vote was unanimous. A copy of each Resolution is attached herewith and made a part of these Minutes.
- (f) Amendment to contract with Harry Hendon and Associates: Environmental Protection Agency Regulations published in the Federal Register on March 4, 1976, require certain amendments to engineering services procured for eligible Federal grant projects. These requirements are reflected in the Hominy Valley and amended South Buncombe contracts presented today. Mr. Smith moved the motion, which was seconded by Mr. Hyatt, that the Board authorize the Chairman and the Secretary to sign the amended contractual agreements with Harry Hendon and Associates and Cummings Engineers, Consulting Engineers, for Step II design work on the South Buncombe Interceptor Sewer and with Harry Hendon and Associates for Step II design work on the Hominy Valley Interceptor Sewer, pending review and approval of the contracts by the Board's Attorney and Engineer-Manager. Roll call vote was unanimous.

Mr. Mull informed the Board of a meeting of the Federal Insurance Administration to discuss the nature and purpose of a flood insurance study to be held Thursday, August 19, at 2 p.m., on the 2nd floor in the Commissioners' meeting room. This study will be held to solicit community input regarding areas in the county subject to flooding. Mr. Mull stated that he would be attending the meeting and invited any interested Board member to attend, also.

Mr. Dillingham moved the motion that MSD draw up a Resolution commending Mr. Levi Decator Ramsey, who died August 14, 1976, for his dedication to MSD and containing the Board's sympathy. The Resolution is to be presented to Mr. Ramsey's family. Mr. Dent seconded the motion, and voice vote was unanimous.

Mr. Dent moved the motion that the Board allocate funds in the amount of \$100,000 to be budgeted from the Repair and Extension Fund for MSD's Administration Building. Mr. Dawson seconded the motion, and roll call vote was unanimous.

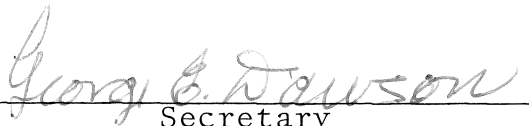
Date of the next meeting of the MSD Board was set for September 21, 1976.

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Mr. Redmond requested that there be an Executive Session of the Board for the purpose of privileged communication between attorney and client. Mr. Smith moved the motion, which was seconded by Mr. Dillingham, that the Board enter Executive Session. Voice vote was unanimous. The Board entered Executive Session at 2:55 p.m.

Following the Executive Session, Mr. Smith moved the motion that the Board instruct Mr. Redmond to bring suit against Holiday Inn West for wastewater service charges in the amount of \$18,879.31. Mr. Hyatt seconded the motion, and roll call vote was unanimous.

There being no further business, the meeting was adjourned at 3:10 p.m.


Secretary

RESOLUTION OF THE METROPOLITAN SEWERAGE DISTRICT OF
BUNCOMBE COUNTY, NORTH CAROLINA, WITH RESPECT TO THE
EXTENSION OF THE SOUTH BUNCOMBE INTERCEPTING SEWER

WHEREAS, the North Carolina Clean Water Bond Act of 1971 has authorized the making of grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, and

WHEREAS, Resolution 74-31 of the North Carolina Board of Water and Air Resources established a policy for approving State grants from the Pollution Control Account of the Clean Water Fund for Step grants for wastewater treatment works projects, and

WHEREAS, Title II of the Federal Water Pollution Control Act Amendments of 1972 (P.L. 92-500 U.S.C. 1251 et seq.) authorized the award of step Federal Construction Grants for waste treatment works, and

WHEREAS, the Metropolitan Sewerage District of Buncombe County intends to request State and Federal grant assistance to aid in Step II Design of South Buncombe Interceptor Sewer Project as set forth in the "Section 201 Facilities Plan";

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY, hereinafter called "The Board":

That The Board will arrange financing for all remaining costs of the project if approved for State and Federal grant awards.

That The Board will adopt and place into effect on or before completion of the project a schedule of fees and charges which will provide adequate funds for proper operation, maintenance, and administration of the system.

That The Board will provide for efficient operation and maintenance of the project on completion of construction thereof.

That W. H. Mull, Engineer-Manager, and successors so titled, is hereby authorized to execute and file Step II & III applications on behalf of The Board with the Environmental Protection Agency and the State of North Carolina for grants to aid in the construction of the project described above.

That W. H. Mull, Engineer-Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate Federal or State agencies may request in connection with such applications or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the applications.

That The Board has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants and loans pertaining thereto; and hereby authorized the above designated representative to execute an affidavit so stating.

Adopted this the 17th day of August, 1976, at Asheville, North Carolina.

A handwritten signature in black ink, reading "C. LeRoy Robinson". The signature is written in a cursive style with a long horizontal flourish extending to the right. A horizontal line is drawn underneath the signature.

C. LeRoy Robinson
Chairman

RESOLUTION OF THE METROPOLITAN SEWERAGE DISTRICT OF
BUNCOMBE COUNTY, NORTH CAROLINA, WITH RESPECT TO THE
EXTENSION OF THE HOMINY VALLEY INTERCEPTING SEWER

WHEREAS, the North Carolina Clean Water Bond Act of 1971 has authorized the making of grants to aid eligible units of government in financing the cost of construction of wastewater treatment works, wastewater collection systems, and water supply systems, and

WHEREAS, Resolution 74-31 of the North Carolina Board of Water and Air Resources established a policy for approving State grants from the Pollution Control Account of the Clean Water Fund for Step grants for wastewater treatment works projects, and

WHEREAS, Title II of the Federal Water Pollution Control Act Amendments of 1972 (P.L. 92-500 U.S.C. 1251 et. seg.) authorized the award of step Federal Construction Grants for waste treatment works, and

WHEREAS, the Metropolitan Sewerage District of Buncombe County intends to request State and Federal Grant assistance to aid in Step II Design of Hominy Valley Interceptor Sewer Project as set forth in the "Section 201 Facilities Plan";

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY, hereinafter called "The Board":

That The Board will arrange financing for all remaining costs of the project if approved for State and Federal grant awards.

That The Board will adopt and place into effect on or before completion of the project a schedule of fees and charges which will provide adequate funds for proper operation, maintenance, and administration of the system.

That The Board will provide for efficient operation and maintenance of the project on completion of construction thereof.

That W. H. Mull, Engineer-Manager, and successors so titled, is hereby authorized to execute and file Step II & III applications on behalf of The Board with the Environmental Protection Agency and the State of North Carolina for grants to aid in the construction of the project described above.

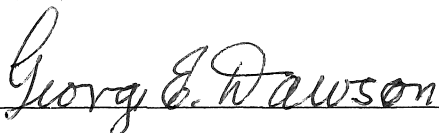
CERTIFICATE OF RECORDING OFFICER

The undersigned duly qualified and acting Secretary of the Metropolitan Sewerage District of Buncombe County does hereby certify:

That the above attached resolution is a true and correct copy of the resolution authorizing the filing of Step II and Step III applications with the Environmental Protection Agency and the State of North Carolina, as regularly adopted at a legally convened meeting of the Metropolitan Sewerage District of Buncombe County duly held on the 17th day of August, 1976; and,

Further, that such resolution has been fully recorded in the minutes of proceedings and records in my office.

IN WITNESS WHEREOF, I have hereunto set my hand this 17th day of August, 1976.



George E. Dawson

George E. Dawson
Secretary