

MINUTES OF THE METROPOLITAN SEWERAGE DISTRICT BOARD

JANUARY 18, 1977

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, January 18, 1977.

Vice-Chairman Williams called the meeting to order, and Mrs. Crowe called the roll. In addition to Vice-Chairman Williams, the following members were present: Messrs. Dawson, Hyatt, McDevitt, Smith, and Warlick.

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

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

The members having received copies of the Minutes of the December 14, 1976, meeting, Mr. Dawson moved the motion that the Minutes stand approved as written. Mr. Hyatt seconded the motion, and voice vote was unanimous.

Mr. J. Ray Elingburg, Clerk of Superior Court, administered the Oath of Office to Board members reappointed to three-year terms, beginning January 19, 1977. Those members taking the oath, being sworn in by Mr. Elingburg, are as follows:

Mr. George E. Dawson, City of Asheville
Mr. Paul E. Warlick, Town of Biltmore Forest

Messrs. Dent and Williams terms also expire January 19, 1977; however, no official certification had been received by the Board of their reappointment at the time of the Board meeting.

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

- (a) MSD budget for the six-month period ending December 31, 1976: Expenditures for Directors' Fees & Expenses for the six-month period totaled \$1,690.00, whereas the annual budget line item amounts to only \$1,200. The additional expenditures arise from extra Board and Committee meetings and from the Board secretary's expenses. It was, therefore, moved by Mr. Dawson and seconded by Mr. Smith that \$2,000 be transferred from the Contingency line item to the Directors' Fees & Expenses line item, thereby increasing same from \$1,200 to \$3,200.

Total amount allocated for Legal Fees for the fiscal year was \$7,000. Of that amount, \$6,645.82 had been expended as of December 31, 1976, leaving a balance of \$354.18. Legal Fees were running higher than anticipated due to litigation against Holiday Inn West, 201 Facilities Planning activities, activities associated with the Building Committee, Architect's contract, and other items. It was agreed that the portion of

Legal Fees attributable to 201 Facilities Planning be itemized and that the Operation & Maintenance Fund be reimbursed from the Repair & Extension Fund accordingly. Legal Fees may still exceed the line item of \$7,000; and it was, therefore, moved by Mr. McDevitt that the Board authorize the transfer of \$3,000 from the Contingency line item to the Legal Fees line item, thereby increasing budgeted Legal Fees to \$10,000 for the fiscal year. Mr. McDevitt's motion also included the stipulation that all legal expenses incurred with respect to 201 Facilities Planning be reimbursed from the Repair & Extension Fund. Mr. Smith seconded the motion.

Roll call vote on both motions (Directors' Fees & Expenses and Legal Fees) was unanimous.

- (b) Grant agreement, Sewer System Evaluation Survey: EPA has offered MSD \$180,000 for use in this survey instead of granting the \$850,000 for which MSD had applied. Mr. Mull informed the Board that he, Mr. Huber, and Mr. Ken Michalove (Assistant Manager, City of Asheville) were to meet with EPA in Atlanta on Friday, January 21, 1977, to submit reasons to justify MSD's need for the additional grant funds in the amount of \$850,000. Mr. Mull requested that Mr. Redmond be authorized by the Board to accompany the three others to Atlanta to meet with EPA. Mr. Dawson moved the motion, which was seconded by Mr. Warlick, that Mr. Redmond be authorized to accompany Messrs. Mull, Huber, and Michalove on this trip. Roll call vote was unanimous.
- (c) Industrial Discharge Permit for Essex International: MSD is awaiting additional information from Essex Group before issuing the permit; received as information by the Board.
- (d) Status of pretreatment facilities, Quorum Knitting Mills: Inclement weather has prevented Quorum from completing these pretreatment facilities; progress report will be presented to the Board at its February meeting; received as information by the Board.
- (e) New York conference scheduled with bonding attorney: A meeting has been scheduled by Messrs. Mull and Redmond to meet in New York with Mr. George E. Boyle, bonding attorney, to discuss the feasibility of MSD's taking over publicly owned collection sewers in Buncombe County and extending service into Henderson County and whether such moves might require some new legislative action since MSD bonds limit MSD's function to that of treating sewage. After discussion, Mr. McDevitt requested that be be included in

the trip and scheduled meeting. Mr. Smith moved the motion, which Mr. Hyatt seconded, that Mr. McDevitt be authorized to accompany Messrs. Mull and Redmond to New York (February 8-10). Roll call vote was unanimous.


In the absence of Mr. Dent, Office Space Chairman, Committee member McDevitt reported on Office Space. The Committee had met with Chairman Robinson, Mr. David Aiton of Traber Associates, and Mr. Mull on January 13. Mr. McDevitt stated that the Committee's recommendation is that the Board authorize Mr. Mull to deal with local suppliers to secure bids and plans on interior furnishings and report back to the Board with that information so that the Board would make its selections. Mr. McDevitt moved the motion that this recommendation be accepted by the Board, Mr. Smith seconded the motion, and roll call vote was unanimous.

Mr. McDevitt moved the motion that Mr. Mull assemble a non-technical report summarizing MSD's current and past activities for the last year which are relevant to the Board and present this summary to the Board and then to each governing body within the District and represented by Board members. Mr. Warlick seconded the motion, and roll call vote was unanimous.

Date of the next meeting for the MSD Board was scheduled for February 15, 1977.

Vice-Chairman Williams announced to the Board that the Town of Black Mountain chose not to reappoint him to the MSD Board and had replaced him with Mr. Paul E. Griffith. Mr. Dawson moved the motion that Mr. Redmond prepare a resolution commending Mr. Williams for his many years of service--some eleven years--beginning January 1, 1965, and terminating January 19, 1977. Mr. Hyatt seconded the motion, and voice vote was unanimous.

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


Secretary