

MINUTES OF THE METROPOLITAN SEWERAGE DISTRICT BOARD

FEBRUARY 21, 1978

The regular monthly meeting of the Metropolitan Sewerage District Board was held in the City Council Chambers, City Hall Building, Asheville, North Carolina, at 2 p.m., Tuesday, February 21, 1978.

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, Dillingham, Griffith, Hyatt, McDevitt, Smith, and Williams.

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

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

Mr. F. Piercy Carter, Assistant Clerk of Superior Court, administered the Oath of Office to Mr. Frank S. Smith, III, who was reappointed to a three-year term to the MSD Board by the County of Buncombe, effective January 19, 1978.

MINUTES OF PUBLIC HEARING

At 2:05 p.m., Chairman Robinson declared a Public Hearing opening for the consideration of proposed revisions to the Sewer Use Regulations as advertised in THE ASHEVILLE CITIZEN on February 1 and 7, 1978.

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF THE METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY

Notice is hereby given that the Board of the Metropolitan Sewerage District of Buncombe County, N. C., will hold a public hearing in the City Council Chambers, Second Floor, City Hall, Asheville, N. C., at 2:00 p.m., on Tuesday, February 21, 1978, on the adoption of certain amendments to the REGULATIONS FOR DISCHARGE OF WASTEWATERS INTO THE SANITARY SEWERAGE SYSTEM adopted by said Board on June 18, 1974. Upon adoption by said Board, said amendments shall become effective immediately. A copy of said proposed amendments may be obtained by applying to the Administration office of the Metropolitan Sewerage District of Buncombe County, State Highway #191 North, Woodfin, N. C.

C. LeRoy Robinson
Chairman of the Board

Approved as to form:
Anthony Redmond, Attorney
February 1, 7, 1978

After opening comments by Chairman Robinson and Mr. Redmond, the proposed revisions were read in their entirety by Messrs. Huber and Redmond. The following persons addressed the Board during the public hearing: Mr. James E. Ellis, Executive Vice-President of the Asheville Area Chamber of Commerce; Mr. David E. Featherstone, Vice-President of Operations for Sayles Biltmore Bleacheries; Mr. Harold L. Owen, Plant Engineer for Gerber Products; Mr. Harry H. Messenheimer, Plant Manager for Chemtronics; and Mr. James A. Edwards, Manager of the Environmental Section for Ball Corporation. It was the consensus of the speakers that industries in the area had not had sufficient time to study the proposed revisions, and Mr. Ellis requested that the Board consider postponement of adoption of the revisions for thirty days. After considerable discussion among the speakers, Messrs. Huber, Hoffmann, Newton, and Mull, and the Board, Chairman Robinson at 3:10 p.m. announced that the public hearing was closed.

THEREUPON, Chairman Robinson reconvened the regular monthly meeting; and Mr. McDevitt moved the motion that the Board postpone any action by the Board on these proposed revisions until the next regular meeting of the Board. Mr. Hyatt seconded the motion, and roll call vote was unanimous.

The members having received copies of the Minutes of the January 17 meeting, Mr. Williams moved that the Minutes stand approved as written. Mr. Clark seconded the motion, and voice vote was unanimous.

Mr. George E. Dawson, who was serving as Secretary-Treasurer of the MSD Board, resigned from the Board January 31, 1978, due to declining health. Mr. Williams moved the motion, which was seconded by Mr. Dillingham, that Mr. Clark be elected to serve the remainder of Mr. Dawson's term of office (until the annual election of officers in July, 1978). By acclamation, Mr. Clark was elected Secretary-Treasurer of the MSD Board.

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

- (a) Request from Carolina Power & Light Company to relocate high voltage transmission lines at MSD plant: Mr. Mull informed the Board that Messrs. Clark and Hyatt are assisting him in evaluating this request and that the first line will be located between Burlington Industries and Mr. Cunningham's residence and that the second line will require the tearing down and reconstruction of a small metal building which is now located near the dam. At Mr. Clark's suggestion, three bids will be sought for this tearing down and reconstruction of the building. This item was received as information by the Board, and no action was taken regarding CP&L's request.
- (b) Contract for emergency repairs to Hominy Creek Interceptor Sewer: Mr. Mull reported that a section of interceptor had been washed into the creek during the most recent flooding, and

considerable damage had been done to pipe bedding. Mr. Clark moved the motion that the Board enter into an agreement with W & W Contracting to do the emergency repair work (estimated cost, \$24,000). Mr. Hyatt seconded the motion, and roll call vote was unanimous.

- (c) Report on opening of bids for mechanics' truck and recommendation regarding award of contract: The following bids were received for a ½-ton pickup truck according to specifications as outlined in a Notice to Bidders in THE ASHEVILLE CITIZEN on February 2 and 9, 1978: Quality Used Cars, Inc., \$4,114.85; Fletcher Motor Company, \$4,099.38; and Dorato Motors, \$3,982. Mr. Smith moved the motion that the apparent low bidder, Dorato Motors, be awarded the contract for the new truck at the specified bid of \$3,982 plus 2% North Carolina sales tax. Mr. McDevitt seconded the motion, and roll call vote was unanimous.
- (d) Water Pollution Control Federation seminar to be held March 21 in Washington, D. C.: Mr. Smith moved the motion that Messrs. Mull, Redmond, and Huber and any other interested Board member be authorized to attend this one-day seminar with all costs to be paid for by the District. The seminar registration fee is \$50 per person and covers the full day's activities. Mr. Williams seconded the motion, and roll call vote was unanimous.
- (e) Progress on the new Administration Building: Mr. Mull reported to the Board that basically only those small items of outside work remain to be done from the punch list and that a representative from Armstrong had inspected the carpeting and found it to be properly matted and installed. Mr. Mull also reported that a Certificate of Substantial Completion had been executed on February 9 by Mr. Lawrence Traber as Architect and on February 16 by Mr. Graham Price as General Contractor. Mr. McDevitt, Chairman of the Building Committee, moved that the Board accept the building with the understanding that the outside work be completed when weather permits and that Chairman Robinson be authorized to execute the Certificate of Substantial Completion on behalf of the MSD Board. Mr. Hyatt seconded the motion, and voice vote was unanimous.

In further action, the Board instructed Mr. Mull to request Mr. Redmond to prepare a Resolution of Appreciation for Mr. Dawson for his many years of service to the MSD Board. Mr. Dawson had been a member of the Board continuously since July 26, 1962, until his resignation January 31, 1978.

Mr. McDevitt informed the Board that he, on behalf of his law firm, represented Chemtronics, Inc. He stated that Mr.

Minutes

Page Four

February 21, 1978

Messenheimer had come to him with certain questions about MSD requirements and that he, Mr. McDevitt, intends to confer with Mr. Mull about these questions and see if they could be resolved. However, he stated that, in an effort to avoid even the appearance of a conflict of interest, he would not be conferring with Mr. Mull as attorney for Chemtronics and would charge them no fee. He further informed the Board that any inquiries which he made relative to questions posed by Chemtronics would be done in his capacity as a Board member and no other. He asked that this statement be incorporated into the Minutes.

Date of the next meeting of the MSD Board was set for March 14, 1978, since the original scheduling coincided with the Water Pollution Control Federation seminar to be held on that day in Washington, D. C. The March 14 meeting is scheduled to be held in the City Council Chambers.

Mr. Smith requested that the Asheville Area Chamber of Commerce be placed on the mailing list for meeting notices and minutes of the MSD Board so pertinent information will be readily available to them. These mailings are to be sent to the Executive Vice-President of the Asheville Area Chamber of Commerce, at the present being Mr. James E. Ellis.

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

A handwritten signature in cursive script that reads "Ben H. Clark". The signature is written in dark ink and is positioned above a horizontal line.

Secretary