

MINUTES OF THE METROPOLITAN SEWERAGE DISTRICT BOARD

NOVEMBER 20, 1978

The regular monthly meeting of the Metropolitan Sewerage District Board was held in the Boardroom of MSD's Administration Building at 2 p.m., Monday, November 20, 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. Boggs, Clark, Griffith, McDevitt, Smith, and Williams.

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

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

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

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

- (a) Presentation of 208 program by Land-of-Sky personnel: Messrs. Bill Stokes, Charles Dent, Bob Purcell, and Harvey Kinder and Mrs. Sherri Montgomery, all of which are personnel of the Land-of-Sky Regional Council's 208 program, made a presentation to the Board regarding their Areawide 208 Water Quality Management Plan. After a slide presentation by Mrs. Montgomery, extensive discussion among the Board members, Board attorney, and Land-of-Sky personnel followed; thereafter, Mr. Stokes, chairman of the 208 program, asked that the MSD Board pass a resolution indicating its understanding of the program and its willingness to accept, assume, and carry out certain responsibilities associated with its present sewage treatment facilities and to conduct a management feasibility study jointly with other political subdivisions in the immediate area, this being Option C of the 208 plan. The Board asked for several revisions of the resolution and postponed action on the resolution until its next regularly scheduled meeting, December 12. Funding for the 208 plan ends December 15.
- (b) Information regarding an O & M Manual for the Main Plant: Mr. Mull presented to the Board a letter from EPA stating that the EPA has determined that an Operation and Maintenance (O & M) Manual must be prepared for the entire MSD system. After discussion,

Mr. Smith moved that the Board commission Harry Hendon and Associates, Inc., in conjunction with Mr. Mull and according to the engineers' proposal, to generate one O & M Manual that meets with EPA's and the State's requirements (or any other requirement), providing that grants are available and that the manual is eligible for 75 percent Federal funding; further, that the draft be completed by September 1, 1979, and that MSD not pay for the manual until Mr. Mull and the Board are satisfied with its contents. (Funding from the State for this manual should be 12½ percent, leaving 12½ percent for MSD to pay.) Mr. Williams seconded the motion, and the following roll call was recorded: Messrs. Griffith, Smith, Williams, and Robinson voted yes; Messrs. Boggs and Clark abstained; Mr. McDevitt voted no. Vote was carried by the majority. (Copy of the proposal is attached and thereby made a part of these Minutes.)

- (c) Update on recent O & M difficulties, including plans for screening and communiton facilities at the French Broad River siphons: Mr. Mull informed the Board that the cost of removing a brick and a rock which had stopped up the #1 siphon was in excess of \$6,000. He apprised the Board that the cost of communiton equipment (which is similar to a garbage disposal and would grind up such items as bricks, rocks, cans, etc., and would virtually eliminate such stoppages) would be approximately \$11,000 and asked the Board's approval to purchase communitors for the two siphons. Mr. Clark moved the motion that the Board authorize Mr. Mull to proceed with obtaining prices for the communitors and report back to the Board. Mr. Boggs seconded the motion, and roll call vote was unanimous.
- (d) Report to the Board on Open Meetings Law by Mr. Redmond: After Mr. Redmond's presentation, Mr. McDevitt moved that the Board (1) adopt regular meeting dates and the annual meeting date for the year beginning December 12, 1978, and ending December 18, 1979; (2) adhere to the requirement that any news media sources request that notices be sent them on an annual basis the first of December of each year but that no charge be made to any news media for this notification; and (3) in the event special or emergency meetings are held or if polling of Board members is conducted for any purpose, then the news media is to be contacted in the same manner as the Board members. Mr. Smith seconded the motion, and voice vote was unanimous.

At Mr. Mull's request, Mr. Redmond reported to the Board highlights of the trip he, Mr. Mull, and Mr. Huber took to Atlanta on November 6 to meet with the EPA for a show cause hearing regarding certain alleged violations. This was received as information by the Board.

Minutes

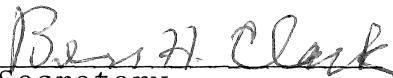
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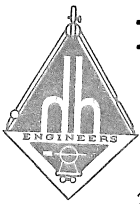
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Mr. Redmond also reported to the Board regarding the status of the hearing scheduled with the State in connection with the \$4,000 penalty assessed against the MSD for violations occurring at the Weaverville Plant. After discussion, Mr. Redmond requested authorization from the Board to permit him to ask for a postponement until February of the hearing scheduled for December 13. Mr. Redmond told the Board that postponement from the December date would allow him needed time in which to prepare for the hearing. Mr. Clark moved that Mr. Redmond request a postponement, and Mr. Griffith seconded the motion. Voice vote was unanimous.

Date of the next regular meeting of the MSD Board was set for December 12, 1978.

There being no further business, the meeting was adjourned at 5 p.m.


Secretary



Harry Hendon and Associates

INCORPORATED

ENGINEERS

Phone 704 - 274-7711

Address reply to P. O. Box 5176

25 REED STREET • ASHEVILLE, NORTH CAROLINA 28803

HARRY H. HENDON (1904-1973)

L. E. HOFFMANN

A. B. JOWERS

H. D. HUBER

August 17, 1978

The Metropolitan Sewerage District
of Buncombe County
Asheville, North Carolina 28807

Attention: Mr. W. H. Mull, Engineer-Manager

Gentlemen:

In response to your recent request, upon your acceptance of this offer, we will prepare an Operations and Maintenance Manual covering your Main Waste Water Treatment Plant, subject to the District obtaining an appropriate grant covering this work.

(a) Upon delivery to you of the required number of sets of the Manual, and following acceptance and approval of the manual by the appropriate State and Federal agencies, you will pay us the lump sum fee of \$25,000.00.

(b) Appendix C-1 (copy of which is attached hereto) to 40 CFR Part 35, Subpart E, as published in Federal Register, Vol. 41, No. 251, December 29, 1976, is hereby made a part hereof, with the following specific limitation:

1) When and to the extent required to perform services under this agreement outside the normal range and scope of engineering services by the use of special consultants in other professional fields such as lawyers, accountants, archaeologists, ornithologists, rate experts, and similar types of other professional skills, the cost for such additional services will be negotiated and the contract further amended.

(c) The Engineer warrants that he now has or will secure at his own expense, all personnel required to perform services under this contract. Such personnel are not employees or nor have

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any contractual relationship with the Board. All personnel in the work shall be fully qualified.

Respectfully submitted,

HARRY HENDON AND ASSOCIATES, INC.

By



L. E. Hoffmann, President

Accepted this 20th day of November, 1978.

THE METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY

By



Chairman