

MINUTES OF THE METROPOLITAN SEWERAGE DISTRICT BOARD

JUNE 19, 1979

The regular monthly meeting of the Metropolitan Sewerage District Board was held in the boardroom of MSD's Administration Building at 2 p.m., Tuesday, June 19, 1979.

Chairman Robinson called the meeting to order, and Mrs. Crowe called the roll. In addition to Chairman Robinson, the following members were present: Messrs. Black, Boggs, Clark, Griffith, Hyatt, Pope, Smith, and Williams.

In addition to the Board members, the following attorneys, consultant, and staff members were present: Mr. Anthony Redmond and Mr. John Stevens; Mr. Dean Huber; Mr. W. H. Mull, Mrs. Jan Crowe, and Mrs. Linda Duncan.

The members having received copies of the minutes of the May 15 meeting, Mr. Griffith moved that the minutes stand approved as written. Mr. Smith seconded the motion, and voice vote was unanimous.

Election of officers for Fiscal Year 1979-80 was as follows: Mr. Smith moved that Mr. Robinson and Mr. Williams be reelected Chairman and Vice-Chairman, respectively, for one-year terms; further, that Mr. Pope be elected Secretary-Treasurer for a one-year term to replace Mr. Clark, who wished to give up the position for health reasons. Mr. Hyatt seconded the motion. Mr. Black moved to close the nominations, and Mr. Smith seconded the motion. Voice vote was unanimous; Messrs. Robinson, Williams, and Pope were elected by acclamation. Action on naming an Assistant Secretary-Treasurer was postponed until the July meeting.

A hearing for Quorum Knitting Mills regarding alleged permit violations was attended by Messrs. Edward P. Mandeau and Carl Collins, president and maintenance manager, respectively. Following the hearing, Mr. Smith moved that the Board seek reimbursement of the costs--as determined by the Engineer-Manager--that have been incurred by the MSD as a result of violations on the part of Quorum, including a \$4,000 fine imposed upon the MSD by the State for permit violations at the Weaverville Plant, legal expenses, employee overtime pay and vehicle expense for extensive monitoring conducted to determine the source of the violations, and any other out-of-pocket costs attributable to operational problems at the Weaverville Plant brought about by Quorum's violations. Mr. Pope seconded the motion. After discussion, Mr. Boggs moved that Mr. Smith's motion be amended to exclude the \$4,000 fine imposed upon the MSD; however, Mr. Boggs' motion died for lack of a second. Thereupon, the following roll call vote was recorded: Messrs. Boggs, Clark, and Griffith voted no; Messrs. Black, Hyatt, Pope, Smith, Williams, and Robinson voted yes. Motion carried by 6 to 3 roll call vote. A letter of intention will be mailed to Quorum, to be followed by a bill for expenses attributable to Quorum's violations.

Mr. Redmond reported to the Board that a check had been received from Holiday Inn West for one-third of the sewer service charges due, plus accrued interest. The check was for \$7,410.34, of which \$1,117.24 was interest. The other two-thirds due amounts will be paid in July (\$6,355.17) and August (\$6,324.14), 1979. Total amount due from Holiday Inn West was \$20,089.65, interest included.

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

- (a) Opening of bids for four-wheel drive vehicle: First advertisement of bids received only one response, resulting in a readvertisement, since three bids were necessary for an opening. Readvertisement (only one bid required) resulted in only one bid also, that being from Carolina Truck & Body Company, Inc., for a 1979 GMC truck for a bid price of \$6,239.04, price being effective until June 15, 1979. As a

result, the Board members were polled by telephone, with the exception of Mr. Griffith. The other nine members voted yes. To reaffirm the telephone vote for approval of the bid and to reaffirm authorization for Mr. Mull to order the vehicle, Mr. Smith moved that the Board reaffirm their votes and accept the bid from Carolina Truck & Body Company, Inc., for the bid price of \$6,239.04. Mr. Hyatt seconded the motion, and roll call vote was unanimous.

- (b) Sale of surplus property (typewriter) to Kennerly Oil Company: Mr. Mull reported to the Board that an IBM Correcting Selectric II typewriter, Serial No. 23-2395409, purchased by the MSD 5½ years ago for \$602., was sold at bid to Kennerly Oil Company for \$577.50. Received as information by the Board.
- (c) Request for approval of appraisal reports (Hominy Valley and South Buncombe): After a brief review of the appraisals, Mr. Clark moved that the Board accept the appraisers' estimated fair compensation due owners for taking and the nominal compensation figures. Mr. Hyatt seconded the motion, and roll call vote was unanimous. (See list on page 280.)
- (d) Notification of issuance of State NPDES Permit for Main Plant: Following discussion, Mr. Smith moved that Mr. Redmond and Mr. Mull prepare a letter to the State regarding certain aspects of limitations contained in the permit, specifically chlorine residuals. Mr. Hyatt seconded the motion, and vote was unanimous.
- (e) Approval of retaining negotiators for right-of-way acquisition: Mr. Mull told the Board that he and Messrs. Huber, Redmond, and Clark had met with Messrs. Wayne Cooper and George Jarvis in connection with hiring Mr. Cooper and Mr. Jarvis to obtain the required easements for the Hominy Valley and South Buncombe Interceptor Sewer projects. Mr. Hyatt then moved that the Board authorize Mr. Cooper as negotiator for the Hominy Valley project and Mr. Jarvis as negotiator for the South Buncombe project, pay each \$10 per hour compensation, and pay each 18¢ mileage plus out-of-pocket expenses; also, that the Board authorize Mr. Mull to set up two separate checking accounts, one for each project in the amounts necessary, to be funded from the Repair and Extension Fund; further, that the Board authorize the negotiators to co-sign with Mr. Mull checks to purchase easements for the project on which they will be working. Mr. Griffith seconded the motion, and roll call vote was unanimous.
- (f) Resolution to transfer surplus funds from the Revenue Account to the Reserve Account: Mr. Smith moved that the Trustee be authorized and directed to transfer any surplus or unencumbered funds accrued in the Revenue Account between July 1, 1979, and June 30, 1980, to the Reserve Account and invest these funds in accordance with the Bond Resolution. Mr. Black seconded the motion, and roll call vote was unanimous. Resolution attached and thereby made a part of these minutes.
- (g) Proposal for communications system: After a brief discussion, Chairman Robinson appointed a committee to work with Mr. Mull to determine the communications system best suited to the District's needs, that committee consisting of Mr. Black and Mr. Griffith.

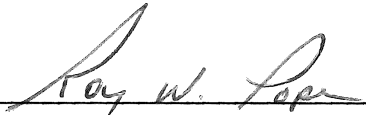
Chairman Robinson requested that the minutes reflect the Board's appreciation to Mr. Clark for his dedicated service as Secretary-Treasurer and for always having gone beyond the call of duty in carrying out his responsibilities while serving the MSD Board.

Messrs. Boggs and Hyatt reported on their findings in connection with the oil storage building bids, and Mr. Hyatt recommended that the project be rebid after specifications are redone. Mr. Smith then moved that the Board reject all bids due to the excessive cost of the building and reinvestigate the situation to see what the least expensive alternative might be. Mr. Clark seconded the motion, and roll call vote was unanimous. Chairman Robinson instructed Messrs. Boggs and Hyatt to continue to work with Mr. Huber on this project.

Mr. Mull reported to the Board that Mr. Robert C. Ensley, Chemist, after many months of hard work and study, has successfully passed the Grade IV Wastewater Treatment Plant Operators' certification. This is the highest grade that can be achieved.

Date of the next regular meeting of the MSD Board was set for July 17, 1979.

There being no further business, the meeting was adjourned at 3:55 p.m.


Secretary

Approved appraisals: UH #35, Vulcan Materials, nom.; UH #111/112, WNC Pallet, \$1,820. LH: #11-A, Duck, \$62; #31, American Enka Co., nom.; #34, Rutherford heirs, nom.; #71, Asheville School, nom.; #97, Zoerner, nom.; #99 Goforth, nom.; #100-A, Riddle, nom.; #100-B, Barnett, nom.; #100-C, Penland, nom.; #100-D, Harrell, nom.; #100-E, Ledford, nom.; #100-F, Weatherman, nom.; #103, Holcombe, nom.; #105, Looner, nom.

RESOLUTION


WHEREAS, Section 508, V-14, paragraph (d), of the Bond Resolution allows the Board to determine the maximum amount in the Reserve Account; and


WHEREAS, the Trustee has informed us that there will be surplus funds accruing in the Revenue Account during Fiscal Year 1979-80; and

WHEREAS, the Consulting Engineer, Engineer-Manager, and the Trustee recommend and concur in the following resolution:

NOW, THEREFORE, BE IT RESOLVED that the Trustee is authorized and directed to transfer any surplus or unencumbered funds accrued in the Revenue Account between July 1, 1979, and June 30, 1980, to the Reserve Account and invest these funds in accordance with the Bond Resolution.

Read, approved, and adopted this 19th day of June, 1979.


Chairman of the Board
Metropolitan Sewerage District
of Buncombe County


Secretary