

MINUTES OF METROPOLITAN SEWERAGE DISTRICT BOARD

STATEMENT OF ESTIMATED ANNUAL REVENUE

LETTERS OF APPRECIATION AUTHORIZED

AUTHORIZATION FOR FIVE-POINT ACTION TO BE EXECUTED BY STAFF IMMEDIATELY
RECEIVED OFFICIAL CERTIFICATION OF BOND ELECTION

RESOLUTION DECLARING THE RESULTS OF SPECIAL BOND ELECTION AND PROVIDING
A STATEMENT OF SAID RESULTS

The meeting of the Metropolitan Sewerage District Board was held in the Board Room 501, City Building, Asheville, North Carolina, at 2:00 p. m. on Tuesday, December 17, 1963.

The meeting was called to order by Chairman Peterson. The roll was called by Mrs. Swicegood, Secretary, with the following members present:

Mr. Peterson, Mr. Garrison, Sr., Mrs. Swicegood, Mr. Spicer, Mr. Adams, Mr. Dawson, Mr. Finch, Mr. Reagan, Mr. Robinson, and Mr. Tandy.

It was moved by Mr. Finch that the Board dispense with reading the minutes and that they be approved as prepared and mailed to the members. This motion carried unanimously.

Mr. Johnson stated that a copy of his progress report had been given to each member.

He also informed the Board of receipt of a congratulatory telegram from Mr. Hubbard regarding the successful outcome of the bond referendum held December 14, 1963.

In response to a question raised at the previous meeting by Mr. Adams, Mr. Johnson said that based upon water revenue from 26,208 customers having sewer service and 3,800 with no sewer connection, the estimated annual revenue would amount to \$777,012 using the rate schedule adopted at the November meeting of a minimum of \$1.00, a maximum for single-family dwellings of \$4.00, and a 40% charge for the remaining customers. He stated that with normal growth he felt this amount would be sufficient to cover principal, interest, and operational costs.

The Board endorsed unanimously a motion made by Mr. Adams that Mr. Johnson send appropriate letters of appreciation to those individuals who were helpful in the successful passage of the bond referendum.

Mr. Johnson presented the following with a request that the Board authorize immediate action:

1. That Mr. Hendon bring his preliminary report to date.
2. That Mr. Hendon be requested to furnish the staff with a proposed time schedule of engineering procedure.
3. That the staff prepare proper application for Federal grant.
4. That the Board receive the official results of the bond referendum.
5. That the staff send copies of necessary documents to the proper officials.

Upon motion of Mr. Garrison, seconded by Mr. Spicer, it was unanimously voted to proceed on the suggested items.

Mr. Redmond, Attorney to the Board, presented a certified copy of the election results from the Buncombe County Commissioners as follows:

The Board of Commissioners for the County of Buncombe, North Carolina, met in adjourned regular session at the Court-house in Asheville, North Carolina, the regular place of meeting, at 12 o'clock Noon, on December 17, 1963.

Present: Chairman Coke Candler and Commissioners
Harry P. Mitchell

Absent: John C. Vance

* * * * *

At 12 o'clock Noon, the members of the Board of Commissioners for the County of Buncombe received from the registrars and judges of election the returns of the special bond election held on December 14, 1963, in the Metropolitan Sewerage District of Buncombe County. After said returns had been canvassed, Commissioner Mitchell introduced the following resolution which was read:

RESOLUTION RELATING TO THE CANVASSING
OF THE RETURNS OF THE SPECIAL BOND ELEC-
TION HELD IN THE METROPOLITAN SEWERAGE
DISTRICT OF BUNCOMBE COUNTY ON DECEMBER
14, 1963

BE IT RESOLVED by the Board of Commissioners for the County of Buncombe:

Section 1. The returns of the special bond election held on December 14, 1963, in the Metropolitan Sewerage District of Buncombe County, having been received from the proper election officers and the Board having canvassed the same, the following facts are hereby found and determined:

(a) That at a special bond election held in the Metropolitan Sewerage District of Buncombe County on December 14, 1963, there was submitted to the qualified voters of said District the following question:

Shall a bond order adopted by the District Board of the Metropolitan Sewerage District of Buncombe County, North Carolina, on the 8th day of October, 1963, authorizing the issuance of not exceeding \$10,400,000 Sewage Disposal System Bonds of said Metropolitan Sewerage District for the purpose of providing funds, with any other available funds, for constructing a sewage disposal system for said District, including treatment plants, pumping stations, intercepting sewers, trunk sewers, pressure lines, mains and all necessary appurtenances and equipment, and all property, rights, easements and franchises relating thereto, and the levy of a tax for the payment thereof, be approved?

(b) That no complaints have been made to this Board against the regularity of said election.

(c) That said election and the registration therefor were duly and properly held in accordance with law.

(d) That the following schedule correctly shows the designations of the several precincts at which said election was held, the number of voters registered and qualified to vote in each precinct, the number of votes cast in each precinct in favor of the question submitted, the number cast against said question, and the totals of such numbers:

<u>Precincts</u>	<u>Polling Places</u>	<u>Voters registered and qualified to vote</u>	<u>Question Submitted</u>	
			<u>Votes For</u>	<u>Votes Against</u>
<u>Asheville</u>				
1	Court House	.....256.....	..133..	.....8.
2	William Randolph School	.....392.....	..216..	....52.

<u>Precincts</u>	<u>Polling Places</u>	<u>Question Submitted</u>		
		<u>Voters registered and qualified to vote</u>	<u>Votes For</u>	<u>Votes Against</u>
<u>Asheville</u>				
3	Claxton School	.....405.....	...219.	.....51.
4	North Asheville Community Center	515	364	30
5	Ira B. Jones School	567	379	52
6	Haw Creek School	488	277	83
7	Newton School	367	222	47
8	Biltmore School	77	52	4
9	Oakley School	235	85	68
10	Livingston Street School	171	156	2
11	Aston Park	305	124	16
12	Hall Fletcher School	255	117	34
13	Eugene Rankin School	271	162	43
14	Aycock School	165	84	18
15	Vance School	541	259	86
16	New West Asheville Fire Department	389	162	62
17	Asheville Art Museum 324 Charlotte St.	291	211	23
Avery Creek	Bent Creek Ranch Asheville, N. C.	35	11	0
Baird's Cove	Baird's Cove Stephens Upholstery Co. 205 Weaverville Rd. Asheville, N. C.	39	19	6
Beaverdam	Beaverdam Commn. Center Asheville, N. C.	155	99	24
Biltmore	Biltmore Forest Fire Station Asheville, N. C.	276	175	25
Black Mtn. #1	Black Mtn. School Black Mountain, N. C.	151	52	36

<u>Precincts</u>	<u>Polling Places</u>	<u>Voters registered and qualified to vote</u>	<u>Question Submitted</u>	
			<u>Votes For</u>	<u>Votes Against</u>
Black Mtn. #2	City Hall Black Mountain, N. C.	146	35	20
Black Mtn. #3	Club House, Lake Tomahawk Black Mountain, N. C.	286	117	59
French Broad	Hunts Auto Sales 92 Weaverville Rd. Asheville, N. C.	29	14	1
Haw Creek	Haw Creek Vol. Fire Depart. Asheville, N. C.	108	52	17
Hazel #2	Deaverview Laundromat 477 Deaverview Rd. Asheville, N. C.	15	12	3
Low. Hominy #1	Venable School	71	21	31
Low. Hominy #2	Pisgah View Grocery Pisgah View Rd. Asheville, N. C.	38	14	6
Limestone	T. C. Roberson Consoli- dated High School	418	218	60
Oakley	A. C. Reynolds High School	68	19	25
Oteen	American Legion Hall (Francy Post) Oteen, N. C.	157	51	39
Swannanoa #1	Swannanoa Vol. Fire Department	74	16	32
Swannanoa #2	Swannanoa School	158	55	36
Weaverville	Weaverville School	275	203	4
Woodfin	Woodfin School	179	79	35
Totals		8368	4484	1138

Section 2. At said election a majority of the qualified voters of the Metropolitan Sewerage District of Buncombe County who voted at said election voted for the approval of the bond order adopted by the District Board of the Metropolitan Sewerage District of Buncombe County on October 8, 1963, authorizing the issuance of not exceeding \$10,400,000 Sewage Disposal System Bonds of said Metropolitan Sewerage District for the purpose of providing funds, with any other available funds, for constructing a sewage disposal system for said District, including treatment plants, pumping stations, intercepting sewers, trunk sewers, pressure lines, mains and all necessary appurtenances and equipment, and all property, rights, easements and franchises relating thereto, and the levy of a tax for the payment thereof.

Section 3. The Clerk of the Board of Commissioners is hereby directed to transmit a certified copy of this resolution to the District Board of the Metropolitan Sewerage District of Buncombe County.

Upon motion of Commissioner Mitchell, seconded by Commissioner Candler, the foregoing resolution entitled: "RESOLUTION RELATING TO THE CANVASSING OF THE RETURNS OF THE SPECIAL BOND ELECTION HELD IN THE METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY ON DECEMBER 14, 1963" was passed by the following vote:

Ayes: Commissioners Mitchell and Candler

Noes: None

* * * * *

I, William E. Digges, Register of Deeds and ex officio Clerk of the Board of Commissioners for the County of Buncombe, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of the Board of Commissioners for said County at a meeting held on December 17, 1963, as relates in any way to the special bond election held in the Metropolitan Sewerage District of Buncombe County on December 14, 1963, and the passage of the resolution hereinabove set forth, as such proceedings are recorded in Minute Book No. 34 of the minutes of said Board, beginning at page 46 and ending at page 49.

WITNESS my hand and the corporate seal of said County, this 17th day of December, 1963.

William E. Digges
Register of Deeds and ex officio
Clerk of Board of Commissioners

Thereupon Mr. Ronald E. Finch introduced the following resolution which was read:

"RESOLUTION DETERMINING AND DECLARING THE
RESULT OF THE SPECIAL BOND ELECTION HELD
ON DECEMBER 14, 1963 IN THE METROPOLITAN
SEWERAGE DISTRICT OF BUNCOMBE COUNTY AND
PROVIDING FOR A STATEMENT OF THE RESULT
OF SAID ELECTION

BE IT RESOLVED by the District Board of the Metropolitan Sewerage District of Buncombe County:

Section 1. The following facts are hereby found and determined:

(a) That a certified copy of a resolution adopted by the Board of Commissioners for the County of Buncombe on December 17, 1963, entitled: "RESOLUTION RELATING TO THE CANVASSING OF THE RETURNS OF THE SPECIAL BOND ELECTION HELD IN THE METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY ON DECEMBER 14, 1963" has been received.

(b) That at the special bond election held in the Metropolitan Sewerage District of Buncombe County on December 14, 1963, there was submitted to the qualified voters of said District the following question:

Shall a bond order adopted by the District Board of the Metropolitan Sewerage District of Buncombe County, North Carolina, on the 8th day of October, 1963, authorizing the issuance of not exceeding \$10,400,000 Sewage Disposal System Bonds of said Metropolitan Sewerage District for the purpose of providing funds, with any other available funds, for constructing a sewage disposal system for said District, including treatment plants, pumping stations, intercepting sewers, trunk sewers, pressure lines, mains and all necessary appurtenances and equipment, and all property, rights, easements and franchises relating thereto, and the levy of a tax for the payment thereof, be approved?

(c) That no complaints have been made to this Board Against the regularity of said election.

(d) That said election and the registration therefor were duly and properly held in accordance with law.

(e) That the following schedule correctly shows the designations of the several precincts at which said election was held, the number of voters registered and qualified to vote in each precinct, the number of votes cast in each precinct in favor of the question submitted, the number cast against said question, and the totals of such numbers:

<u>Precincts</u>	<u>Polling Places</u>	<u>Voters registered and qualified to vote</u>	<u>Question Submitted Votes For</u>	<u>Votes Against</u>
<u>Asheville</u>				
1	Court House	.....256.....	..133..	....8....
2	William Randolph School	392	216	52

<u>Precincts</u>	<u>Polling Places</u>	<u>Voters registered and qualified to vote</u>	<u>Question Submitted</u>	
			<u>Votes For</u>	<u>Votes Against</u>
3	Claxton School	....405.....	..219..	....51....
4	North Asheville Community Center	515	364	30
5	Ira B. Jones School	...567.....	..379..	....52....
6	Haw Creek School	...488.....	..277..	....83....
7	Newton School	...367.....	..222..	....47....
8	Biltmore School	....77.....	...52..	....4....
9	Oakley School	...235.....	..85...	....68....
10	Livingston Street School	171	156	2
11	Aston Park	...305.....	..124..	....16....
12	Hall Fletcher School	255	117	34
13	Eugene Rankin School	271	162	43
14	Aycock School	...165.....	...84...	....18....
15	Vance School	...541.....	..259...	....86....
16	New West Asheville Fire Department	389	162	62
17	Asheville Art Museum 324 Charlotte St.	291	211	23
Avery Creek	Bent Creek Ranch Asheville, N. C.	35	11	0
Baird's Cove	Baird's Cove Stephens Upholstery Co. 205 Weaverville Rd. Asheville, N. C.	39	19	6
Beaverdam	Beaverdam Commn. Center Asheville, N. C.	155	99	24

		Question Submitted	
<u>Precincts</u>	<u>Polling Places</u>	<u>Voters registered and qualified to vote</u>	<u>Votes For</u> <u>Votes Against</u>
Biltmore	Biltmore Forest Fire Station Asheville, N. C.	276	175 25
Black Mtn. #1	Black Mtn. School Black Mountain, N. C.	151.....	52... 36...
Black Mtn. #2	City Hall Black Mountain, N. C.	146.....	35... 20...
Black Mtn. #3	Club House, Lake Tomahawk Black Mountain, N. C.	286	117 59
French Broad	Hunts Auto Sales 92 Weaverville Rd. Asheville, N. C.	29	14 1
Haw Creek	Haw Creek Vol. Fire Department Asheville, N. C.	108	52 17
Hazel #2	Deaverview Laundromat 477 Deaverview Rd. Asheville, N. C.	15	12 3
Low. Hominy #1	Venable School	71	21 31
Low. Hominy #2	Pisgah View Grocery Pisgah View Rd. Asheville, N. C.	38	14 6
Limestone	T. C. Roberson Con- solidated High School	418.....	218... 60.....
Oakley	A. C. Reynolds High School	63.....	19... 25.....
Oteen	American Legion Hall (Francy Post) Oteen, N. C.	157	51 39
Swannanoa #1	Swannanoa Vol. Fire Department	74.....	16.... 32.....
Swannanoa #2	Swannanoa School	158	55 36

<u>Precincts</u>	<u>Polling Places</u>	<u>Voters registered and qualified to vote</u>	<u>Question Submitted Votes For</u>	<u>Votes Against</u>
Weaverville	Weaverville School.....	275.....	..203...	....4...
Woodfin	Woodfin School	.....179.....	...79...	...35...
	Totals	<u>8,368</u>	<u>4,484</u>	<u>1,138</u>

Section 2. At said election a majority of the qualified voters of the Metropolitan Sewerage District of Buncombe County who voted at said election voted for the approval of the bond order adopted by the Sanitary District Board of the Metropolitan Sewerage District of Buncombe County on October 8, 1963, authorizing the issuance of not exceeding \$10,400,000 Sewage Disposal System Bonds of said Metropolitan Sewerage District for the purpose of providing funds, with any other available funds, for constructing a sewage disposal system for said District, including treatment plants, pumping stations, intercepting sewers, trunk sewers, pressure lines, mains and all necessary appurtenances and equipment, and all property, rights, easements and franchises relating thereto, and the levy of a tax for the payment thereof.

Section 3. The District Board has prepared and does adopt the following statement of the result of said election:

STATEMENT OF RESULT OF SPECIAL BOND ELECTION
held in the
METROPOLITAN SEWERAGE DISTRICT
of
BUNCOMBE COUNTY, NORTH CAROLINA,
on December 14, 1963

At the special bond election held on December 14, 1963, in the Metropolitan Sewerage District of Buncombe County, North Carolina, 8,368 voters were registered and qualified to vote.

At said election 4,484 voters voted for the approval of the bond order adopted by the District Board of said Metropolitan Sewerage District on October 8, 1963, authorizing the issuance of not exceeding \$10,400,000 Sewage Disposal System Bonds of said Metropolitan Sewerage District for the purpose of providing funds, with any other available funds, for constructing a sewage disposal system for said District, including treatment plants, pumping stations, intercepting sewers, trunk sewers, pressure lines, mains and all necessary appurtenances and equipment, and all property, rights, easements and franchises relating thereto, and the levy of a tax for the payment thereof, and 1,138 voters voted against the approval of said bond order authorizing the issuance of said bonds and the levy of a tax for the payment thereof, and therefore a majority of the qualified registered voters voting at the election voted for said bond order authorizing said \$10,400,000 Sewage Disposal System Bonds of the Metropolitan Sewerage District of Buncombe County and the levy of a tax for the payment thereof.

By order of the District Board of the Metropolitan Sewerage District of Buncombe County, this 17th day of December, 1963.

M. C. Peterson
Chairman

J. W. Spicer

Ronald E. Finch

T. S. Garrison

George E. Dawson

C. L. Robinson

Oscar G. Tandy

J. G. Adams, Jr.

J. R. Reagan

Members

Lenoir H. Swicegood

Member and Secretary

Section 4. When copies of the foregoing statement shall have been signed by a majority of the members of the District Board and delivered to the Secretary, the latter shall record it in the minutes of the Board, and such statement shall be published by the Secretary once in The Asheville Times, a newspaper circulating in the District. A notice substantially in the following form, with the printed signature of the Secretary appended thereto, shall be published with the foregoing statement:

TO THE CITIZENS AND TAXPAYERS OF THE METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY:

No right of action or defense founded upon the invalidity of the above-mentioned election shall be asserted, nor shall the validity of such election be open to question in any court upon any ground whatever, except in an action or proceeding commenced within thirty (30) days after the publication of this statement.

Lenoir H. Swicegood
Secretary

Upon motion of R. E. Finch, seconded by George E. Dawson, the foregoing resolution entitled: "RESOLUTION DETERMINING AND DECLARING THE RESULT OF THE SPECIAL BOND ELECTION HELD ON DECEMBER 14, 1963 IN THE METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY AND PROVIDING FOR A STATEMENT OF THE RESULT OF SAID ELECTION", was passed by the following vote:

Ayes: M. C. Peterson, T. S. Garrison, Lenoir H. Swicegood,

J. W. Spicer, J. G. Adams, Jr., George E. Dawson, R. E. Finch,
J. R. Reagan, C. L. Robinson, Oscar G. Tandy.

Noes: None.

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Mr. Peterson, Chairman, urged that since the electorate had endorsed the project, it would be proper to proceed as rapidly as possible to produce concrete results.

There being no further business, the meeting was adjourned at 2:55 p. m.

December 17, 1963

Linn S. S. S. S.
Secretary