

MINUTES OF METROPOLITAN SEWERAGE DISTRICT BOARD

ELECTION COST PRESENTED.

REQUEST FROM KAVANAGH-SMITH PRESENTED.

RESOLUTION AUTHORIZING REQUEST FOR FEDERAL GRANT & AUTHORITY FOR GREER JOHNSON, ENGINEER-MANAGER, TO SIGN NECESSARY PAPERS.

RESOLUTION DIRECTING HARRY HENDON & ASSOCIATES TO PROCEED WITH PLANS & SPECIFICATIONS.

RESOLUTION DIRECTING GREER JOHNSON, ENGINEER-MANAGER, TO NEGOTIATE FOR RIGHTS-OF-WAY'S & SITE ACQUISITIONS.

AUTHORIZATION GIVEN FOR MR. PETERSON TO MAKE INQUIRY AS TO AVAILABILITY OF TEMPORARY FUNDS ON BOND ANTICIPATION NOTES & REPORT TO BOARD.

AUTHORIZATION FOR GREER JOHNSON, ENGINEER-MANAGER, TO CONSULT WITH HARRY HENDON WITH VIEW OF CHANGES IN PAYMENT PROVISIONS OF CONTRACT.

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, January 21, 1964.

The meeting was called to order by Chairman Peterson. The roll was called by Mrs. Swicegood, Secretary, with the following Board members present: Mr. Peterson, Mr. Garrison, Mrs. Swicegood, Mr. Adams, Mr. Dawson, Mr. Finch, Mr. Robinson, and Mr. Tandy.

The first item of business was the swearing into office of Mr. Thomas S. Garrison, Sr., representing the Woodfin Sanitary Water and Sewer District, and Mr. Oscar G. Tandy, representing Buncombe County, for re-appointment for three-year terms. Mr. Zebulon Weaver, Jr., Buncombe County Clerk of Court, administered the oath to each of them.

Upon motion of Mr. Dawson, the Board dispensed with reading the minutes and approved them as filed. This motion carried unanimously.

Under Communications, Mr. Johnson, Engineer-Manager, informed the Board of receipt of the following:

1. A statement from WLOS for \$1,260.00 complimentary time prior to the December 14th Bond referendum.
2. A statement from the Buncombe County Board of Elections for \$12,584.91 cost for the Bond referendum.
3. A statement from Mr. Weldon Weir, City Manager of Asheville, relating to funds.
4. From the North Carolina Committee of Water Resources: tentative approval of the Weaverville plant site, subject to acquisition of one frame house. The Crescent Hill and main plant sites had previously been approved.
5. A request from Kavanagh-Smith, owners of the Bent Creek Ranch development, that the Metropolitan Sewerage District purchase their sewerage plant for the sum of \$65,250.00.

Mr. Johnson reported a conference with officials concerning application for Federal grant and a conference with Enka officials regarding their local situation.

Upon motion of Mr. Tandy, seconded by Mr. Finch, it was unanimously decided that the Kavanagh-Smith request be turned over to Mr. Redmond, Attorney, for further consideration.

The following resolution requesting authorization for Mr. P. Greer Johnson, Engineer-Manager, to make application for Federal grant and to sign necessary papers for the Metropolitan Sewerage District was presented:

WHEREAS, it appears that the Metropolitan Sewerage District of Buncombe County, North Carolina, acting on behalf of the cities, towns and utility districts which comprise the Metropolitan Sewerage District of Buncombe County, is eligible for a grant, or grants, from the United States Government for sewage treatment works; and

WHEREAS, it will be necessary for the said District Board to make application to the proper Federal Agency for such grants in connection with which various documents will be required; and

WHEREAS, the Board desires to facilitate the handling of such application with the proper Federal Agency. (Federal Grant For Sewage Treatment Works Under 33 U. S. C. 466 et seq.).

NOW, THEREFORE, BE IT RESOLVED, that P. Greer Johnson, Engineer-Manager of the Metropolitan Sewerage District of Buncombe County, North Carolina, be and he is hereby authorized and directed on behalf of said Sewerage District and said Sewerage District Board to negotiate with the proper State and Federal Agencies for the purpose of filing with the Federal Government an application for a Federal grant for sewage treatment works; to file on behalf of this Board and the District all documents which may be required in connection therewith and to execute the same in the name of the Metropolitan Sewerage District Board and in its behalf as may be requisite or appropriate to obtain the Federal grant or grants to which the said District may be entitled or eligible under the provisions of law appertaining thereto;

BE IT FURTHER RESOLVED, that the said P. Greer Johnson, Engineer-Manager of the Metropolitan Sewerage District of Buncombe County, North Carolina, is hereby authorized and directed to take all other actions and to do all things else necessary or appropriate in connection with the subject matter of this resolution.

BE IT FURTHER RESOLVED, that the authority herein given to the said P. Greer Johnson shall be in addition to and not in derogation of that heretofore given to the Chairman of said Board with respect to the subject matter of this resolution, it being the intent of the Board to provide said authority in both the Chairman and the Engineer-Manager so that either may from time to time as may be required sign or execute such applications, documents and other papers and do every and all things appropriate and requisite in the premises.

Motion for adoption of this resolution was made by Mr. Adams, seconded by Mrs. Swicegood, and unanimously approved.

A resolution directing Harry Hendon and Associates, Consulting Engineers, to proceed with preparations of detailed plans and specifications as follows:

WHEREAS, the Metropolitan Sewerage District Board of Buncombe County has hereto entered into an agreement bearing date the 21st of August, 1962, as amended the 12th day of December, 1962, with Harry Hendon and Associates, Inc., for engineering services as set forth and specified in the aforesaid agreement, as amended; and

WHEREAS, it is provided in said agreement that upon appropriate notice from the Board the Engineers will proceed to prepare detailed construction plans and specifications for all sections or phases of the disposal facilities that are authorized by the Board, all as will appear by reference to the aforesaid agreement, as amended, and particularly Paragraph II-B; and

WHEREAS it appears likely that it may be desirable and appropriate to give notice to the Engineers to proceed prior to the convening of the next regular meeting of this Board.

NOW, THEREFORE, be it RESOLVED that the Chairman of the Board and/or the Engineer-Manager be and they are severally authorized and directed at such time as they may deem it desirable and appropriate to give notice to the Engineers, Harry Hendon and Associates, to proceed with the preparation of detailed construction plans and specifications for all sections or phases of the disposal facilities pursuant to the provisions of the aforesaid agreement of August 21st, 1962, as amended December 12th, 1962, and with particular reference to the provisions of Paragraph II-B of said agreement entitled "Construction Plans and Specifications."

Motion for adoption of this resolution was made by Mr. Garrison, seconded by Mr. Robinson, and unanimously passed by the Board.

A resolution authorizing the Engineer-Manager to expedite negotiations with reference to acquiring rights-of-way, etc.

WHEREAS, it is desirable and expedient for the Metropolitan Sewerage District Board of Buncombe County to take steps at this time to acquire rights-of-way, easements and other interests in land within or outside of the Metropolitan Sewerage District of Buncombe County for pipe lines and to acquire sites for the disposal plants proposed to be constructed by said Board for the benefit of said Sewerage District; and

WHEREAS, it is anticipated that a substantial portion of said property interests can be acquired for the Metropolitan Sewerage District by negotiation with the present owners of said property interests;

NOW, THEREFORE, BE IT RESOLVED that the Chairman of the Metropolitan Sewerage District Board or the Engineer-Manager of said Board be, and each of them, is hereby given authority to take such steps as they may deem appropriate and advisable at this time to negotiate contracts and/or options for the acquisition of rights-of-way, easements, plant sites and other interests in real property, which may be recommended for acquisition by the consulting engineers of the District at such prices and upon such terms as may be available, provided that all such contracts and options shall be made contingent upon the final approval of the Metropolitan Sewerage District Board as to any such price and terms;

BE IT FURTHER RESOLVED that the attorney for the Board render such assistance as the said Chairman and/or Engineer-Manager may require of him in connection with the foregoing Resolution and particularly with respect to the validity of title to the respective easements, right-of-way, interests in property and plant sites, acquired or to be acquired pursuant to this Resolution and in connection with the preparation of any contracts, options or other agreements that may be required in connection therewith.

The Board unanimously approved this resolution upon motion of Mr. Finch, seconded by Mr. Dawson.

After much discussion, Mr. Adams moved that Mr. Peterson be authorized by the Board to ascertain the availability of temporary funds on bond anticipation measures and to investigate and determine the amount of funds needed for the preliminary costs and report back to the Board.

This motion was approved unanimously.

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Mr. Adams moved that Mr. Johnson discuss with Mr. Hendon the possible revision of the payment provisions of his contract in such manner as to operate to the benefit of the Board and to report back to the Board.

This motion was seconded by Mr. Robinson and was carried unanimously.

It was noted by the Chairman that the Honorable Coke Candler, Chairman of the Buncombe County Board of Commissioners, was present. Also attending was Mr. Philip Clark representing the Press.

There being no further business, the meeting was adjourned at 3:20 p. m.

January 21, 1964

Luanne Swinegood
Secretary