

MR. REDMOND AUTHORIZED TO REPRESENT BOARD & INDIVIDUAL MEMBERS IN TEST CASE.  
MOTION TO HAVE MR. HENDON FORWARD PLANS WITHOUT FURTHER DELAY.  
MOTION TO HAVE COMPETENT NATIONAL CONSULTING ENGINEER REVIEW MR. HENDON'S PLANS.  
MOTION TO USE BANK OF ASHEVILLE AS DEPOSITORY FOR OPERATION & MAINTENANCE FUND ACCOUNT.

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, November 17, 1964.

Chairman Peterson called the meeting to order and Mrs. Swicegood, Secretary, called the roll with the following members present: Mr. Peterson, Mr. Garrison, Mr. Spicer, Mrs. Swicegood, Mr. Adams, Mr. Dawson, Mr. Reagan, Mr. Robinson, and Mr. Tandy.

Upon motion of Mr. Dawson, seconded by Mr. Tandy, it was unanimously voted to approve the minutes as recorded, each member having received a copy previously.

Mr. Redmond, Attorney, reported on the test case now in Buncombe Superior Court and the action having been filed by William L. Scarborough on behalf of himself and any other taxpayer who desires to make himself a co-plaintiff. He stated that being the Attorney for the Board he deemed that he is commissioned by the Board to represent them in court and to file a proper answer.

Mr. Adams moved that Mr. Redmond be authorized and requested to prepare and file an appropriate answer representing the Board and the members individually. Mrs. Swicegood seconded this motion and it carried unanimously.

Mr. Johnson, Engineer-Manager, in his communications and progress report read a letter from the U. S. Post Office stating they would cancel the mailing permit issued to us last November 14 if not renewed within ten days. Chairman Peterson suggested that we let it expire since we are not anticipating any large amount of mailing.

He reported on a communication from Mr. Hendon and also a meeting with TVA Engineers in discussing the line down the French Broad River in the event they want to build a dike from Carrier Bridge north to Day's Warehouse. He stated he had told the TVA Engineers they would have to file a formal request for a change in plans before the Metropolitan Sewerage District would consider it.

Mr. Johnson also stated that Mr. Hendon wants us to request permission from TVA to destroy the Carolina Power & Light Company dam which we will acquire from Carolina Power & Light Company. He stated we can do nothing until the land is purchased and then we will take it up with the proper authorities.

After reading a letter from Mr. Hendon dated November 2 saying the plans had been mailed, Mr. Johnson stated we had not received them and suggested that the Board issue an order for release of the plans. Mr. Adams moved that if the plans have not been forwarded by Tuesday of next week that Mr. Johnson write Mr. Hendon on behalf of the Board to forward them without any further delay. This motion was seconded by Mr. Dawson and carried unanimously.

Mr. Johnson then brought up the matter of selecting an engineering firm to review Mr. Hendon's plans stating that Mr. Hendon is agreeable and that Mr. Easterling says it will strengthen the sale of the bonds. After discussion Mr. Spicer moved that the Board go on record as being in favor of a review of the plans by a competent national consulting engineer. Mr. Robinson seconded this motion and the roll call vote carried unanimously.

Mr. Johnson stated that plans of Mr. Rivers' property had been sent to him and that Mr. Rivers has changed his plans about the road and now wants the road made straight instead of curved, which will be a little cheaper since the road will be shorter. Mr. Johnson stated he will see Mr. Rivers when he comes to Asheville sometime after Thanksgiving.

Mr. Johnson commented on the status of our finances saying that in the near future we will have to decide what to do about getting some finances. He listed some of our unpaid bills but said no one is crowding us for their money and he anticipates no one doing so. He stated that by March some bonds will have to be sold or get some money from some other source.

The matter of a depository for an Operation and Maintenance Fund account for the Metropolitan Sewerage District was brought up by Mr. Garrison and during discussion Chairman Peterson requested Mr. Johnson, with the Board's permission, to ask Mrs. Eudy, City Accountant, for a financial statement at the end of December.

Minutes  
November 17, 1964  
Page 2

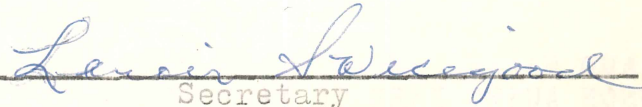
Mr. Garrison moved that we use the Bank of Asheville for operating expenses. Mr. Dawson seconded this motion. Mr. Adams objected to naming a depository now as being premature, and moved that Mr. Garrison's motion be tabled. Mr. Tandy seconded this motion. This motion failed to carry by a roll call vote of five to three as follows: Mr. Peterson, "No"; Mr. Garrison, "No"; Mrs. Swicegood, "No"; Mr. Spicer, "Pass"; Mr. Adams, "Yes"; Mr. Dawson, "No"; Mr. Reagan, "Yes"; Mr. Robinson, "No"; Mr. Tandy, "Yes."

Mr. Garrison's motion that the Bank of Asheville be designated as depository for Operation and Maintenance Fund account was then carried by the following roll call vote: Mr. Peterson, "Yes"; Mr. Garrison, "Yes"; Mr. Spicer, "Pass"; Mrs. Swicegood, "Yes"; Mr. Adams, "No"; Mr. Dawson, "Yes"; Mr. Reagan, "Pass"; Mr. Robinson, "Yes"; Mr. Tandy, "Yes."

Chairman Peterson asked Mr. Johnson to report on the condition of Mr. Finch who is in Baptist Hospital, Winston-Salem, recuperating from serious illness brought on by an auto accident sometime ago. Chairman Peterson requested the office secretary to write a note to Mr. Finch expressing the Board's sympathy and wishing him a speedy recovery.

There being no further business, the meeting adjourned at 3:00 p. m.

November 17, 1964

  
Secretary