

MOTION PASSED TO PROCEED WITH RELOCATION OF HIGHWAY & GET AN AGREEMENT WITH HIGHWAY COMMISSION  
AS PROPOSED BY MR. HENDON.  
PROPOSAL BY MR. HENDON TO ADVERTISE FOR BIDS BUT NOT AWARD CONTRACT FOR 90 DAYS.  
APPOINTMENT IN RALEIGH WITH ATTORNEY GENERAL ON MARCH 17 TO PETITION SUPREME COURT TO HEAR TEST  
CASE OUT OF TURN.  
RESOLUTION READ "IN MEMORIAM TO RONALD E. FINCH."

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, March 16, 1965.

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

The members having received copies of the minutes of the previous meeting, Mr. Dawson moved and Mr. Adams seconded the motion that they be approved as recorded. This motion carried unanimously.

Mr. Hendon, Consulting Engineer, in his report to the Board recommended that they get an agreement with the State Highway Commission for an immediate temporary connection in the relocation of N. C. 191 in order to save project time, and recommended that the Board advertise for bids before the early part of May and before the expected favorable ruling by the State Supreme Court in the test case is handed down.

Mr. Johnson, Engineer-Manager, stated the problem will have to be settled before awarding the contract but not before advertising for bids. He stated there will be a certain item in the bid where we will be at liberty to let the State build the highway, but if the State will not do it then we will, but that it has to be done before the contractor can proceed with his work. He stated that under Federal regulations we cannot award a contract until we own the property. The new highway will be on the property which we will acquire from the Carolina Power & Light Company.

In the proposal to advertise for bids, Mr. Hendon stated at least sixty days would be saved in getting the project under way and that the contract would not be awarded for ninety days instead of the usual thirty days. He stated there would be no additional expense to the Metropolitan Sewerage District. It was pointed out that bids could be legally called for but no contracts awarded until the Supreme Court gives a favorable decision on the test case and until the bonds are sold.

Mr. Johnson in his comments said though no bid contracts could be awarded, they could advertise for bids which would settle the problem with Mr. Easterling since he requires bids on the project before the bonds are sold in order that he can be sure of enough money to complete the project. He thinks Mr. Easterling can sell the bonds within two weeks after the bids are in. He also stated that he and Mr. Hendon think now is the favorable time to advertise for bids before the contractors become too busy. Also, a delay of six months will probably bring on a rise in project costs from \$300,000 to \$400,000 dollars.

Mr. Johnson recommended to the Board that they consider the rate schedule and the advisability of putting on the sewer service charge as soon as the bonds are sold, or they can wait until the actual operations are begun. He stated that from the time the bonds are sold, the Metropolitan Sewerage District will have \$800,000 a year debt retirement and interest charges to meet.

Mr. Redmond, Attorney, stated the test case has been docketed by the State Supreme Court and that he and Mr. Loftin have an appointment in Raleigh tomorrow with the Attorney General to petition the Supreme Court to hear the case out of turn, and that on behalf of all the public interest that is involved, it is their belief that it will be heard. Mr. Redmond stated he hopes the petition will be before the Court next Tuesday and that the decision will be immediately handed down, although he has no assurance it will be. He stated they have every reason to believe that the answer will be favorable.

At the conclusion of reports and comments by Mr. Hendon, Mr. Johnson, and Mr. Redmond, Mr. Spicer made a motion that we proceed with relocation of the highway and get an agreement with the Highway Commission as proposed by Mr. Hendon. Mr. Garrison seconded this motion and it carried unanimously.

The following Resolution was read by Mr. Redmond expressing regret of the death of Mr. Ronald E. Finch, Board member from Black Mountain:

IN MEMORIAM

RONALD E. FINCH

WHEREAS, it has pleased our Heavenly Father in His all wise providence to take from us our beloved member of the Metropolitan Sewerage District Board who departed this



life on the 22nd day of January, 1965, at the age of 67 years; and

WHEREAS, Ronald E. Finch was a member of the Metropolitan Sewerage District Board from the time of its creation until the day of his death; and

WHEREAS, during all of said time he unstintingly gave of his time, of his wisdom, counsel and advice to the promotion of the work of the Metropolitan Sewerage District Board, having always in mind what was best for our community and its people; and

WHEREAS, in his death the Metropolitan Sewerage District Board, the Town of Black Mountain and the City of Asheville and its citizens have suffered a great loss; and

WHEREAS, the members of the Metropolitan Sewerage District Board desire to pay tribute to his memory:

NOW, THEREFORE, BE IT RESOLVED, that in the death of Ronald E. Finch the Metropolitan Sewerage District Board as well as the community in which he has lived the greater part of his life, has suffered a severe loss:

RESOLVED FURTHER, that the members of the Metropolitan Sewerage District Board do hereby extend their deepest sympathy, which they share in great measure, to the family of Ronald E. Finch.

RESOLVED FURTHER, that this Resolution be inscribed in the permanent records of the Metropolitan Sewerage District Board and that a copy of the same, properly inscribed, be delivered to the widow and family of the late Ronald E. Finch.

Signed by: Myron C. Peterson  
Lenoir H. Swicegood, Secretary

Mr. Garrison moved and Mr. Reagan seconded that the Resolution be adopted. This motion carried unanimously.

There being no further business, the meeting adjourned at 3:10 p. m.

March 16, 1965.

Lenoir H. Swicegood  
Secretary