

REQUEST BY MR. CANDLER THAT MSD TAKE OVER GERBER SCREENING PLANT OPERATION & MANAGEMENT
APPROVED BY BOARD.

RESOLUTION ADOPTED FOR PAYMENT OF PREMIUMS ON PACKAGE INSURANCE POLICIES ON BEHALF OF
ASHEVILLE INSURANCE AGENTS EXCHANGE.

RESOLUTION ADOPTED RE: SOCIAL SECURITY AUTHORITIES" REQUEST TO SEPARATE MSD PAYROLL FROM
CITY OF ASHEVILLE PAYROLL.

RESOLUTION ADOPTED FOR REIMBURSEMENT TO REVOLVING FUND FOR RIGHT OF WAY ACQUISITION.

APPROVAL OF MR. HENDON'S RECOMMENDATION THAT WORK ON SECTIONS 1-7 AND 9-13 BE ACCEPTED &
CONTRACTORS PAID.

LAMBETH-LOVING CLAIM SETTLED FOR \$24,778.20.

RESOLUTION ADOPTED AUTHORIZING MR. HENDON TO PREPARE IMMEDIATELY A FINANCIAL REPORT & FURNISH
HIS RECOMMENDATION WITH RESPECT TO FINANCES REQUIRED TO COMPLETE PROJECT.

The regular monthly meeting of the Metropolitan Sewerage District Board was held in the Board Room, 501, City Building, Asheville, North Carolina, at 3:00 p. m. on Tuesday, February 20, 1968.

Vice Chairman Garrison, in the absence of Chairman Peterson, called the meeting to order and Mrs. Swicegood, Secretary, called the roll with the following members present: Mr. Garrison, Mrs. Swicegood, Mr. Dawson, Mr. Baker, Mr. Tandy, Mr. Warlick, and Mr. Williams.

Mr. Dawson and Mr. Williams, reappointments for three years to the Metropolitan Sewerage District Board, were sworn in by Mrs. Marion Jackson, Assistant Clerk of Superior Court.

The members having received copies of the previous minutes, Mr. Williams moved and Mr. Baker seconded the motion they be approved as recorded. This motion was carried unanimously.

Mr. Coke Candler, Chairman of County Commissioners, appeared before the Board to voice his previously written request that the MSD take over the operation of the Gerber Screening Plant. Mr. Candler passed a copy of a letter dated October 28, 1965, to each Board member at which time he had requested the MSD to take over the Gerber Screening Plant, and stated he understood the Board's declination at that time because they had no operating funds. He stated now that we are in operation he thinks the District has an obligation to take over the screening plant and that in the future the Board will also have to assume other sewer lines in the District. After much discussion and a recommendation by Mr. Johnson that Chairman Peterson and Chairman Candler enter into an agreement with such stipulations as they want to put in writing, Mrs. Swicegood moved that the District take over the entire operation and management of the screening plant with terms of provisions in the contract entered into between Gerber, the City, and the County, and that the County pay the entire costs. This was agreeable with Mr. Candler who stated the cost is about \$15,000 per year. Also authorized the Chairman of the MSD Board to enter into an agreement effectuating this proposal between the two commissions, and that the contracts could be cancelled on 30 days' notice. Mr. Williams seconded the motion. This motion was carried by a roll call vote of five voting "Yes", one "No", and one abstaining.

Mr. T. H. Roberts, representing the Chamber of Commerce, appeared before the Board with a request that the District commit itself to taking care of the waste from two industries considering a location at the old airport site. Mr. Johnson stated that the site is in Henderson County and that anything the District could do would have to be done by contract with Henderson County Commissioners. To the question by Mr. Roberts, "Does the Board agree that, if feasible, funds earmarked for the Crescent Hill Plant can be used in solving the waste disposal problem at the airport site?", Mr. Redmond elaborated on this and stated that Crescent Hill funds of \$100,000 are available under certain conditions.

Mr. William McLean, representing the Asheville Insurance Agents Exchange, explained in detail the package insurance policies on which the Board has binder, and after some discussion, Mr. Dawson moved and Mr. Tandy seconded the motion that the Engineer-Manager be authorized to order the policies as presented here on behalf of the Asheville Insurance Agents Exchange and pay the premiums on the policies. The roll call vote was unanimous.

Mr. Johnson, Engineer-Manager, read the following resolution:

RESOLUTION

WHEREAS, Social Security Authorities have requested that the Metropolitan Sewerage District payroll be separate from City of Asheville bookkeeping, and

WHEREAS, this will entail additional work by the City of Asheville Accounting Department,

BE IT RESOLVED, that the existing agreement between the City of Asheville and the Metropolitan Sewerage District Board, dated October 14, 1965, be amended to allow the City of Asheville remuneration of 1% of the payroll for all bookkeeping purposes, and

BE IT FURTHER RESOLVED, that Chairman Peterson be authorized to execute this amendment.

Mr. Dawson moved that the resolution be accepted as an amendment to the existing agreement between the City and the Metropolitan Sewerage District. Mr. Warlick seconded the motion and the roll call vote was unanimous.

Mr. Johnson presented the following resolution for reimbursement to the Revolving Fund for pipeline right of way acquisition:

RESOLUTION OF THE METROPOLITAN SEWERAGE
DISTRICT BOARD OF BUNCOMBE COUNTY, N. C.

WHEREAS, There has heretofore been granted to the Engineer-Manager of the District Board authority to proceed with the acquisition of pipeline rights of way and in his discretion to compensate the owners of land over which said rights of way are located for their damages, if any, resulting from the acquisition of the required easement for such pipeline as is being constructed by the District; and

WHEREAS, the said Engineer-Manager has acquired the appropriate rights of way over the lands of the persons, firms or corporations hereinafter set forth and has paid to them the respective consideration or compensation as hereinafter shown from the Revolving Fund of the District; and

WHEREAS, it is appropriate that the specific actions taken by the Engineer-Manager and the payment of compensation or consideration as set forth for each specific right of way be ratified and approved by the District Board;

NOW, THEREFORE, BE IT RESOLVED, that the actions heretofore taken by the Engineer-Manager of the Metropolitan Sewerage District Board of Buncombe County, with respect to the acquisition of pipeline rights of way and the respective payments made to the owners of land involved as hereinafter set forth, be, and the same are hereby in all respects approved and ratified.

NO.	NAME		AMOUNT
68-B	Public Service Co., of N. C., Inc.	\$	10.00
69-B	Clifford Rice, wife Marie Rice		175.00
70-B	Ted W. Pressley, wife Peggy Pressley & R. C. Alonso		645.00
71-B	B. L. Padgett, wife Jolene Padgett		100.00
72-B	Mrs. Lillian McLean, widow		1,500.00
73-B	H. Kenneth Lee, Atty., Asheville Livestock Yards		500.00
74-B	Hoover Realty Co.		75.00
75-B	Blue Ridge Parkway		5.00
76-B	Ness Brothers		1,933.15
77-B	J. W. Ryan, wife Hope Ryan		100.00
78-B	W. C. Hicklin, wife Ann C. Hicklin		1,200.00
79-B	Westgate Corporation		150.00
80-B	Woodfin Trailer Park		200.00
81-B	Jerry V. Sternberg & Joseph R. Sternberg		600.00
82-B	Wachovia Bank & Trust Co., Trustee U/A W.S. & Beulah Harrison		3,500.00

BE IT FURTHER RESOLVED, that the Chairman and Secretary sign a requisition authorizing the Trustee to reimburse the Revolving Fund for the total amount of \$10,693.15, being the total of the amounts shown above as paid to the respective owners in consideration of the grant of such rights of way or as compensation for any damages that may have been done or might be done to their respective properties in accordance with the requirements of Section 406 of the Bond Resolution adopted by the District Board.

Upon motion of George E. Dawson, and seconded by Paul W. Warlick, the above Resolution was introduced and the same duly passed.

Ayes: Mr. Garrison, Mrs. Swicegood, Mr. Dawson, Mr. Baker, Mr. Tandy, Mr. Warlick, Mr. Williams.

Noes: None.

Mr. Johnson presented letters of recommendation by Mr. Hendon that work on Sections 1-7 and 9-13 be accepted and the contractors paid. Mr. Dawson moved and Mr. Williams seconded the motion that the contracts be accepted and the contractors be paid. The roll call vote was unanimous.

Mr. Johnson read the following resolution showing the final amounts to be paid.

RESOLUTION

WHEREAS, Harry Hendon and Associates, Inc., Consulting Engineers for the Metropolitan Sewerage District of Buncombe County, have filed certificates of completion and recommended the payment of final estimates,

THEREFORE, BE IT RESOLVED, that the payment of the following final estimates be approved.

<u>SECTION</u>	<u>CONTRACTOR</u>	<u>FINAL ESTIMATE</u>
1	Lambeth-Loving	\$ 772,112.01
2	Lambeth-Loving	1,002,706.68
3	Sullivan, Long & Hagerty	3,645,308.94
4	M. B. Haynes Electric Corp.	170,221.35
5	Rogers Plumbing & Heating Co.	28,918.18
6	Rogers Plumbing & Heating Co.	30,448.21
7	Hobson Construction Co.	289,070.71
9	Lambeth-Loving	157,728.95
10	L. O. Chapman Co.	243,301.75
11	Hayes & Lunsford Electric Co.	17,896.41
12	Rogers Plumbing & Heating Co.	4,870.00
13	Rogers Plumbing & Heating Co.	9,965.00
		<u>\$6,372,548.19</u>

Upon motion of George E. Dawson, and seconded by Paul W. Warlick, the above Resolution was introduced and the same duly passed.

Ayes: T. S. Garrison, Mrs. R. M. Swicegood, G. E. Dawson, H. L. Baker, O. C. Tandy, P. W. Warlick, M. L. Williams.

Noes: None.

The claim by Lambeth-Loving Companies of \$71,000, which had been previously discussed and recommended that a settlement be reached if possible, was reviewed by Mr. Hendon who informed the Board that only within the last hour had he succeeded in reaching Mr. Lambeth and he had agreed to a settlement of \$24,778.20. Mr. Hendon, Mr. Johnson, and Mr. Redmond concurred that this was a fair amount. Mr. Baker moved that the reduced claim of \$24,778.20 be accepted and Mr. Johnson be authorized to pay the same. Mr. Williams seconded the motion and the roll call vote was unanimous.

Mr. Redmond, Attorney, read the following resolution:

RESOLUTION

WHEREAS, Ninety per cent of the total construction work awarded by Contract up to the present time has been completed, and

WHEREAS, two additional contracts must be let in order to complete all construction in connection with the Metropolitan Sewerage Facilities which were the basis for the referendum held on December 14th, 1963, and

WHEREAS, the completion of the project has not been fully funded, and

WHEREAS, all financing authorized in the Bond Referendum of December 14th, 1963, must be completed before December 14th, 1968, NOW, THEREFORE,

BE IT RESOLVED, that Mr. Harry Hendon, Consulting Engineer, be directed to prepare immediately a financial report and to furnish the Board his recommendation with respect to finances required to complete the total project, and

BE IT FURTHER RESOLVED, that upon receipt of this report the District's Attorney and the District's Engineer-Manager be, and they are hereby directed to take appropriate steps to carry out the recommendations of the Consulting Engineer with respect to such financing.

Upon motion of George E. Dawson, and seconded by Paul W. Warlick, the above Resolution was introduced and the same duly passed.

Ayes: T. S. Garrison, Mrs. R. M. Swicegood, G. E. Dawson, H. L. Baker, O. C. Tandy, P. W. Warlick, M. L. Williams.

Noes: None.

There being no further business, the meeting adjourned at 5:00 p. m.

February 20, 1968

Lester Swicegood
Secretary