

MINUTES OF THE METROPOLITAN SEWERAGE DISTRICT BOARD

REVOLVING FUND RESOLUTION REIMBURSEMENT APPROVED.

GERBER SCREENING PLANT DISCUSSED.

MR. JOHNSON & MR. REDMOND AUTHORIZED TO NEGOTIATE WITH MRS. JOE TANDY, SR. RE: CRESCENT HILL  
PLANT SITE & REPORT BACK TO BOARD.

The regular monthly 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, 1969.

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

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

Mr. Kyle E. Carter, appointed for a three-year term by the Town of Weaverville to replace Col. D. J. Robinson resigned, and Mrs. Robert M. Swicegood, re-appointed for a three-year term by the County Commissioners, were sworn in by Mr. R. Curtis Ratcliffe, Clerk of Superior Court.

Mr. Johnson, Engineer-Manager, presented the following resolution which was introduced by Mr. Dawson and seconded by Mr. Tandy:

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 to provide for the suitable dedication of the Metropolitan Sewerage District Project; 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 and has incurred the expense of the dedication as hereinafter shown and paid 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 such expenses and 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 dedication and 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.

<u>NO.</u>	<u>NAME</u>	<u>AMOUNT</u>
87-B	Baxter H. Taylor, wife Martha A. Taylor	50.00
88-B	Julius R. Cauble & Bruce Elmore	500.00
89-B	Blue Ridge Parkway	5.00
90-B	Postmaster, Asheville, N. C.	70.00
91-B	Ambler Printing Co.	140.19
92-B	Enka High School Band	50.00
93-B	Freck Radio & TV Co.	75.00
94-B	Battery Park Hotel	390.00
95-B	Continental Trailways, Inc.	165.00
96-B	Asheville Citizen-Times Publishing Co.	32.25
97-B	Middlemount Flower Shop	41.12
98-B	The Graphic Press, Inc.	146.72
99-B	Northern Bank Note Co.	301.18
100-B	Local Government Commission	22.76
101-B	C. T. Day, wife Rosalee T. Day	2,400.00

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 \$4,389.22, being the total of the amounts shown above as incurred for the dedication and 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.

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

Noes: None.

Mr. Johnson in his communications and progress report, copies of the Operation & Maintenance Report having been given to each Board member, commented on several budget expenditures and items. He stated our financial condition is good and he sees no financial complications at this time.

Mr. A. B. Jowers, present for the meeting, stated the over-all operation of the plant is fine.

Mr. Johnson alerted the Board to the fact that with recent salary increases and pending increases by the City published in newspapers, that it will be necessary to do the same for the MSD personnel in the next fiscal budget.

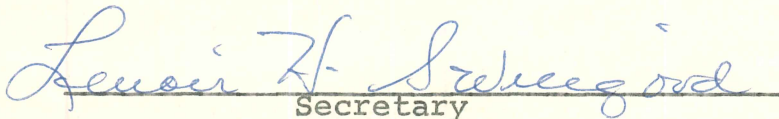
Mr. Johnson stated that he and Mr. Redmond had been in a meeting this morning with Mr. Gordon Greenwood, Chairman of County Commissioners, and Mr. Tom Garrison, Jr., County Attorney, and that it is their intention to notify Gerber that no funds would be allocated in their next budget for the Gerber Screening Plant. After much discussion in which it was brought out that the MSD Agreement with the County regarding the Gerber Screening Plant could be terminated by either party with written notice at any time, it was the consensus of the Board that it is not the responsibility of the MSD to take the initiative of this matter but to wait for later developments. It was the opinion of Mr. Redmond, MSD Attorney, that this is something strictly between the County, City, and Gerber.

Mr. Johnson brought up the Crescent Hill situation and stated it would be necessary in the near future for a decision to be made as to whether to build the Crescent Hill plant at this time. He stated the County Commissioners, as Trustees for the Crescent Hill Sanitary District, whose bonds have all been paid off, could deed to the MSD one acre of property in a center of a 21-acre tract to build the 150,000 gallons per day plant. Mrs. Joe Tandy's previous refusal to sell her property was discussed again and Mr. Redmond informed the Board that Mrs. Tandy had engaged an attorney with whom he had been in contact, and it was his opinion that perhaps some negotiation could be made. He requested the Board for authorization for Mr. Johnson and himself to negotiate the matter. After more discussion, Mr. Baker moved and Mr. Dawson seconded the motion that the Board authorize Mr. Johnson and Mr. Redmond to negotiate with Mrs. Tandy and report back to the Board. The roll call vote was unanimous.

Mr. Phin. Horton, III, City Manager, was present for the meeting.

There being no further business, the meeting adjourned at 3:35. p. m.

January 21, 1969

  
Secretary