

MINUTES OF THE METROPOLITAN SEWERAGE DISTRICT BOARD

MAY 15, 1979

The regular monthly meeting of the Metropolitan Sewerage District Board was held in the boardroom of MSD's Administration Building at 2 p.m., Tuesday, May 15, 1979.

Chairman Robinson called the meeting to order, and Mrs. Crowe called the roll. In addition to Chairman Robinson, the following members were present: Messrs. Black, Boggs, Clark, Griffith, Hyatt, Pope, and Smith.

In addition to the Board members, the following attorney, consultant, and staff members were present: Mr. Anthony Redmond; Mr. Dean Huber; Mr. W. H. Mull, Mrs. Jan Crowe, and Mrs. Linda Duncan.

MINUTES OF PUBLIC HEARING

At 2:02 p.m., Chairman Robinson declared a public hearing opening for the consideration of a proposed 1979-80 budget as advertised in THE ASHEVILLE CITIZEN on April 24, 1979.

NOTICE OF PUBLIC HEARING BEFORE THE BOARD OF THE METROPOLITAN SEWERAGE DISTRICT OF BUNCOMBE COUNTY

Notice is hereby given that the Board of the Metropolitan Sewerage District of Buncombe County, North Carolina, will hold a public hearing at the Administration Building of the Metropolitan Sewerage District at the Main Treatment Plant on N. C. Highway 191 North, Woodfin, North Carolina, at 2:00 P.M., on Tuesday, May 15, 1979, on the preliminary budget of Current Expenses of the Sewerage System for the fiscal year beginning July 1, 1979, and ending June 30, 1980.

C. LeRoy Robinson
Chairman of the Board

Approved as to form:
Anthony Redmond, Attorney
April 24, 1979

Receiving no reply from either the public or the Board members, Chairman Robinson at 2:04 announced that the public hearing was closed.

THEREUPON, Chairman Robinson reconvened the regular monthly meeting.

Chairman Robinson then asked the Board for its consideration of the budget for Fiscal Year 1979-80. Mr. Clark moved that the preliminary budget, which contained a \$38,520 overall increase over Fiscal Year 1978-79 budget, be adopted as presented to the Board. Mr. Boggs seconded the motion, and roll call vote was unanimous. A copy of the resolution adopting this budget and a copy of FY 1979-80 budget are attached to and made a part of these minutes.

The members having received copies of the minutes of the April 17 meeting, Mr. Griffith moved that the minutes stand approved as written. Mr. Black seconded the motion, and voice vote was unanimous.

Mr. W. H. Mull, Engineer-Manager, reported on the following:

- (a) Tabulation of bids for oil storage building: After a review of the bids, Mr. Smith moved that the Board, contingent upon receipt of a letter of recommendation from the consulting engineer, accept the apparent low bid as submitted by H & M Constructors and award the contract for same for the general contract at the bid figure of \$52,800; further, that the Board accept the apparent low bid as submitted by M. B. Haynes Electric Corporation and award the contract to same for the electric contract at the bid figure of \$14,350; also, that the Board authorize the chairman and secretary to execute the contract documents with the two companies. Mr. Pope seconded the motion. After a discussion by the Board, Mr. Smith rescinded his motion; and Mr. Pope rescinded his second. Mr. Boggs then moved that the Board postpone acceptance of bids received until the next meeting (June) and to ask the apparent low bidders to submit a breakdown of costs included in their bids. Mr. Clark seconded the motion, and roll call vote was unanimous.
- (b) Weaverville Sewage Treatment Plant: After Mr. Mull reported to the Board a discharge violation by Quorum Knitting Mills, Mr. Boggs moved that the Board cite Quorum for a hearing on the matter of violation as outlined in Section 14 of the District's Regulations. Mr. Black seconded the motion, and roll call vote was unanimous. The letter of citation for the show cause hearing is to be signed by Chairman Robinson, with the hearing date to be June 19 at 2 p.m.
- (c) Request for authorization to sell surplus property (typewriter): After a brief discussion, Mr. Pope moved that the Board--as recommended by the consulting engineer--declare an IBM Correcting Selectric II typewriter surplus property and advertise same for sale by sealed bid, the proceeds of which can either be applied to the purchase price of a new typewriter or deposited into the Repair and Extension Fund. Mr. Smith seconded the motion, and roll call vote was unanimous.
- (d) Request for approval of appraisal reports (Hominy Valley and South Buncombe): After a brief review of the appraisals, Mr. Smith moved that the Board accept the appraisers' estimated fair compensation due owners for taking and the nominal compensation figures. Mr. Boggs seconded the motion, and roll call vote was unanimous. (List on back.)
- (e) Notification of intent to issue State NPDES permit for Main Plant: Received as information by the Board.

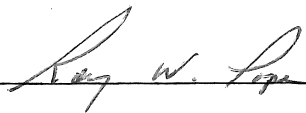
- (f) Approval of retaining negotiators for right-of-way acquisition (Hominy Valley and South Buncombe): After a brief discussion, Mr. Hyatt moved that the Board authorize Messrs. Mull, Redmond, and Clark to negotiate with Mr. Wayne Cooper to try to obtain acquisition of easements in the Hominy Valley area and ask Mr. Cooper to submit his proposal to the Board at the June 19 meeting; further, to negotiate with someone to do the same in the South Buncombe area. (Mr. Redmond suggested that the Board contact Mr. Murry A. Miller, a retiree of Wachovia Bank, to determine his interest in acquiring the easements in the South Buncombe area.) Mr. Smith seconded the motion, and roll call vote was unanimous.
- (g) Water Pollution Control Federation's 52nd Annual Conference to be held in Houston, Texas, October 7-12, 1979: Mr. Boggs moved that the Board authorize Mr. Redmond, Mr. Mull, and any interested Board member to attend this conference with the District paying the expenses of same. Mr. Hyatt seconded the motion, and roll call vote was unanimous.

Due to insufficient information, action on minority business enterprises participation in construction projects was postponed until the June meeting.

Mr. Redmond reported to the Board that the bill sent to Raleigh to increase the compensation of the Board and to pay their actual expenses incurred in carrying out their duties has been ratified, will go into effect July 1, and was taken into consideration in the new budget. Compensation for each meeting will be raised from \$10 to \$25 and includes any meeting, i.e., Board, committee, etc.

Date of the next regular meeting of the MSD Board was set for June 19, 1979.

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


Secretary

MSD Metropolitan Sewerage District of Buncombe County, North Carolina.

W. H. Mull, P.E., Engineer-Manager
P.O. Box 7157, Asheville, N. C. 28807
Telephone: Area Code 704-255-5383

Anthony Redmond, General Counsel



C. LeRoy Robinson, Chairman
M. Leon Williams, Vice-Chairman
Michael L. Black
Walter J. Boggs
Ben Clark
Paul E. Griffith
D. Frank Hyatt
Roy W. Pope
Frank S. Smith III
Paul W. Warlick

May 15, 1979

I, Ben H. Clark, Secretary to the District Board of the Metropolitan Sewerage District of Buncombe County, North Carolina, DO HEREBY CERTIFY that the attached copy is a true and correct copy of the RESOLUTION adopted by the Metropolitan Sewerage District Board at its regular meeting held May 15, 1979.

WITNESS my hand and seal of said District this 15th day of May, 1979.

Signed by Ben H. Clark

Secretary to the Board

Metropolitan Sewerage District of
Buncombe County

RESOLUTION

of the
METROPOLITAN SEWERAGE DISTRICT BOARD
OF
BUNCOMBE COUNTY

BE IT RESOLVED that the Metropolitan Sewerage District Board of Buncombe County does hereby adopt the attached Annual Operation and Maintenance Budget for the Fiscal Year 1979-80, this being the same Preliminary Budget which was presented at the regular Board meeting on April 17, 1979, currently lying on the table and totaling \$1,011,150.00, of which the estimated monthly budget is equal to one-twelfth (1/12) of the total budget.

By: C. LeRoy Robinson
C. LeRoy Robinson, Chairman

Metropolitan Sewerage District
Board of Buncombe County

ATTEST: _____

W. H. Mull
W. H. Mull
Engineer-Manager

MSD Metropolitan Sewerage District of Buncombe County, North Carolina.

W. H. Mull, P.E., Engineer-Manager
P.O. Box 7157, Asheville, N. C. 28807
Telephone: Area Code 704-255-5383

Anthony Redmond, General Counsel



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Michael L. Black
Walter J. Boggs
Ben Clark
Paul E. Griffith
D. Frank Hyatt
Roy W. Pope
Frank S. Smith III
Paul W. Warlick

May 15, 1979

I, Ben H. Clark, Secretary to the District Board of the Metropolitan Sewerage District of Buncombe County, North Carolina, DO HEREBY CERTIFY that the attached copy is a true and correct copy of the FISCAL YEAR 1979-80 BUDGET adopted by the Metropolitan Sewerage District Board at their regular meeting held May 15, 1979.

WITNESS my hand and seal of said District this 15th day of May, 1979.

Signed by Ben H. Clark

Secretary to the Board

Metropolitan Sewerage District of
Buncombe County

OPERATION AND MAINTENANCE FUND--STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS

FOR THE MONTH OF _____ AND _____ MONTH ENDED _____ COMPARED WITH PREVIOUS YEAR

	1979-80 BUDGET	CURRENT YEAR _____ MONTH	PRIOR YEAR _____ MONTH
		MONTH OF _____ ENDED _____	MONTH OF _____ ENDED _____
SALARIES.....	77,850	_____	_____
BILLING & COLLECTIONS.....	50,000	_____	_____
TELEPHONE & TELEGRAPH.....	2,000	_____	_____
TRAVEL & CONVENTION EXPENSES.....	3,500	_____	_____
OFFICE SUPPLIES.....	5,000	_____	_____
POWER & WATER.....	2,500	_____	_____
DIRECTORS' FEES & EXPENSES.....	7,500	_____	_____
INSURANCE.....	18,000	_____	_____
DUES & SUBSCRIPTIONS.....	2,000	_____	_____
ACCOUNTING SERVICE @ 1% of Payroll..	3,500	_____	_____
CONSULTING ENGINEERS.....	9,000	_____	_____
LEGAL FEES & EXPENSES.....	25,000	_____	_____
TRUSTEE FEES.....	5,400	_____	_____
AUDIT.....	2,100	_____	_____
POSTAGE & PETTY CASH.....	1,300	_____	_____
REPAIRS--OFFICE EQUIPMENT.....	300	_____	_____
SOCIAL SECURITY TAXES @ 6.50%.....	22,100	_____	_____
CONTRIBUTIONS--RETIREMENT FUND 7.4%.	26,000	_____	_____
VEHICLE EXPENSES.....	3,900	_____	_____
CAPITAL OUTLAY (EQUIPMENT).....	2,000	_____	_____
CONTINGENCY.....	9,500	_____	_____
 TOTAL ADMINISTRATIVE & GENERAL.....	 <u>278,450*</u>	 <u>_____</u>	 <u>_____</u>

DISBURSEMENTS CONTINUED

	1979-80 BUDGET	CURRENT YEAR: MONTH OF _____ ENDED _____	PRIOR YEAR: MONTH OF _____ ENDED _____
SALARIES & WAGES.....	280,000	_____	_____
CHEMICALS.....	50,000	_____	_____
TELEPHONE.....	1,500	_____	_____
POWER & LIGHTS.....	210,000	_____	_____
MAINTENANCE SUPPLIES.....	3,300	_____	_____
WATER.....	6,200	_____	_____
VEHICLE EXPENSE.....	10,000	_____	_____
LABORATORY SUPPLIES.....	4,300	_____	_____
UNIFORM SERVICE.....	1,800	_____	_____
SMALL TOOLS & SUPPLIES.....	1,100	_____	_____
MAINTENANCE (BUILDINGS & GROUNDS)...	13,000	_____	_____
MAINTENANCE (PIPELINE).....	15,000	_____	_____
MAINTENANCE (EQUIPMENT).....	70,000	_____	_____
CAPITAL OUTLAY--NEW.....	15,000	_____	_____
EQUIPMENT REPLACEMENT.....	30,000	_____	_____
CONTINGENCY.....	21,500	_____	_____
TOTAL OPERATIONS EXPENDITURES.....	732,700*	_____	_____
TOTAL DISBURSEMENTS.....	<u>1,011,150**</u>	=====	=====
<u>RECEIPTS:</u>			
TRANSFER FROM REVENUE FUND.....		_____	_____
OTHERS _____		_____	_____
TOTAL RECEIPTS.....		=====	=====
EXCESS OF RECEIPTS OVER DISBURSEMENTS.....		_____	_____
(DISBURSEMENTS OVER RECEIPTS).....		_____	_____
<u>CASH BALANCE:</u>			
BEGINNING OF PERIOD.....		_____	_____
ENDING OF PERIOD.....		_____	_____

*THE CURRENT EXPENSES FOR EACH MONTH ARE ESTIMATED TO BE ONE-TWELFTH (1/12) OF THE ANNUAL BUDGET.

**ESTIMATED REVENUE TO BE COLLECTED FROM SEWER SERVICE CHARGES FOR THIS FUND EQUAL TO \$1,011,150.

MINUTES OF THE METROPOLITAN SEWERAGE DISTRICT BOARD

JUNE 19, 1979

The regular monthly meeting of the Metropolitan Sewerage District Board was held in the boardroom of MSD's Administration Building at 2 p.m., Tuesday, June 19, 1979.

Chairman Robinson called the meeting to order, and Mrs. Crowe called the roll. In addition to Chairman Robinson, the following members were present: Messrs. Black, Boggs, Clark, Griffith, Hyatt, Pope, Smith, and Williams.

In addition to the Board members, the following attorneys, consultant, and staff members were present: Mr. Anthony Redmond and Mr. John Stevens; Mr. Dean Huber; Mr. W. H. Mull, Mrs. Jan Crowe, and Mrs. Linda Duncan.

The members having received copies of the minutes of the May 15 meeting, Mr. Griffith moved that the minutes stand approved as written. Mr. Smith seconded the motion, and voice vote was unanimous.

Election of officers for Fiscal Year 1979-80 was as follows: Mr. Smith moved that Mr. Robinson and Mr. Williams be reelected Chairman and Vice-Chairman, respectively, for one-year terms; further, that Mr. Pope be elected Secretary-Treasurer for a one-year term to replace Mr. Clark, who wished to give up the position for health reasons. Mr. Hyatt seconded the motion. Mr. Black moved to close the nominations, and Mr. Smith seconded the motion. Voice vote was unanimous; Messrs. Robinson, Williams, and Pope were elected by acclamation. Action on naming an Assistant Secretary-Treasurer was postponed until the July meeting.

A hearing for Quorum Knitting Mills regarding alleged permit violations was attended by Messrs. Edward P. Mandeau and Carl Collins, president and maintenance manager, respectively. Following the hearing, Mr. Smith moved that the Board seek reimbursement of the costs--as determined by the Engineer-Manager--that have been incurred by the MSD as a result of violations on the part of Quorum, including a \$4,000 fine imposed upon the MSD by the State for permit violations at the Weaverville Plant, legal expenses, employee overtime pay and vehicle expense for extensive monitoring conducted to determine the source of the violations, and any other out-of-pocket costs attributable to operational problems at the Weaverville Plant brought about by Quorum's violations. Mr. Pope seconded the motion. After discussion, Mr. Boggs moved that Mr. Smith's motion be amended to exclude the \$4,000 fine imposed upon the MSD; however, Mr. Boggs' motion died for lack of a second. Thereupon, the following roll call vote was recorded: Messrs. Boggs, Clark, and Griffith voted no; Messrs. Black, Hyatt, Pope, Smith, Williams, and Robinson voted yes. Motion carried by 6 to 3 roll call vote. A letter of intention will be mailed to Quorum, to be followed by a bill for expenses attributable to Quorum's violations.

Mr. Redmond reported to the Board that a check had been received from Holiday Inn West for one-third of the sewer service charges due, plus accrued interest. The check was for \$7,410.34, of which \$1,117.24 was interest. The other two-thirds due amounts will be paid in July (\$6,355.17) and August (\$6,324.14), 1979. Total amount due from Holiday Inn West was \$20,089.65, interest included.

Mr. W. H. Mull, Engineer-Manager, reported on the following:

- (a) Opening of bids for four-wheel drive vehicle: First advertisement of bids received only one response, resulting in a readvertisement, since three bids were necessary for an opening. Readvertisement (only one bid required) resulted in only one bid also, that being from Carolina Truck & Body Company, Inc., for a 1979 GMC truck for a bid price of \$6,239.04, price being effective until June 15, 1979. As a

result, the Board members were polled by telephone, with the exception of Mr. Griffith. The other nine members voted yes. To reaffirm the telephone vote for approval of the bid and to reaffirm authorization for Mr. Mull to order the vehicle, Mr. Smith moved that the Board reaffirm their votes and accept the bid from Carolina Truck & Body Company, Inc., for the bid price of \$6,239.04. Mr. Hyatt seconded the motion, and roll call vote was unanimous.

- (b) Sale of surplus property (typewriter) to Kennerly Oil Company: Mr. Mull reported to the Board that an IBM Correcting Selectric II typewriter, Serial No. 23-2395409, purchased by the MSD 5½ years ago for \$602., was sold at bid to Kennerly Oil Company for \$577.50. Received as information by the Board.
- (c) Request for approval of appraisal reports (Hominy Valley and South Buncombe): After a brief review of the appraisals, Mr. Clark moved that the Board accept the appraisers' estimated fair compensation due owners for taking and the nominal compensation figures. Mr. Hyatt seconded the motion, and roll call vote was unanimous. (See list on page 280.)
- (d) Notification of issuance of State NPDES Permit for Main Plant: Following discussion, Mr. Smith moved that Mr. Redmond and Mr. Mull prepare a letter to the State regarding certain aspects of limitations contained in the permit, specifically chlorine residuals. Mr. Hyatt seconded the motion, and vote was unanimous.
- (e) Approval of retaining negotiators for right-of-way acquisition: Mr. Mull told the Board that he and Messrs. Huber, Redmond, and Clark had met with Messrs. Wayne Cooper and George Jarvis in connection with hiring Mr. Cooper and Mr. Jarvis to obtain the required easements for the Hominy Valley and South Buncombe Interceptor Sewer projects. Mr. Hyatt then moved that the Board authorize Mr. Cooper as negotiator for the Hominy Valley project and Mr. Jarvis as negotiator for the South Buncombe project, pay each \$10 per hour compensation, and pay each 18¢ mileage plus out-of-pocket expenses; also, that the Board authorize Mr. Mull to set up two separate checking accounts, one for each project in the amounts necessary, to be funded from the Repair and Extension Fund; further, that the Board authorize the negotiators to co-sign with Mr. Mull checks to purchase easements for the project on which they will be working. Mr. Griffith seconded the motion, and roll call vote was unanimous.
- (f) Resolution to transfer surplus funds from the Revenue Account to the Reserve Account: Mr. Smith moved that the Trustee be authorized and directed to transfer any surplus or unencumbered funds accrued in the Revenue Account between July 1, 1979, and June 30, 1980, to the Reserve Account and invest these funds in accordance with the Bond Resolution. Mr. Black seconded the motion, and roll call vote was unanimous. Resolution attached and thereby made a part of these minutes.
- (g) Proposal for communications system: After a brief discussion, Chairman Robinson appointed a committee to work with Mr. Mull to determine the communications system best suited to the District's needs, that committee consisting of Mr. Black and Mr. Griffith.

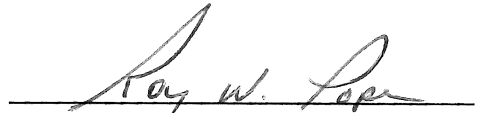
Chairman Robinson requested that the minutes reflect the Board's appreciation to Mr. Clark for his dedicated service as Secretary-Treasurer and for always having gone beyond the call of duty in carrying out his responsibilities while serving the MSD Board.

Messrs. Boggs and Hyatt reported on their findings in connection with the oil storage building bids, and Mr. Hyatt recommended that the project be rebid after specifications are redone. Mr. Smith then moved that the Board reject all bids due to the excessive cost of the building and reinvestigate the situation to see what the least expensive alternative might be. Mr. Clark seconded the motion, and roll call vote was unanimous. Chairman Robinson instructed Messrs. Boggs and Hyatt to continue to work with Mr. Huber on this project.

Mr. Mull reported to the Board that Mr. Robert C. Ensley, Chemist, after many months of hard work and study, has successfully passed the Grade IV Wastewater Treatment Plant Operators' certification. This is the highest grade that can be achieved.

Date of the next regular meeting of the MSD Board was set for July 17, 1979.

There being no further business, the meeting was adjourned at 3:55 p.m.


Secretary

Approved appraisals: UH #35, Vulcan Materials, nom.; UH #111/112, WNC Pallet, \$1,820. LH: #11-A, Duck, \$62; #31, American Enka Co., nom.; #34, Rutherford heirs, nom.; #71, Asheville School, nom.; #97, Zoerner, nom.; #99 Goforth, nom.; #100-A, Riddle, nom.; #100-B, Barnett, nom.; #100-C, Penland, nom.; #100-D, Harrell, nom.; #100-E, Ledford, nom.; #100-F, Weatherman, nom.; #103, Holcombe, nom.; #105, Looner, nom.

RESOLUTION

WHEREAS, Section 508, V-14, paragraph (d), of the Bond Resolution allows the Board to determine the maximum amount in the Reserve Account; and

WHEREAS, the Trustee has informed us that there will be surplus funds accruing in the Revenue Account during Fiscal Year 1979-80; and

WHEREAS, the Consulting Engineer, Engineer-Manager, and the Trustee recommend and concur in the following resolution:

NOW, THEREFORE, BE IT RESOLVED that the Trustee is authorized and directed to transfer any surplus or unencumbered funds accrued in the Revenue Account between July 1, 1979, and June 30, 1980, to the Reserve Account and invest these funds in accordance with the Bond Resolution.

Read, approved, and adopted this 19th day of June, 1979.

C. Z. R.
Chairman of the Board
Metropolitan Sewerage District
of Buncombe County

Secretary