

MINUTES OF THE METROPOLITAN SEWERAGE DISTRICT BOARD

NOVEMBER 20, 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, November 20, 1979.

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

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

The members having received copies of the October 23 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) Public Official Liability Insurance: Mr. David A. Flippin, Executive Director of the Asheville Buncombe Insurance Advisory Committee, presented a proposal from Midland Insurance Company which would provide coverage for all MSD Board members, MSD Board attorney, MSD Engineer-Manager, and all full-time MSD employees at an annual cost of \$2,667. After a brief discussion, Mr. Smith moved that the Board authorize the Chairman and two other officials of the Board to sign two other applications so Mr. Flippin can secure proposals from other companies for the Board's consideration at the January meeting. Mr. Warlick seconded the motion, and roll call vote was unanimous.
- (b) Sewer Service Charge Rebates to Industrial Users: Rebates totaling \$88,028.67 were made to local industries, with all industrial customers currently being billed receiving a rebate. Chairman Robinson requested that Mr. Mull prepare a comparison sheet showing the previous two years' rebates and/or surcharges for presentation to the Board at its next meeting.
- (c) Reply from Una Water District regarding frequency for Communications System: Received as information by the Board.
- (d) Negotiations with State Officials regarding fish kills in the French Broad River: Mr. Redmond requested that this item be moved toward the end of the meeting in order that the Board might give consideration to the matter in Executive Session.
- (e) Weaverville Sewage Treatment Plant Operations: Mr. Mull presented a graph to the Board showing the Weaverville Plant's performance from January, 1972, to October, 1979, and told the Board conditions at the plant have improved considerably since Quorum moved their dyeing operations.
- (f) Procedures for advertising for tenders for bonds in advance of maturity date: Mr. Mull told the Board that he had talked with MSD's Trustee and had been advised that such an advertisement cannot be made within a period of 45 / days prior to the interest or principal and that the Board must wait until January 1, 1980, at which time a resolution can be passed to authorize the Trustee to advertise for tenders for bonds, cost of which will be \$500 to \$700. This matter will be brought back to the Board at its January 15, 1980, meeting for action.

- (g) Request for approval of appraisal reports on South Buncombe and Hominy Valley: Mr. Mull requested that the Board omit Parcels numbered 73, 74, and 75 in Hoopers Creek for the present since the estimated fair compensation due owners for taking on these parcels was unusual and should be handled differently. Mr. Pope then moved that the Board accept the appraisers' estimated fair compensation due owners for taking and the nominal compensation figures on all the other listed South Buncombe and Hominy Valley parcels. Mr. Williams seconded the motion, and roll call vote was unanimous.*

Under unfinished business, Mr. Redmond presented a check in the amount of \$5,240.08 from Quorum, which check is in payment of extraordinary monitoring costs incurred by MSD as a result of Quorum's discharges violating MSD's Sewer Use Regulations. The matter of the \$4,000 fine imposed on the MSD by the State of North Carolina is left in abeyance by the Board pending further State action.

Under new business, Chairman Robinson inquired about the Buncombe County Collector System Task Force. Mr. Mull reported briefly to the Board on that committee, whose purpose is to solve collection system problems.

Mr. Smith moved that the Board enter Executive Session to discuss privileged information between attorney and client regarding (d) under the Engineer-Manager's report to the Board, i.e., negotiations with State Officials regarding fish kills in the French Broad River. Mr. Clark seconded the motion, and roll call vote was unanimous. The Board entered Executive Session at 2:38 p.m.

At 3:05 p.m., Chairman Robinson reconvened the regular session. Mr. Pope then moved that the Board authorize Mr. Redmond to continue to negotiate with the State, and Mr. Black seconded the motion. Roll call vote was unanimous.

Mr. Williams moved that the next regular meeting of the Board be set for January 15, 1980, thereby omitting a December meeting, but for a meeting to be called in December should it become necessary. Mr. Clark seconded the motion, and voice vote was unanimous. The next regular meeting of the MSD Board was set for January 15, 1980.

There being no further business, the meeting was adjourned at 3:15 p.m.



Secretary

*Approved appraisals: UH: #122, Boggess, nom.; #141, Murray, nom.
AC: #90-A, Corn, nom. Limestone: #16, City of Asheville, nom.
HC & Limestone: #49, Willis, nom. HC: #15-B, Shuford, nom.; #18, Westfeldt, nom.; #57, Eaton Corp., nom.; #57-A, Grimes, nom.; #58, McMurray estate, nom.; #60, Hart, nom.; #61, Cunningham, nom.; #61-A, Garren, nom.; #61-B, Rhodes, nom.; #62, Garren, nom.; #72, Souther, nom.; #76, Youngblood Oil, nom.; #77, Demmette, nom.; #77-A, Lewis, nom.; #78, Crown Jewel Corp., nom.; #79, Ayers, nom.; #80, G & G, nom.; #81, Wilkes Co. Bank & Trust, nom.