

TOWN OF LAKE LURE • P. O. BOX 255 • LAKE LURE, N.C. 28746
704/625-9983 • 704/625-9396 • FAX 704/625-8371

**MINUTES OF THE REGULAR TOWN COUNCIL MEETING HELD
TUESDAY, AUGUST 24, 1993 AT 7:30 P.M. AT THE LAKE LURE
COMMUNITY CENTER**

PRESENT: Mayor Priscilla Doyle
Commissioner Bill Bush
Commissioner Alex Karr
Commissioner Max Lehner

Thomas M. Hord, Town Manager
J. Christopher Callahan, Town Attorney

ABSENT: Commissioner Jack Donovan

CALL TO ORDER

Mayor Doyle called the meeting to order at approximately 7:30 p.m.

INVOCATION

Tom Hord gave the invocation.

APPROVAL OF MINUTES

Commissioner Lehner moved, seconded by Commissioner Karr, to approve the minutes of the July 27, 1993 Regular Town Meeting, and the minutes of the August 10, 1993 Regular Council Workshop. The vote of approval was unanimous.

AUDIENCE OF CITIZENS

Mayor Doyle, on the behalf of the Council, thanked Tom Hord for his good work and contributions to the community for the past two years. August 15, 1993 marked his second anniversary as Lake Lure Town Manager.

Bill Beeman announced that the Red Cross is planning a blood drive on August 31, 1993 at the Community Center from 2-6 p.m. Mr. Beeman expressed that they needed at least 36 pints and would need more than 36 people. Beeman introduced Judy Crawford, a spoke person for the Red Cross. Ms. Crawford expressed the importance of donating blood and told that the Red Cross sponsored approximately 58 blood drives throughout the county each year.

Jean Drozdak spoke about her dissatisfaction with the enforcement of lake and boating regulations (attached copy of letter to Town Manager). Mrs. Drozdak said that on August 8, 1993, she and her family were enjoying a family outing at Lake Lure for the first time in nearly two years and Officer Michael Suthers stopped the Drozdak family boat while it was pulling her on skis. Officer Suthers gave Mrs. Drozdak a citation. She explained that Officer Suthers was never cordial nor informative and never should have issued the citation. Mayor Doyle apologized for Mrs. Drozdak's unfortunate experiences, and went on to say that Officer Suthers was a good police officer who had been complemented by others. Mrs. Drozdak's request to void a boating citation was denied. Town Attorney, Callahan explained that it was not a matter to be decided by Town Council and that it was up to the district attorney whether to enforce it or not. Callahan also said that the Town does not have control over retracting a warrent once it is issued.

**PROPOSALS FOR COMPREHENSIVE WATER SYSTEM
MASTER PLAN**

Town Manager, Tom Hord reported that two proposals had been submitted from consulting engineering firms for consideration which are McGill Associates, P. A. of Asheville and William G. Lapsley & Associates, P. A. of

Page - 3 Minutes of the August 24th, 1993 Regular Council Meeting

Hendersonville (attached copy of proposals.) Mr. Hord also stated that the North Carolina Division of Water Resources has mandated that a Water Supply System Report and a Local Water Supply Plan be submitted by November 30, 1993.

Council agreed to discuss the two proposals at a workshop session when representatives of the firms can be present.

<p>CERTIFICATION AS A FRANCHISE AUTHORITY TO REGULATE</p> <p>BASIC CABLE RATES</p>
--

Mr. Hord recommended to Council that the Town Should submit an application to the Federal Communications Commission (FCC) to be certified as a franchise authority to regulate basic cable TV and customer service rates. He explained that you must file a request for certification, on the enclosed form, by certified mail, preferably on the first available date, September 1. A certification becomes effective automatically 30 days after it is filed at the FCC unless the FCC specifically disapproves the request. When approved this qualifies the Town to regulate basic tier cable TV rates.

Commissioner Lehner moved, seconded by Commissioner Karr, to have the Town Manager file an application with the Federal Communications Commission (FCC) in order to enable the Town to regulate basic cable TV rates (attached copy of Cable IV certification form and regulations). The vote of approval was unanimous.

<p>DRAFT OF LAKE LURE STREET ACCEPTANCE ORDINANCE</p>
--

Mr. Hord presented a draft copy of the Lake Lure Street Acceptance Ordinance to Council for their review to look over the standards and procedures (attached copy of draft). Council agreed unanimously to use the draft as a working copy and delay voting on the Lake Lure Street Acceptance Ordinance until the next regular meeting.

OLD BUSINESS

There was no old business for discussion.

**REQUEST TO USE PUBLIC PROPERTY FOR A STREET DANCE
AND FOR A PERMIT IN ACCORDANCE WITH TITLE VI
SECTION 63.2 OF TOWN OF LAKE LURE
CODE OF ORDINANCES**

Mr. Hord spoke on behalf of Allan Castorr for Jimmy's Oyster Bar and Pub in a request to suspend the ordinance titled Ordinance Governing Consumption of Malt Beverages, Unfortified Wine, Fortified Wine, Spirituous Liquor, or Mixed Beverages on Certain Public Places; Penalty, on Saturday, September 4, 1993 from 8:00 p.m. to 12:00 midnight for the sole purpose of a street dance. The street dance will be held adjacent to the current premise which is 30 feet from building and 90 feet in length. The extension area will be roped off and security will be provided (attached copy of request).

Commissioner Bush moved, seconded by Commissioner Lehner, to accept the request and temporarily suspend the ordinance upon the guidelines of Section 2 of the ordinance and grant a permit allowing consumption of either malt beverages unfortified wine, fortified wine, spirituous liquor and/or mixed beverages for the purpose of a street dance at Jimmy's Oyster Bar and Pub to be held on Saturday, September 4, 1993 from 8:00 p.m. to 12:00 midnight. The vote was unanimous.

**RECOMMENDATION FROM LAKE LURE
ZONING AND PLANNING BOARD
TO REZONE JAMES A SHERRILL HEIRS PROPERTY ALONG
U. S. HIGHWAY 64/74 FROM RESIDENTIAL TO COMMERCIAL**

Mr. Hord presented a request to Town Council from the Zoning and Planning Board to recommend that the property belonging to the James A.

Page - 5 Minutes of the August 24, 1993 Regular Council Meeting

Sherrill heirs, consisting of lots 8, 9, 10, 11, and 12 along U. S. Highway 64/74, at Snug Harbor, be rezoned from residential to commercial. The Zoning and Planning Board agrees that the land currently zoned for commercial uses should be substantially utilized for this purpose before the present commercial hubs are expanded further or other hubs are developed. With that understanding, the Zoning and Planning Board recommends that the Town Council set a public hearing date to consider the rezoning of the James A. Sherrill property from residential to commercial (attached copy of request).

Commissioner Bush moved, seconded by Commissioner Lehner, to hold a public hearing on September 28, 1993 at the next Regular Council Meeting to be held at the Fairfield Mountains Bald Mountain Club to consider the rezoning of the James A. Sherrill property on Route 64/74 from residential to commercial as recommended, by the Zoning and Planning Board. The vote was unanimous.

**RECOMMENDATION FROM LAKE LURE ZONING AND
PLANNING BOARD TO AMEND THE ZONING ORDINANCE
TO ALLOW OFF-PREMISE DIRECTIONAL SIGNS**

Mr. Hord presented a request from the Zoning and Planning Board to Town Council a draft of proposed amendments to the Zoning Ordinance to Allow Off-Premise Directional Signs (attached copy of request). The proposal involves amendments to two sections of the Zoning Ordinance; one to Section 1301, Definitions, and one to section 1312 Special Signs. The amendment to Section 1301 would be an addition of a definition for off-premise directional signs and would read as follows:

Off-Premise Directional Sign: Any off-premise sign indicating the location of or directions to a business or other activity. The sign shall not include any information or message except the name of the business or the nature of the activity, universal symbol if applicable, and an arrow indicating direction and distance to the business or activity. If a sign contains any additional message or exceeds the maximum area, it shall be considered to be in violation of this ordinance.

Page - 6 Minutes of the August 24, 1993 Regular Council Meeting

The amendment to Section 1312 would be an insertion of a new subsection (5) and would necessitate the renumbering of the following subsections. The new subsection (5) would read as:

- (5) **Town of Lake Lure Directional Sign.** The Town of Lake Lure may erect off-premise directional signs for the benefit of the traveling public. The cost of manufacture, erection, and maintenance of the signs shall be charged to those requesting the sign at a rate established by the Town.

Off-premise directional signs are permitted for the following types of businesses: natural phenomena; scenic attractions; historic, educational, cultural, scientific, and religious sites; outdoor recreational areas; and establishments providing motor fuel, lodging, and/or meals for the general public.

Off-premise directional signs may be located at the intersection of a major thoroughfare (U.S. Highway 64/74, Buffalo Shoals Road, Buffalo Creek Road, and N.C. Highway #9) with the side street leading to the business or activity. One additional off-premise directional sign may be located at the intersection of the street leading to the business or activity with the street providing access to the establishment.

Off-premise directional signs shall be 18" X 48" per sign face, one sign face per directional flow of traffic, two sign faces per sign structure. Not more than two off-premise directional signs shall be permitted for the same business or activity.

Commissioner Lehner moved, seconded by Commissioner Bush, to hold a public hearing to consider the above amendments of the Zoning Ordinance on September 28, 1993 at the next Regular Council Meeting to be held at the Fairfield Mountains Bald Mountain Club. The vote was unanimous.

STAFF REPORTS

Mr. Hord reported that the Finance Officer was attending a training session. He also said that the Finance Officer had been working with the auditors and would submit a report to council at a later date.

Mr. Hord announced that dredging operations should be in effect by next week.

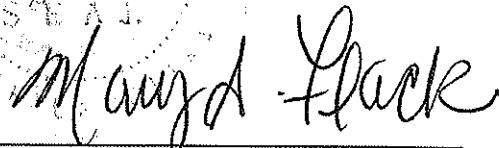
Mr. Hord also reported that the vast majority of all brush removal is now being completed on all road right-of-ways.

COUNCIL COMMENTS

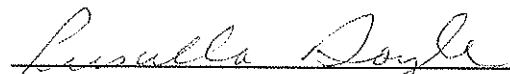
Commissioner Lehner announced that he would like to request that a follow up be made in enforcing substandard structures.

With no further items of discussion, Commissioner Bush moved, seconded by Commissioner Lehner to adjourn. The vote of approval was unanimous.

ATTEST:



Mary A. Flack, CMC



Mayor Priscilla Doyle

August 24, 1993

Mr. Thomas Hord
Town Manager
Lake Lure
P.O. Box 255
Lake Lure, N.C. 28746

Dear Mr. Hord;

This letter is in response to our complete dissatisfaction with the enforcement of lake/boat regulations.

Our boat was placed in Lake Lure in mid-July, the first time in two years, by Mrs. Drozdak's brother, Dr. William T. Hendrix, Jr. He had to drive his auto to Lake Lure City to purchase a lake permit. This is contrary to previous years when this was bought at Bob's Marina. When he entered the office at Lake Lure City, a young woman along with what appeared to be her boyfriend was working in the office. Dr. Hendrix reported that it took longer than he felt necessary to obtain the permit. The permit was eventually issued several minutes later.

On August 8, 1993, Jean Hendrix Drozdak and her family were enjoying a family outing at Lake Lure for the first time in nearly two years. The lake was busy with many boats. A Lake Lure City patrol boat, Officer Souther, stopped the Drozdak family boat while it was pulling Mrs. Jean Drozdak on skis.

The procedure followed by Officer Souther has caused us a great deal of distress and concern as described below:

1. Officer Souther's unfriendly demeanor.
2. Officer Souther first stating that the boat was 10 feet from a boathouse.
3. After completing the citation, Officer Souther saying that it was the skier who was 10 feet from a boathouse.
4. The citation, however, states the boat was 75 feet from the shoreline with a wake speed greater than allowed.
5. No explanation of the citation by Officer Souther.
6. Officer Souther telling us that "the Lake Committee" does not allow him to write warnings anymore.
7. Hearing from the Town Manager, Tom Hord, on August 9th that about 75 warnings had been issued over the weekend. Ours was the only citation written.
8. Told by Tom Hord that anytime a boat is given a permit that the lake rules and regulations are given out.

9. Two weeks later on August 22, Mrs. Drozdak went to the Lake Lure City location where Dr. Hendrix purchased a boat permit. She requested a lake rules/regulations pamphlet since Dr. Hendrix did not receive it. Mrs. Drozdak asked the man working in the office (Bill Humble) for the lake's rules/regulations. He had a blank look on his face and responded, "We don't give out rules and regulations for the lake". Mrs. Drozdak went back to her car and wondered what was true! She returned to the permit office to get the man's name. After Mrs. Drozdak told the man that she was confused about this because the Town Manager told her that everyone receives the rules/regulations upon the purchase of a boat permit. Mr. Humble then looked around the counter and handed her a pamphlet entitled "Lake Regulations and Map" and said "Maybe they're in here".
10. Informed by the Town Manager, that after his questioning Officer Souther concerning his reasons for issuing the citation, Souther's response was the ticket was issued because it was a "flagrant violation". Assuming that this is a true accusation, these questions arise:
 - A. Why didn't Officer Souther immediately fully explain to us what we had done wrong?
 - B. Why after receiving the boat registration, spending a couple of minutes reviewing it, and then Mr. Drozdak asking if there was a problem, did he tell Mr. Drozdak that the boat was driven 10 feet from a boathouse?
 - C. Why upon questioning the citation did Souther state it was the skier who was 10 feet from the boathouse?
 - D. Why was citation written for 75 feet from shoreline?
11. What instruments or devices unequivocally indicate the distance a boat is from the shoreline? There is NO BUOY marker indicating a controlled area in this particular lake location. Where does Officer Souther have to be located on the lake in relationship to a boat to know the boat's distance from the shoreline?
12. Boat traffic - When there are numerous boats on the lake pulling skiers, where does a driver move the boat to ensure the skier's safety, and not violate the 75 feet from the shoreline regulation?

We believe that the aforementioned issues should be addressed by Town Council, since boat safety is a priority at all times. We appreciate and follow safety rules to the best of our ability. We would not willingly or flagrantly violate any lake regulation. Since we did not receive boat rules/regulations, how many other individuals are unaware of these?

In our opinion, this citation issuance by Officer Souther was not handled properly. Immediately upon stopping of the boat, Souther should have courteously explained why the boat was ordered stopped. Additionally, since this appears to be a judgment call since there are no measuring devices or buoys to indicate a legal violation, a warning would suffice.

Most distressing to us, was the fact that this was a family outing - Father, Mother, Daughter, Son and 2 friends - boating and skiing, without alcohol or excessive speed, or recklessly causing damage to lake owner's property.

What kind of example does Officer Souther project as a police officer in front of impressionable children? Is he "Officer Friendly" or "Officer Un-Friendly" who can give anyone a ticket? Our purpose was to travel from the middle of Buffalo Bay to our boathouse on Picnic Point, without being hit by the many "speed" boats on the lake. Just 5 minutes prior to Officer Souther stopping the boat, another boat was on course to run over our ski rope.

In conclusion, we believe that Officer Souther was never cordial nor informative and never should have issued this citation. A polite warning and explanation of the lake rules should have sufficed. If it is true that Officer Souther has been patrolling the lake for two years, he would realize that this boat was never issued a warning nor seen on Lake Lure. Mrs. Drozdak's parents have been residents since 1955, and no one has ever broken any lake rules up to this point. During this 38 year period, this boat has traveled this area without any incident. Mr. Drozdak, the boat driver, had as his primary preoccupation the safety of the skier, other boats and any shore persons. Never was the boat operated recklessly or in a dangerous manner, yet we were singled out for a ticket, while 75 other boats received warnings!

Dennis P. Drozdak

Jean H. Drozdak

226 Winfield Drive, Spartanburg, S.C. 29307



McGILL ASSOCIATES, P.A.
CONSULTING ENGINEERS

July 14, 1993

Mr. Thomas M. Hord
Town Manager
Town of Lake Lure
Post Office Box 255
Lake Lure, North Carolina 28746

RE: Proposed Scope of Study for Water System Master Plan.

Dear Mr. Hord:

Pursuant to our conversation concerning the proposed Water System Master Plan for Lake Lure, we have prepared the following proposal for your consideration.

PROPOSED SCOPE OF SERVICES

A. DEVELOPMENT OF PLANNING PARAMETERS.

1. Establish project objectives.
2. Study methodology.
3. Factors influencing water services.
4. Population projections.
 - a. All year populations.
 - b. Seasonal population trends.
5. Economic factors influencing water system services.

B. ASSESSMENT OF THE EXISTING WATER SYSTEM.

1. Present service demand characteristics.
2. Evaluation of existing facilities and deficiencies.
3. Fire protection issues.
4. Projection of future demand for water services.
 - a. Residential consumption.
 - b. Commercial demand assumptions.
 - c. Wholesale demand requirements.

C. WATER SYSTEM MAPPING.

Preparation of mapping of the existing water system on the Town's Powell Bill base map.

D. RECOMMENDED WATER SYSTEM IMPROVEMENTS.

1. Water source conclusions and recommendations.
2. Water storage improvements.
3. Distribution system recommendations.
4. Fire protection considerations.
5. Estimated cost of proposed water system recommendations.

E. IMPLEMENTATION OF THE WATER SYSTEM MASTER PLAN.

1. Water system policy considerations.
2. Schedule recommended improvements to the water system.
3. Examine project financing alternatives.

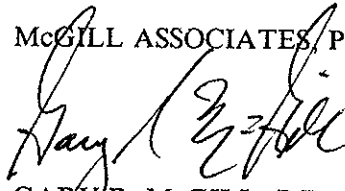
PROPOSED PROJECT FEE

The above approach reflects our past discussions regarding this important project. At your suggestion, we have also added the water system mapping component to the proposed scope of services. We propose to accomplish the proposed scope of services for a total fee of NINETEEN THOUSAND DOLLARS (\$19,000.00). McGill Associates is prepared to begin the project upon receipt of your notice to proceed.

We look forward to working with the Town on this important project.

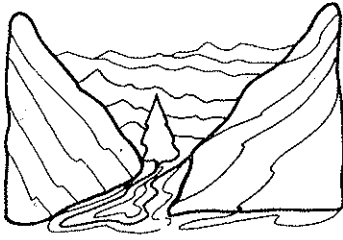
Sincerely,

McGILL ASSOCIATES, P.A.



GARY R. MCGILL, P.E.
President

RECEIVED AUG 18 1993



William G. Lapsley & Associates, P.A.

Engineering, Surveying and Land Planning

1635 Asheville Highway

Post Office Box 546

Hendersonville, North Carolina 28793

704-697-7334 • FAX 704-697-7333

August 20, 1993

Hendersonville
William G. Lapsley, P.E.
Gary Tweed, P.E.
Stacy-K. Rhodes, R.L.S.
Steven L. Waggoner, R.L.S.
G. Marcus Brittain, R.L.S.

Sylva
Donald L. Hunley, P.E.

Mr. Tom Hord
Town Manager
Town of Lake Lure
PO Box 255
Lake Lure, NC 28746

RE: Water System Comprehensive Study
and Master Plan

Dear Mr. Hord:

We are pleased to submit herewith for your consideration our proposal for professional engineering services for a comprehensive study of the Lake Lure water system and preparation of a master plan.

As you know our firm is providing professional engineering services throughout Western North Carolina with special expertise in water and wastewater systems. We are very familiar with the Town of Lake Lure as our firm has provided design services for several residential developments inside the corporate limits and a detailed evaluation report for Fairfield Mountains.

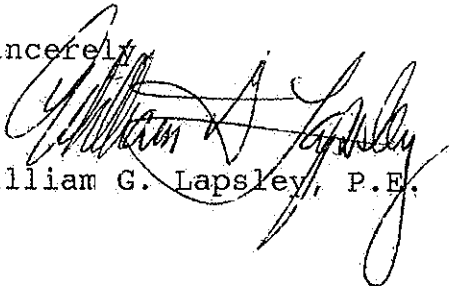
We are including in our proposal, the following information for your consideration:

1. INTRODUCTION
2. PROPOSED METHODOLOGY
3. INTRODUCTION to FIRM
4. PROPOSED METHOD of COMPENSATION

Mr. Tom Hord
Page 2
August 20, 1993

We appreciate the opportunity to present our qualifications for this project to the Town of Lake Lure. If you have any questions or would like us to meet with the Board, please feel free to contact our office.

Sincerely,



William G. Lapsley, P.E.

WGL/ec

TOWN OF LAKE LURE
RUTHERFORD COUNTY, NORTH CAROLINA

PROPOSAL FOR
PROFESSIONAL ENGINEERING SERVICES
for
WATER SYSTEM COMPREHENSIVE STUDY

Submitted By

WILLIAM G. LAPSLEY & ASSOCIATES, P.A.

Hendersonville, North Carolina

AUGUST, 1993

INTRODUCTION

The Town of Lake Lure has requested our proposal to provide professional engineering services necessary to prepare a comprehensive study and master plan of the Town's water system.

This proposal presents our analysis of the professional services necessary to successfully complete the report. It also outlines the methodology which we would intend to follow during the course of the work. And finally, we are presenting our firm's qualifications to undertake this project.

Under the direction of William G. Lapsley, P.E., our firm presents a strong team of experienced professional engineers to serve the Town of Lake Lure. We recognize the long-term impact of these reports on the Town's future and look forward to assisting the Town staff in this most important project.

PROPOSED METHODOLOGY

In order to complete this project for the Town of Lake Lure, we have analyzed the various components carefully, the anticipated time schedule, etc., and developed a plan for accomplishing the work. Our step-by-step listing of the project tasks follows along with a schedule.

I. WATER SYSTEM COMPREHENSIVE STUDY and MASTER PLAN

TASK 1 DATA ACQUISITION

WGLA will meet with Town staff to review existing system maps and records of the water system. WGLA will meet with State Public Water Supply Branch officials in Black Mountain to review files and obtain input on operational and water quality concerns.

TASK 2 SYSTEM MAPPING

Based upon the information gathered under Task 1, prepare a detailed map of the Town's water system. This map will include pipeline sizes, valve locations, water storage tanks, well locations, fire hydrants, and other pertinent information.

TASK 3 SYSTEM EVALUATION

WGLA will complete a computer analysis of the existing water system to determine weak service areas. Recommendations for water distribution system improvements will be presented including the availability of fire protection.

WGLA will evaluate the existing water supply quantity and quality. Recommendations will be prepared for additional supply and/or storage to meeting existing and future demands.

TASK 4 FUTURE SYSTEM DEMAND

WGLA will prepare a master plan and identify areas within the Town corporate limits and adjacent areas that may be served by the water system. Projected future water system demands will be prepared with recommendations for water system expansion. Water line extension policies will be proposed.

TASK 5 CAPITAL IMPROVEMENTS PROGRAM

WGLA will summarize the results of Tasks 3 and 4 into a recommended capital improvements program. This will include specific project and associated cost estimates. A priority funding schedule will be developed along with funding alternatives.

TASK 6 FINAL REPORT

WGLA will compile a final written report including all of the information conclusions and recommendations developed in the previous tasks. The final report will be used in preparation of the Water Supply System Report and the Local Water Supply Plan required to be submitted to the N.C. Division of Water Resources by November 30, 1993. WGLA will be pleased to make a formal presentation to the Board regarding the final report and the water supply plan.

INTRODUCTION TO
WILLIAM G. LAPSLEY & ASSOCIATES, P.A.

William G. Lapsley & Associates, P.A., was formed in 1985 as a split-off from the Asheville firm of McGill, Lapsley & Associates, P.A.

William G. Lapsley, P.E., founded the firm in Hendersonville to serve local government, land developers, industry and private clients throughout Western North Carolina. With extensive experience in the design, operation, and management of water and wastewater systems, the firm has experienced phenomenal growth in its client base and its projects under contract.

Its staff of fifteen (15) full-time persons has continued to expand to meet the needs of our clients, yet maintain the local, personal relationships which have been the basis of Mr. Lapsley's professional reputation.

The firm has completed numerous professional studies, design and construction of a number of major projects over the past seven (7) years, and has several new assignments in progress. A detailed description of related experience follows for information

BUNCOMBE COUNTY BOARD OF COMMISSIONERS

BREVARD ROAD and VENABLE INDUSTRIAL SITE SANITARY SEWER IMPROVEMENTS

Prepared plans, specifications, contract documents, etc. for the installation of approximately 14,000 LF of 15-inch, 10-inch and 8-inch gravity sewer line, two (2) major sewer lift stations and sewer force mains, one which crosses the French Broad River. The project serves the Biltmore Square Regional Shopping Mall and adjacent 100-acre Ridgefield Business Park.

Project Cost \$1,000,000

METROPOLITAN SEWERAGE DISTRICT of BUNCOMBE COUNTY

PISGAH VIEW SANITARY SEWER IMPROVEMENTS

Prepared plans, specifications, contract documents, etc. for approximately 6,000 LF of 10-inch and 8-inch gravity sewer line to replace a badly deteriorated sewer collection system.

Project Cost \$ 350,000

ASHEVILLE-BUNCOMBE WATER AUTHORITY

Assisted a prominent international environmental engineering firm, Camp Dresser & McKee, in the development of a water resources master plan and capital improvements program.

Engineering Fee \$ 400,000

WEST ASHEVILLE CONNECTOR

Prepared plans, specifications and contract documents, construction administration and inspection for 25,000 LF of 24-inch and 30-inch water transmission main to serve City of Asheville.

Project Cost \$2,600,000

BILTMORE DAIRY FARMS, INC.

BLOCKS T, U, and V SUBDIVISIONS

Prepared detailed plans and specifications for roads, stormwater, drainage, water distribution, wastewater collection, etc. in 54 lot residential development within upscale community of Town of Biltmore Forest.

Project Cost \$2,100,000

BRAESIDE at BILTMORE PARK

Prepared detailed plans and specifications for roads, stormwater drainage, water distribution, wastewater collection, etc. in 87 lot residential development. This is the first phase of a 700 acre planned community.

Project Cost \$ 750,000

HENDERSON COUNTY BOARD OF COMMISSIONERS

Prepared a detailed wastewater system master plan for the Mud Creek Drainage Basin in Henderson County. The Board of County Commissioners approved of the plan and with the assistance of William G. Lapsley & Associates, P.A., negotiated an agreement with the City of Hendersonville for wastewater treatment services.

MUD CREEK SANITARY SEWER SYSTEM IMPROVEMENTS - PHASE 1

Provided detailed plans, specifications, contract documents, contract administration, and construction inspection services for approximately 48,600 feet of 24-inch, 18-inch, 15-inch, 12-inch, and 8-inch diameter interceptor sewers, 3,700 feet of 8-inch force main, and a 1,000 GPM sewer lift station. This is the first phase of a ten-year plan for providing a community wastewater collection system in a rapidly expanding residential and commercial section of Henderson County.

Project Cost \$2,100,000

NAPLES AREA WASTEWATER COLLECTION/TREATMENT SYSTEM

Prepared a preliminary engineering report on the development of a community wastewater system to serve major commercial development area in Henderson County. Assisted in project funding and anticipate design and construction to be authorized in 1992.

Project Cost \$ 570,000

TOWN OF RUTHERFORDTON, NORTH CAROLINA

Provided engineering design, contract administration, and construction services for a major upgrade of the Town's interceptor sewer line and wastewater treatment plant to accommodate a new industrial customer, Outboard Marine Corporation. The project had a State Community Development Block Grant as the principal source of financing.

CLEGHORN CREEK INTERCEPTOR SEWER and WASTEWATER TREATMENT PLANT EXPANSION

This project required the installation of 8,100 feet of 18-inch diameter interceptor sewer line to replace an existing 12-inch sewer line that was severely deteriorated. The project required a rapid construction schedule and close cooperation between the Town, the engineer, the contractor, and the industry. In order to maintain adequate treatment plant capacity, it was necessary to expand an existing 0.64 MGD stabilization pond system to 1.0 MGD. The existing aeration system was experiencing major operational problems, and the treatment process was replaced with floating aerators and an upgrade of the bar screen, grit collection system, and disinfection equipment.

Project Cost \$ 670,000

WGLA would be pleased to provide client contacts and additional information as requested by the Town.

PROPOSED METHOD OF COMPENSATION

The professional engineering services required to successfully complete this project for the Town of Lake Lure will require extensive experience in water system operation and maintenance. The manhours of technical effort necessary are affected by a number of factors.

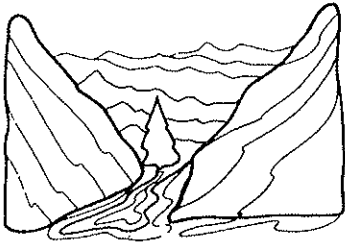
There are several methods of compensation which could be considered for this project including:

1. Lump Sum contract - a negotiated amount due to the Engineer for services rendered regardless of the cost.
2. Cost Plus Fixed Fee - a negotiated fixed fee paid to the Engineer for profit compensation regardless of the cost, and all other engineering services paid based upon an agreed upon fee schedule.
3. Cost with a Maximum Fee - all professional engineering services are provided based upon an agreed upon fee schedule with a maximum fee not to be exceeded without prior approval of the Town and due to a change in the scope of the work.

We have performed professional engineering services using all of these methods. our experience has led us to prefer option number 3 as the most fair and equitable arrangement especially when working on local government projects. Once an agreed upon maximum fee is established, the Engineer is compensated at a fair rate including overheads and profit while the Town of Lake Lure is given the opportunity of saving on the engineering charges for the overall project. If extra Town staff support is provided and circumstances are favorable throughout the project, then conceivably less engineering time will be spent and the total engineering fee will end up less than the maximum fee included in the engineering agreement.

Based upon our understanding of the project at this time, we expect a maximum fee of \$14,000 for the Water System Comprehensive Study and Master Plan to be fair and equitable. The basic fee schedule is being used on all of our current projects.

Upon acceptance of our proposal, we will furnish a standard Agreement for approval by the Town.



William G. Lapsley & Associates, P.A.

Engineering, Surveying and Land Planning

1635 Asheville Highway

Post Office Box 546

Hendersonville, North Carolina 28793

704-697-7334 • FAX 704-697-7333

Hendersonville
William G. Lapsley, P.E.
Donald L. Hanley, P.E.
Stacy K. Rhodes, R.L.S.
Steven L. Waggoner, R.L.S.
G. Marcus Brittain, R.L.S.

BASIC FEE SCHEDULE

January 1, 1992

I. PROFESSIONAL FEES

Engineering Division	
Principal Engineer	\$68.00
Senior Professional Engineer	63.00
Professional Engineer	53.00
Associate Engineer	42.00
Engineering Technician	37.00
Construction Inspector	37.00
Computer-aided Design Technician	28.00
Senior Draftsperson	24.00
Draftsperson	22.00
Clerical	16.00
Surveying Division	
Registered Land Surveyor	45.00
Party Chief	32.00
Instrument Person	27.00
Rod Person	22.00
Draftsperson	22.00
Clerical	16.00

II. EXPENSES

- A. Mileage - \$0.30 per mile
- B. Telephone, reproduction costs, postage, overnight lodging, meals, and other incidental expenses shall be a direct charge per receipts.

III. ASSOCIATED SERVICES

Associated services required by the project such as soil analysis, materials testing, etc. shall be identified and agreed upon prior to initiating work.

WILLIAM G. LAPSLEY
Principal Engineer
President
William G. Lapsley & Associates, P.A.

EDUCATION

High School - (1966)	Randolph Township High School Randolph, New Jersey (College Preparatory Curriculum)
College - (1970)	University of Wyoming Laramie, Wyoming (Bachelor of Science Degree in Civil Engineering)
- (1977)	Institute of Government University of North Carolina at Chapel Hill Chapel Hill, North Carolina (Municipal Administration Course)
- (1980)	Institute for Water and Wastewater Utility Management Virginia Polytechnic University Blacksburg, Virginia

CIVIC ACTIVITIES

Board of Directors	- Greater Hendersonville Chamber of Commerce (1981-1987)(1991 to date) (Current Second Vice President) - Hendersonville YMCA (1986-1988) - Henderson County United Way (1987-1988) - First Citizens Bank & Trust Co. (Local Board) (1985 - date)
Vice President - External Affairs	- Carolina Village, Inc. (1981 - date) (Retirement Village, Hendersonville, N.C.)
Past President -	- Rotary Club of Hendersonville (1986-87) (Currently a member)
Past District Chairman	- Echota District (1982, 83) Boy Scouts of America
Past Vice Chairman	- Blue Ribbon Study Committee (1982) (Appointed by Henderson County Board of Commissioners)

PROFESSIONAL AFFILIATIONS

Member - Water Pollution Control Federation (WPCF)
American Society of Civil Engineers (ASCE)
American Water Works Association (AWWA)
American Public Works Association (APWA)
Solid Waste Association of North American (SWANA)

Registered Civil Engineer - State of California (1973)

Registered Professional Engineer - State of North Carolina (1974)
State of South Carolina (1982)
State of Florida (1985)

Past President - Western Branch, North Carolina Section
American Society of Civil Engineer (1979-80)

Past Instructor - Water Treatment Plant Operators Certification Review Course (1980)
Blue Ridge Technical College
Hendersonville, North Carolina

Past Chairman - Western Regional Water Meter & Pipe Systems School
Asheville Buncombe Technical College (1983, 84, 85, 86)

Past Chairman - North Carolina Section American Water Works Association (1989)
- North Carolina Water Pollution Control Association (1989)

EMPLOYMENT BACKGROUND

June, 1985 - to date William G. Lapsley & Associates, P.A.
1635 Asheville Highway
Hendersonville, North Carolina

Major Duties: Responsible for providing professional civil engineering services to local government, private developers and industry throughout Western North Carolina. Special expertise in water and wastewater systems, roads, storm drainage, land planning, solid waste management landfills, and local government operations.

Jan. 1984 - May, 1985 McGill, Lapsley & Associates
Suite 216 Executive Park
Asheville, North Carolina

Vice President, Consulting Engineer

Major Duties: McGill, Lapsley & Associates was a professional consulting firm

Major Duties: McGill, Lapsley & Associates was a professional consulting firm serving clients throughout western North Carolina. In addition to traditional engineering design services, the firm offered local governments general consulting expertise in capital improvements budgets, grants administration, bond referendums, etc.

Aug. 1982 - Jan. 1984 Butler/McGill Associates
12 Broad Street
Asheville, North Carolina

Project Engineer

Major Duties: A professional consulting engineering firm rendering civil engineering design services to municipal, industrial, and private clients. As a registered professional engineer, I was responsible for the design of various type projects including water distribution systems, pumping stations, storage reservoirs, sanitary sewer lines, wastewater treatment plants, storm water drainage systems, etc. Daily work included client contact, grants administration, conducting public meetings, coordination with Federal and State regulatory agencies, contract preparation, construction design drawings and specifications, construction inspection/supervision, etc.

April, 1981 - Aug. 1982 Brummett & Waddell, Inc.
Ashe Street
Hendersonville, North Carolina

Project Manager

Major Duties: General contracting firm in Hendersonville which specializes in road construction, large earth moving projects, waster and sewer line construction, etc. I prepared construction cost estimates for major projects, submitted bid proposals, coordinated construction work for a variety of projects. During construction in progress, I was responsible for work scheduling, materials purchasing, contacts with the design engineer and owner, prepare payment requests, and represent the interest of the company in contract disputes. In addition, was involved in business development and public relations aspects of the company's operation.

July, 1978 - April, 1981 Water and Sewer Department
City of Hendersonville
Hendersonville, North Carolina

Director

Major Duties:

This publicly owned water and sewer utility system served approximately 10,000 metered connections to the water system and 2,500 connections to the sewer system. The staff included approximately 45 full-time persons and had an annual budget of approximately \$1.4 million. The department operated and maintained an extensive water distribution system serving a major portion of Henderson County and a sewer collection system principally within the city limits of Hendersonville.

I was responsible for the overall operation of the department including: meter reading, billing and collections, purchasing, accounts receivable, budgeting, accounts payable, investment of idle funds, bond payments, water and sewer line construction and maintenance, operation of a 9 MGD water treatment plant, personnel management, and overall public relations of the utility.

June, 1974 to July, 1978 - Water and Sewer Department
City of Hendersonville
Hendersonville, North Carolina

Assistant Director

Major Duties:

The department was in a transition period at this time changing from a small municipal utility to a large county-wide system. In addition, the current Director was preparing for retirement and a training period was desirable for the new Director. I prepared a personnel plan, long-range planning budget, submitted several major Federal and State construction grant applications, and assisted in the overall operation of the department.

July, 1970 to June, 1974 Los Angeles County
Flood Control District
Los Angeles, California

Principal Civil Engineer
Senior Civil Engineer
Civil Engineering Assistant

Major Duties:

This was my first full-time position upon graduation from college. The district operated and maintained one of the largest flood control and storm water drainage systems in the world. I was initially assigned to the Operation and Maintenance Division where I was responsible for routine maintenance of 14 large flood control dams. This included routine work scheduling, purchasing, cost estimating, field supervision, etc. After several months, I became involved in the dam safety investigation work being conducted after the February, 1971, earthquake in Los Angeles. I was assigned to a special task force by the Chief Engineer where I became a research assistant and contract administrator for the detailed engineering analysis of the safety of the large dams.

DONALD L. HUNLEY
Professional Engineer

EDUCATION:

- High School - (1972) Monroe High School
Monroe, North Carolina
- College - (1977) University of North Carolina-Chapel Hill
Chapel Hill, North Carolina
(Bachelor of Arts Degree in Geology/Botany)
- (1982) University of Wyoming
Laramie, Wyoming
(Bachelor of Science Degree in
Civil Engineering)

PROFESSIONAL AFFILIATIONS

- Registered Professional Engineer - State of North Carolina (1988)
- Notary Public - State of North Carolina
- Member - American Water Works Association

EMPLOYMENT BACKGROUND:

- 1988 to Present - William G. Lapsley & Associates, P.A.
Hendersonville, North Carolina
- Consulting Engineer
- Design of water and wastewater systems,
site planning, dam design, and solid waste management for
local government, industry, and private development.
- 1987 - 1988 - Eastern Engineering Group
Charlotte, North Carolina
- Project Engineer
- Planning, analysis and reporting for geological, groundwater,
and geotechnical investigations.

- 1985 - 1987 - Applied Geology Associates
Auckland, New Zealand
- Civil Engineer (Geotechnical)
- Planning and supervision of field investigations, engineering analysis and design, and reporting for a geological, environmental, and mining consultant.
- 1983 - 1984 U.S. Bureau of Reclamation
Duchesne, Utah
- Civil Engineer (Design)
- Design studies, construction, inspection, and contract administration for features of a trans-basin diversion water project.
- 1983 Department of Civil Engineering
University of Wyoming
- Instructor - Fluid Mechanics
- Preparation and presentation of a one-semester course in Fluid Mechanics.

