

## **REQUEST FOR BOARD ACTION**

### **HENDERSON COUNTY BOARD OF COMMISSIONERS**

**MEETING DATE:** August 1, 2005

**SUBJECT:** FOLLOW UP DISCUSSION  
PRELIMINARY ENGINEERING REPORT – MUD CREEK  
SANITARY SEWER INTERCEPTOR

**ATTACHMENTS:** LETTER FROM WINDSOR AUGHTRY COMPANY  
LETTER FROM WILLIAM G. LAPSLEY  
LETTER FROM DAVID E. NICHOLSON  
DRAFT RESOLUTION

#### **SUMMARY OF REQUEST:**

At the July 5, 2005 the County Engineer presented the Preliminary Engineering Report prepared by Camp Dresser and McKee, (CDM), for the development of a sanitary sewer interceptor into the Mud Creek Basin. The area of study is from the Cane Creek Water and Sewer District existing sanitary sewer system near Cane Creek into the Mud Creek Basin south to the Mountain Home Industrial Park. This proposed sanitary sewer interceptor has been approved by the Board as part of the CCWSD Interceptor Master plan prepared by the County Engineer and has been the number one priority project following the Mills River Interceptor now under construction.

The development of the preliminary engineering report was prompted by proposed plans for a large residential subdivision near the mouth of Mud Creek south of Butler Bridge Road and a proposed Industrial Park on the Tap Root Dairy Property on the north side of Butler Bridge Road. It is the desire of the County Engineer to develop a sanitary sewer interceptor project on the east side of the French Broad River to serve this area and not pump across the river to the Mills River Interceptor as was being proposed by the developments.

Windsor Aughtry Company had offered to contribute \$200,000 toward the development of the Mud Creek Interceptor project. The Board felt this offer was low and requested staff to send a letter to Windsor Aughtry. A letter was sent to Windsor Aughtry and a follow up meeting held on July 13, 2005 with Drew Norwood and his consultant William G. Lapsley. A letter to David Nicholson along with a letter to Norwood from Lapsley, was received July 21, 2005. Windsor Aughtry has reconsidered the matter and now is offering to contribute \$300,000 toward the County Project. The larger pump station/force main as part of Phase I of the Mud Creek Project is estimated to cost approximately \$1,000,000.

Staff feels that this is a reasonable offer from Windsor Aughtry and the County will not have a better opportunity to begin the development of sanitary sewer service into the Mud Creek Basin. The options we see are as follows:

- 1- Do nothing. Windsor Aughtry proceeds with the development of the Hollabrook Farms Subdivision and installs a small sanitary sewer lift station and force main connecting to the Mills River Interceptor.
- 2- Accept the Windsor Aughtry \$300,000 and constructed the larger sanitary sewer lift station and force main connecting to the Cane Creek Interceptor. Engineering and construction by Windsor Aughtry as part of subdivision development. Henderson County to pay additional cost estimated at \$700,000. Lift station/force main will be owned and operated by CCWSD.
- 3- Accept the Windsor Aughtry \$300,000 and apply toward the entire Phase I Mud Creek Interceptor Project that includes the larger sanitary sewer lift station. Estimated total cost per CDM preliminary engineering report, \$2,104,707.50. Project to be responsibility of the County, would recommend engineering by WGLA in order to coordinate with subdivision development.

The County Engineer will be present to discuss this matter with the Board of Commissioners.

**COUNTY MANAGER'S RECOMMENDATION/ACTION REQUIRED:**

Based on information presented, the Board will need to determine if \$300,000 from Windsor Aughtry is a reasonable offer. However, staff recommends that the Board proceed with the development of Phase I of the Mud Creek Interceptor Project by adopting the attached resolution.



# WINDSOR/AUGHTRY COMPANY

Real Estate Development, Investment and Brokerage.

July 21, 2005

Mr. David E. Nicholson  
County Manager  
Henderson County  
100 North King Street  
Hendersonville, NC 28792-5097

Dear Mr. Nicholson:

In response to your letter of July 6, 2005, Windsor/Aughtry Company's position is as follows: We feel that we were given a written commitment dated March 3, 2005 and a verbal commitment which said that we could connect to the Mills River Interceptor west of the French Broad River if we were able to obtain the necessary easements. We proceeded with this understanding, obtained the easements and closed on the purchase of 175 acres. So it is our position that we can connect to that line and it is our plan to make the necessary applications, pay the required fees and do exactly that.

On June 20, at a meeting with Bill Lapsley, Gary Tweed informed us that the county was considering installing what they termed the Mud Creek Interceptor. He asked if we would be willing to forego the installation of our pump station and force main line to the Mill River Inceptor and apply that money to the Mud Creek line. We said that we had \$240,000 in our budget and that we would be happy to give that money to the county.

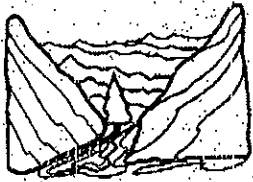
Mr. Lapsley's estimate for the initial phase of the Mud Creek Interceptor is one million dollars (see attached letter) and his revised estimate for our line is now \$284,000. We would be willing to contribute \$300,000 to the cost of that line, provide necessary rights of way and cooperate in any reasonable manner in its construction.

It is our intention to move forward and I await your response. If we do not hear from you within the next thirty days, we will make our application for connection to the Mills River Interceptor and proceed with construction as soon as possible.

Sincerely,

Drew Norwood  
President  
Residential Division

Attachment



# William G. Lapsley & Associates, P.A.

Consulting Civil Engineers and Land Planners

William G. Lapsley, P.E.  
William R. Buie, P.E.  
G. Thomas Jones III, P.E.  
Donald L. Hunley, P.E.

July 20, 2005

Mr. Drew Norwood  
Windsor Aughtry Company  
P.O. Box 16449, Station B  
Greenville, S.C. 29606

Re: Hollabrook Farms  
Sanitary Sewer Service

Dear Mr. Norwood:

As you know we are in the final stages of completing a Master Plan for the development of a residential subdivision for the Hollabrook Farms property in Henderson County.

During the due diligence period we identified the availability of public sewer service for this development on the west side of the French Broad River. The wastewater generated from this proposed subdivision will require a sewer lift station and force main as shown on the attached Exhibit "A". Based upon our experience with similar type construction we have estimated the cost to be \$ 284,000.00.

It has been brought to our attention that Henderson County has recently completed a Preliminary Engineering Report entitled "Mud Creek Sanitary Sewer Interceptor" (May, 2005). This report recommends that a much larger sewer lift station be installed at the Hollabrook Farms site to serve wastewater generated from approximately 9,000 acres upstream of Hollabrook Farms, which naturally drain to Mud Creek (Exhibit "B"). In addition, it is recommended that this wastewater be pumped approximately 10,000 lf, to the existing Cane Creek Interceptor sewer line. The estimated cost for this lift station and force main (per CDM) is \$1.0 Million.

It certainly makes economic sense to construct the proposed sewer lift station in accordance with the recommended CDM plan at this time. The additional cost for "upsizing" the facilities should be assessed to the Cane Creek Water & Sewer District to accommodate future growth & development in the Mud Creek Drainage area.

If you have any questions or need additional information, please feel free to contact our office.

Sincerely,

William G. Lapsley, P.E.

WGL/jg

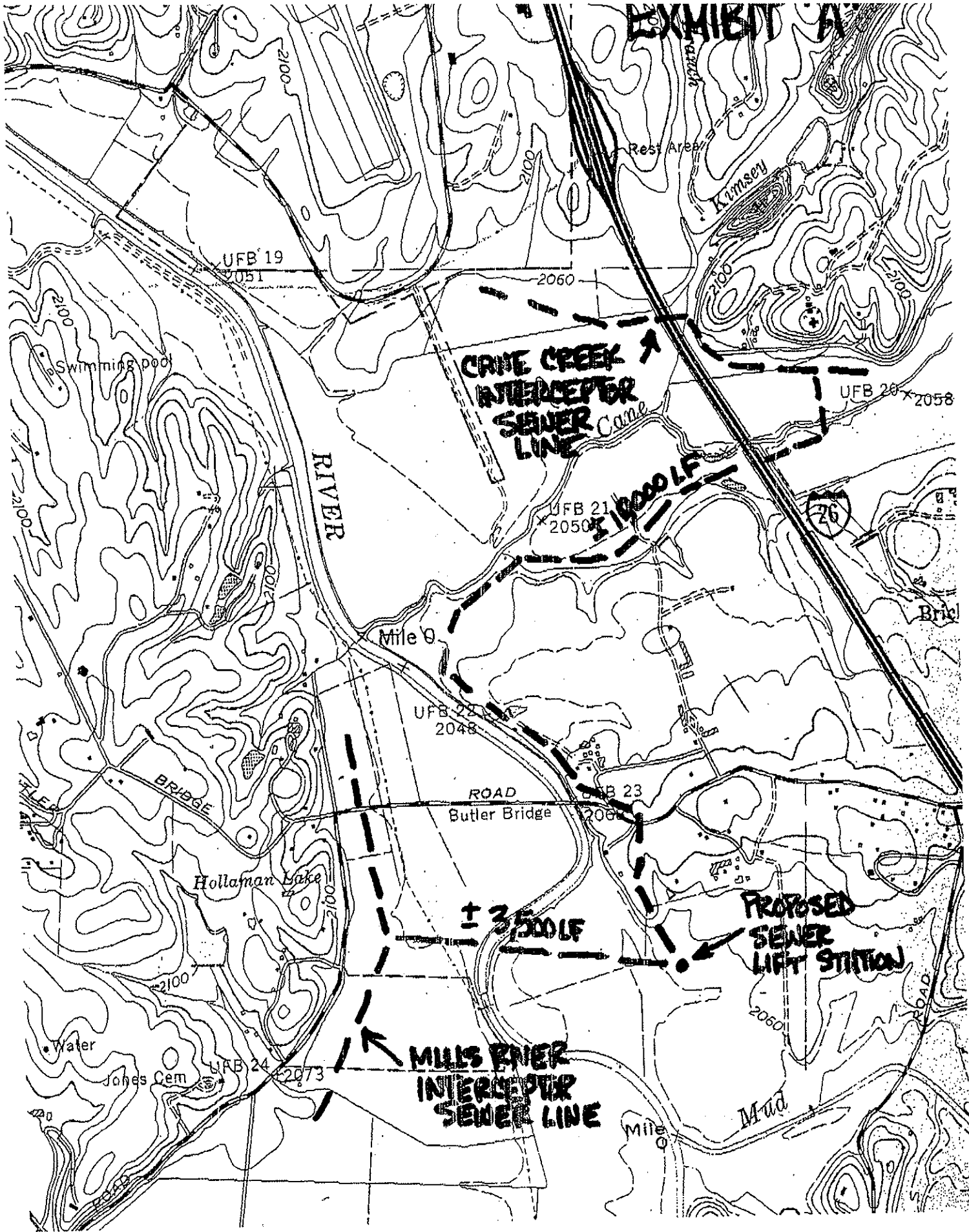
□ P.O. Box 546, 1635 Asheville Highway, Hendersonville, NC 28793  
□ One Town Square Boulevard, Suite 334, Bltmore Park, Asheville, NC 28803

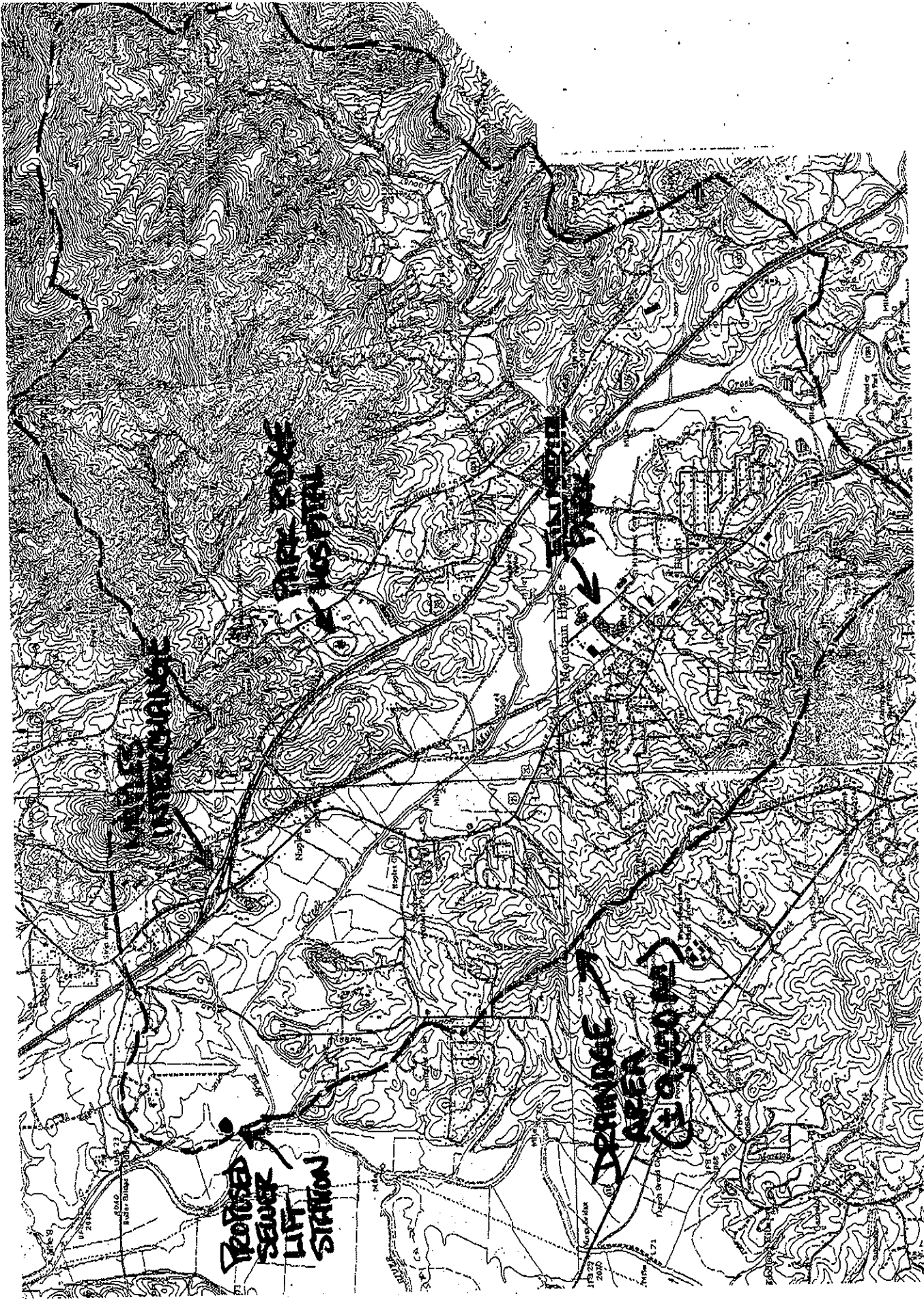
Website: [www.wgla.com](http://www.wgla.com)  
Website: [www.wgla.com](http://www.wgla.com)

Ph: 828-687-7334  
Ph: 828-687-7177

Facsimile: 828-697-7333  
Facsimile: 828-687-7178

# EXHIBIT A





WATER TOWER

FIRE TOWER  
HOSPITAL

SEWER

SEWER  
LIFT  
STATION

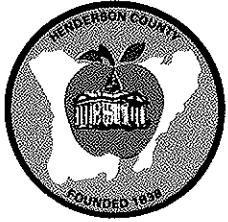
SPRING  
CAMP

WATER

MOUNTAIN HIDE

CAMP

SPRING



**HENDERSON COUNTY  
OFFICE OF THE COUNTY MANAGER**

100 NORTH KING STREET  
HENDERSONVILLE, NC 28792-5097  
PHONE (828) 697-4809 FAX (828) 698-6014  
www.hendersoncountync.org

David E. Nicholson  
County Manager  
davidn@hendersoncountync.org

Selena D. Coffey  
Assistant to the Manager  
scoffey@hendersoncountync.org

Avalina Merrill  
Administrative Assistant  
avalina@hendersoncountync.org

July 6, 2005

Mr. Drew Norwood, President  
Windsor Aughtry Company  
P.O. Box 16449  
Greenville, South Carolina 29606-7449

Ref: Proposed Mud Creek Sanitary Sewer Interceptor

Dear Mr. Norwood:

On July 5, 2005, the Henderson County Board of Commissioners were presented with the Preliminary Engineering Report for the proposed Mud Creek Sanitary Sewer Interceptor Project and Windsor Aughtry Company's proposal to participate in the project by contributing \$200,000 toward the cost of the project. The County Engineer and I recommended to the Board of Commissioners that we begin the engineering for the Phase I of the project including the acceptance your offer.

After lengthy discussion the Board of Commissioners did not approve our recommendations. They felt that the offer from Windsor Aughtry was too low. The Board of Commissioners also indicated that projects being proposed for the East side of the French Broad River would be required to make connection to our sanitary sewer system at the interceptor located north of Cane Creek. This will be in accordance with the Preliminary Engineering Report for the Mud Creek Interceptor.

I believe that the County is still interested in pursuing the Mud Creek Interceptor Project as outlined in the preliminary engineering report and the Board of Commissioners is interested in participation with Windsor Aughtry Company. Should your Company wish to reconsider your offer to participate, I will be glad to present that to the Board of Commissioners for their consideration.

Should you wish to discuss this matter, please feel free to contact Gary Tweed, County Engineer at 828-698-5115.

Sincerely,

A handwritten signature in black ink, appearing to read "David E. Nicholson".

David E. Nicholson, County Manager

Cc Members, Board of Commissioners  
Gary T. Tweed, P.E., County Engineer

**RESOLUTION**

**DRAFT**

**EXEMPTING HENDERSON COUNTY  
FROM  
ENGINEER SELECTION  
AS ALLOWED BY NC GENERAL STATUTE §143-64.32**

WHEREAS, Henderson County is in need of engineering services related to the engineering for a sewer interceptor line project (“the Mud Creek Interceptor project”); and

WHEREAS, William G. Lapsley & Associates, P.A. has previously performed engineering services on related projects for Henderson County; and

WHEREAS, William G. Lapsley & Associates, P.A., is also the project engineer on certain private projects which must be designed simultaneously and in harmony with the Mud Creek Interceptor project;

NOW, THEREFORE, the Henderson County Board of Commissioners hereby resolves that, as allowed by N.C. Gen. Stat. §143-64.32, the Mud Creek Interceptor project is exempted from the requirements of Article 3D, Chapter 143 of the General Statutes and the engineering firm of William G. Lapsley & Associates, P.A. is hereby selected for the Mud Creek Interceptor project, subject to the negotiation of a contract for engineering services.

THIS the 1st day of August, 2005.

HENDERSON COUNTY BOARD OF COMMISSIONERS

BY: \_\_\_\_\_  
William L. Moyer, Chairman

ATTESTED BY:

[OFFICIAL SEAL]

\_\_\_\_\_  
Elizabeth W. Corn, Clerk to the Board