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RONALD E. SNEED

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March 31, 2010

Marcia D. Onieal and
The Board of Aldermen
Town of Black Mountain
160 Midland Avenue
Black Mountain, NC 28711

RE: Proposal to Provide Legal Services

Dear Marcy:

I am working under the assumption that I must bid to hold the same position I have held with the Town since the 1983 elections, doing the same work I have been doing for the Town since the fall of 1978. Accordingly, I provide the following information in response to the Request for Proposal to Provide Legal Services dated February 18, 2010.

1. The name, address, telephone number and e-mail address, with name and number of contact person:

Ronald E. Sneed, P.A.
104 Church Street
P.O. Box 995
Black Mountain, NC 28711

Telephone: 828-669-7953
Fax: 828-669-4322
E-mail: ronsneed@bellsouth.net

Contact persons: Ron Sneed 828-669-7953
Anna Stearns 828-669-7953

2. Educational and professional background:

Jacksonville University, Jacksonville, Florida, graduated in April 1972 with BA in English
Additional studies at the University of South Carolina, 1973-74
University of North Carolina School of Law, graduated in May 1978 with JD degree

I have been in private practice since September, 1978, practicing first in partnership with William S. Eubanks until September, 1982, and since then as a solo practitioner, having my office in Black Mountain continuously. I practice primarily in the areas of local government and planning law, real estate including residential and commercial purchase and sale transactions and real estate development, estate planning, estate administration, construction law, business and corporation law, and civil litigation in all these areas, including bench and jury trials and appeals to the North Carolina Court of Appeals and the North Carolina Supreme Court. My practice is a general practice and a full listing of the "areas" of law I have practiced can never be complete.

I am a member of the North Carolina State Bar, which is mandatory for licensed attorneys in North Carolina, as well as the North Carolina Bar Association, the North Carolina Advocates for Justice, the North Carolina Municipal Attorneys' Association, and the 28th Judicial District Bar.

I appeared as a speaker at a seminar of the North Carolina Bar Association in 2009 at which I spoke on local government and development law. I drafted the minority participation ordinance used by the School of Government as a sample.

3. Firm size and municipal law staff.

I am a solo practitioner, so I am the only lawyer in the firm handling municipal matters. I also have a North Carolina State Bar Certified Paralegal who has worked closely with me on numerous municipal matters. As previously stated, we work from my office at 104 Church Street in Black Mountain.

4. History of firm and experience with municipal, state and federal law.

The chronological history of my firm is set out in paragraph 2 above. I have been actively involved in all areas of municipal law since the first day I showed up for work as a lawyer. I was hired by Bill Eubanks, the town attorney for the Town of Black Mountain at that time, and since the rate charged to the Town was the lowest billing rate in the firm, all work for the Town was promptly shifted to the new and cheap kid in the office. I have continuously handled all legal matters for the Town of Black Mountain since that date except those paid for by insurers and some matters where conflicts prevented my involvement. I have handled the routine legal matters for the Town, such as answering legal and procedural questions for aldermen and staff, real property transactions including financing transactions, all court appearances and trials except one annexation case, appearances before administrative agencies requiring the presence of counsel, as well as advising the various departments of the Town and acting as counsel for the board of adjustment and other boards. In addition to my work for the Town of Black Mountain, I have appeared before the governing bodies and boards and commissions of the City of Asheville, Rutherford, McDowell and Buncombe counties (including Limestone Council,) and the towns of Montreat, Fletcher and Marion. From time to time I have been employed by the City of Asheville to sit as counsel for their various quasi-judicial panels such as their board of adjustment. As a result, I have extensive experience with most levels of law and regulations involved in and affecting municipal government and operations.

5. Qualifications of person proposed to work directly with the Town.

Being a sole practitioner, the responses to a, b, and d of item 5 have already been set out above. As to my litigation experience and demonstration of a satisfactory court record, I have litigated various matters, including all the Town annexation cases except the west area of annexation (that includes Ingles) to a successful conclusion, and three of those were appealed and I represented the Town in the Court of Appeals on those to a successful conclusion.

6. Accessibility of proposed lead attorney and response time.

I will continue to be two blocks from city hall and always take phone calls immediately from town personnel when possible and return calls as soon as is possible when I can't take the calls when they come in. I think the past experience of the Town and staff will show an acceptable level of response by my office. When I am not readily available, my staff can usually reach me within minutes unless I am in trial.

7. Other resources.

I have thirty-two years of the legal history of the Town in my office. I have developed contacts over that same time period with people who can promptly provide information and assistance as needed. I have a paralegal who is very familiar with the town's work and operations and the status of town matters that are being handled in my office. Technology has leveled the playing field as to research capabilities, with Lexis and Westlaw being as readily available to my small firm as to the large firms. I have years of experience working with the School of Government.

8. Malpractice coverage: \$1,000,000.00 per occurrence, \$2,500,000.00 aggregate

9. Litigation against firm within last five years.

A former client did sue me in 2007, but that matter was dismissed when summary judgment was entered in my favor. Summary judgment was granted when the undisputed facts showed that there was no legal basis for a claim against me.

10. Bar discipline

I have not been disciplined, admonished or warned nor have I had my license to practice law suspended or revoked at any time.

11. Bankruptcy

My firm and I personally have not been in bankruptcy or receivership, ever.

12. Disqualification or termination:

My firm has never been disqualified or terminated by any municipal, county or state government or other public agency.

13. Fees I will charge if selected.

I require no retainer. I will bill for my services at the rate of \$150.00 per hour for all services except attending the agenda meeting and regular meeting of the Town of Black Mountain, for which I will charge a flat fee of \$500.00 each month. This is a reduction from the current rate being charged for attending these meetings. I will provide an itemized bill at the end of each month. I do not bill my time in increments of one-tenth, one-sixth or one-fourth of an hour as is the common practice. I bill for the actual number of minutes worked on a matter.

14. Meeting the Town's legal needs when on vacation or otherwise unavailable.

In 32 years this has not been an issue, but if I am going to be physically unavailable for more than two days and unreachable by phone for any extended time, I will arrange for the availability of another attorney with sufficient experience in municipal matters to respond should any matter arise that cannot wait for me to return or respond.

15. Conflicts of interest

I have represented many individuals in and around Black Mountain, and it is inevitable that there will be occasional conflicts between my other clients and the Town. Should that occur, I am prohibited from representing either party and I will inform the Town and the other client and I will recommend alternate counsel for the Town.

16. Transition period.

If I am awarded the contract and reappointed as Town Attorney, there will be no transition period.

17. List of clients.

If it becomes critical that I provide a list of clients, I will impose upon some of my clients for permission to provide their names and use them as references. Otherwise, I am ethically prohibited from providing such list of clients without their consent. However, if you need a reference concerning our care and diligence in one area of law I practice, feel free to contact John Dillard of Statewide Title at 828-274-8848.

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18. Other information.

If my service to the town for 32 years does not speak for itself, I know of nothing else I can add at this point. However, if there is any other information I have not provided that you feel will be helpful, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Sneed', written in a cursive style.

Ronald E. Sneed