

County of Brunswick
Office of the County Commissioners



**RESOLUTION OF BRUNSWICK COUNTY
TO ACCEPT CONVEYANCE OF UTILITY SYSTEM FROM CITY OF NORTHWEST**

WHEREAS, Brunswick County, through its Public Utilities Department, operates the largest public water and sewer treatment and distribution system in Brunswick County; and

WHEREAS, the City of Northwest owns and operates a public water distribution system and sanitary sewer collection system with approximately 301 water customers and 267 sewer customers; and

WHEREAS, the City voted on September 24, 2019 to request that the County consider terms for an acquisition of the City's utility system, with the following concept terms of the acquisition:

- County to assume all city utility system related liabilities and assets;
- City utility customers charged the same rates as other similarly situated county customers;
- City's one utility employee offered county employment subject to normal employee screening;
- County support of City development so as to not hinder growth of utility services within the city,
- County to work with the state to expedite water storage to immediately further development within the city; and

WHEREAS, the County has the staff, equipment, expertise, and financial ability to assume operation and maintenance of the City's water and sewer systems; and

WHEREAS, N.C.G.S. § 160A-274 expressly authorizes the City to convey its interests in real and personal property to the County "upon such terms and conditions as it deems wise [and] with or without consideration...;" and

WHEREAS, North Carolina General Statutes 160A, Article 20, Interlocal Cooperation, authorizes and empowers any units of local government to enter into interlocal agreements for the ownership, construction, operation, maintenance, management, and financing of all or portions of

water and sewer utility systems within or outside the corporate limits of those units of local government.

NOW, THEREFORE, be it resolved by the Brunswick County Board of Commissioners, in a meeting duly noticed and assembled, as follows:

1. That the County will accept conveyance of the City's water and sewer systems, including such real and personal property, easements, assets and liabilities associated with or required for operation of the water and sewer systems.
2. That the County and City will enter into an agreement for conveyance of the system prior to January 1, 2020.
3. That the County authorizes County staff to coordinate efforts with the City of Northwest to ensure a seamless conveyance of the water and sewer systems.
4. That the Board Chairman is hereby authorized and directed to sign or delegate authority to sign, on behalf of the County, such documents as are necessary to complete the conveyance of the systems and transition the water and sewer system services from the City to the County.

This the 4th day of November, 2019.

Frank L. Williams, Chair
Brunswick County Board of Commissioners

ATTEST:

Andrea White, NCCCC
Clerk to the Board