

## **REQUEST FOR BOARD ACTION**

### **Henderson County Board of Commissioners**

**MEETING DATE:** May 4, 2020

**SUBJECT:** Update on Consolidation of Cane Creek Water and Sewer District with Municipal Sewage District of Buncombe

**PRESENTER:** Attorney Russell Burrell

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

The following will update the Board on the consolidation of the Cane Creek Water and Sewer District (CCWSD) with the Municipal Sewage District of Buncombe (MSD):

1. Session Law 2019-127: NC law requiring the merger of the two Districts passed last year.
2. Henderson County Resolution: On August 5, 2019 the Board passed a resolution in support of the consolidation.
3. MSD Letter to NC Environmental Management Commission (EMC): On October 16, 2019, the MSD Board sent a letter to the EMC requesting their consideration of the consolidation.
4. EMC Meeting: On November 13, 2019, the EMC met to recommend continuing with the required public hearing for the consolidation.
5. Public Hearings: On March 27, 2020 a public hearing on the consolidation was held at West Henderson High School. Another public hearing was held via teleconference on April 27, 2020.

The pending items for the consolidation process are as follows:

1. EMC Meeting: On May 7, 2020 at 9:00am, the EMC will consider approval of the consolidation.
2. The two District's attorneys are developing a merger agreement for both Boards to approve.
3. The Board will need to appoint two members to the consolidated MSD Board.
4. The CCWSD's debt, assets, and permit to operate will transfer on the proposed effective date of July 1, 2020
5. Current CCWSD staff will be available after the consolidation to support MSD.

Update of CCWSD Consolidation

#### **BOARD ACTION REQUESTED:**

For the Board's information with no action requested.