

REQUEST FOR BOARD ACTION

CANE CREEK WATER AND SEWER DISTRICT

BOARD OF DIRECTORS

MEETING DATE: September 18, 2019

SUBJECT: **Municipal Sewage District of Buncombe Merger Update**

PRESENTER: Marcus Jones, PE

ATTACHMENTS: Yes
1. MSD Merger Presentation

SUMMARY OF REQUEST:

The attached presentation serves to update the Board on the merger process with the Municipal Sewage District of Buncombe..

BOARD ACTION REQUESTED:

No action required, for information and Board discussion.

Suggested Motion:

No suggested motion.

Cane Creek Water and Sewer District

**Merger Update:
Municipal Sewerage District of
Buncombe (MSD)
Session Law 2019-127**

September 18, 2019

MSD Merger Update

Presentation Overview

- Requirements under SL2019-127
- Merger Schedule
- Items of Consideration

MSD Merger Update

Requirements of SL2019-127:

- Henderson County Board of Commissioners must adopt a resolution requesting inclusion (done August 5, 2019)
- With receipt of the resolution, MSD must create
 - A map or maps of the proposed new boundary, the existing boundary, and any proposed extension.
 - A description of the proposed extension of services to be provided, a time schedule, and proposed cost.
 - An “analysis” of the inclusion of the territory into the District.

MSD Merger Update

Requirements of SL2019-127 (continued):

- The District sends the documents it is required to create to the State's Environmental Management Commission (EMC)
- The EMC sets a public hearing, if the EMC determines that the inclusion of the territory into the District “will not adversely affect customer service in the district and will preserve and promote the public health and welfare of the District,” it “shall” adopt a resolution including the territory into the District

MSD Merger Update

Best Possible Merger Schedule:

- August 5, 2019: BOC past resolution
- August 21, 2019: MSD Board directed staff to create required documents for EMC
- November 2019: MSD approves the documents and forwards to EMC
- November 2019: EMC receives the documents and sets public hearing at its early November meeting (EMC meets every other month)

MSD Merger Update

Best Possible Merger Schedule (continued):

- January 2020: EMC holds public hearing in Henderson County after 30 days notice
- March 2020: EMC makes finding. The EMC resolution “shall state the effective of the inclusion of the territory” in the District.
- July 1, 2020: The presumed date of inclusion tentatively MSD and HC staff are planning toward.
- Henderson County would select 2 new member of the MSD Board, who must reside in the territory added to the District.

MSD Merger Update

Items of Consideration for Henderson County:

- Expansion Map for areas inside Henderson County that drain into the Cane Creek boundary and areas with customers currently outside the boundary.
- 1.35 MGD Allocation to the original Cane Creek boundary
- Proposed Capital Projects
- Other items from BOC

MSD Merger Update

Questions....Thank you.