



REQUEST FOR BOARD ACTION

ITEM NO. 10.

DATE OF MEETING: January 19, 2010

REQUESTED BY: Rick Benton, County Manager-

SHORT TITLE: Resolution Supporting and Approving a Proposed Contractual Arrangement between Rocky Point/Topsail Water and Sewer District and Integra Water, LLC for the Provision of Wastewater Services in the Rocky Point/Topsail Water and Sewer District

BACKGROUND: The Pender County Board of Commissioners several months ago authorized staff to proceed with discussions with Integra Water, LLC regarding evaluating opportunities to partner for the provision of wastewater treatment and collection services in the eastern area of the county, primarily along the US 17 corridor, and within the Rocky Point/Topsail Water and Sewer District service area. These discussions are based on the fact that this area has experienced significant growth in the last decade, and it is expected to accelerate again in the coming decade. Currently there is no provision for regional public wastewater collection and treatment services in this area to sustain the projected growth in an orderly and environmentally acceptable manner. Integra Water, LLC is proposing to finance, construct and manage a regional treatment plant (s), outfall lines and collection systems to serve this area. Discussions have ensued to the point of draft documents setting forth a contractual arrangement being reviewed by the parties. During this time Integra Water, LLC has been working to secure commitments of developers for becoming customers of a new wastewater system.

In order to move forward with securing commitments and financing, Integra Water, LLC is requesting the County take action to support and approve a proposed contractual arrangement between the Rocky Point/Topsail Water and Sewer District and the company, subject to final approvals of documents and terms including but not limited to a precursor agreement, a master services agreement and a lease agreement. This action, and future approvals, must be undertaken through the Rocky Point/Topsail Water and Sewer District Board of Commissioners.

SPECIFIC ACTION REQUESTED: To consider a resolution to support and approve a proposed contractual arrangement between the Rocky Point/Topsail Water and Sewer District and Integra Water, LLC, subject to final Board approvals of all documents and terms including but not limited to a precursor agreement, a master services agreement and a lease agreement.

COUNTY MANAGER'S RECOMMENDATION

Respectfully recommend approval.

MB
Initial

RESOLUTION

NOW, THEREFORE BE IT RESOLVED by the Rocky Point/Topsail Water and Sewer District Board of Commissioners that:

the Board does hereby support and approve a proposed contractual arrangement between the Rocky Point/Topsail Water and Sewer District and Integra Water, LLC for the provision of wastewater facilities and services within certain agreed upon areas within the Rocky Point/Topsail Water and Sewer district, subject to final Board approvals of all documents and terms including but not limited to a precursor agreement, a master services agreement and a lease agreement. The Chairman/County Manager is authorized to execute any/all documents necessary to implement this resolution.

AMENDMENTS:

MOVED _____ SECONDED _____

APPROVED _____ DENIED _____ UNANIMOUS _____

YEA VOTES: Tate ___ Blanchard ___ Brown ___ Rivenbark ___ Williams ___

Jimmy T. Tate, Chairman Date

ATTEST Date