



# CITY OF CREEDMOOR

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**MAYOR**  
DARRYL D. MOSS

**CITY MANAGER**  
THOMAS H. MERCER

**COMMISSIONERS**  
JIMMY MINOR  
OTHA PIPER, JR.  
LARRY ROBINSON  
JOHN T. STALLINGS  
HERMAN B. WILKERSON

STATE OF NORTH CAROLINA  
COUNTY OF GRANVILLE  
CITY OF CREEDMOOR

## RESOLUTION FOR SALE OF PUBLIC UTILITIES

**WHEREAS**, during the last several years the City of Creedmoor has received wholesale treated water from SGWASA for provision to its citizens and SGWASA has provided sewage treatment services to the City;

**AND WHEREAS**, the City of Creedmoor has had substantial concerns about the Authority's ability to treat the additional capacity for sewer needed by the City over the next 20 years because of restrictions on SGWASA's discharge into the Falls Lake;

**AND WHEREAS**, because of said concerns the City has explored the possibility of construction of its own standalone waste water treatment plant with the discharge of treated effluent into the Tar River;

**AND WHEREAS**, in order to further this option the City has acquired a waste water plant treatment site and a discharge site and the City has acquired through the Tar-Pam effluent capacity exchange an allocation sufficient to provide for the City's wastewater treatment needs for a period of not less than 30 years and construction of such a system remains a viable alternative to a long term contract with SGWASA or sale of the City's utility systems to the authority;

**AND WHEREAS**, during the year 2012 the City initiated a final attempt to negotiate an equitable agreement with the Authority for the long-term provision of water and sewer service to the citizens of Creedmoor in which the City is fairly compensated for the transfer of its utility assets to the Authority and assured that the citizens and property owners of Creedmoor will receive needed future capacity;

**AND WHEREAS**, several months ago the Creedmoor City Attorney drafted and forwarded to counsel for the Authority a proposed Memorandum of Understanding setting forth the methodology for such a sale and subsequently staff members from the City have engaged in discussions with Authority staff and representatives as well as representatives of the individual Authority members and it is believed that a substantial consensus now exists regarding the terms of the sale of the City's utility system to the Authority and certain necessary long-term agreements between the City and other Authority members respecting the service areas and extraterritorial jurisdictions of the respective municipalities;

**AND WHEREAS**, representatives of each of the affected jurisdictions including Creedmoor, the Town of Butner, the Town of Stem and Granville County have indicated that the terms of sale as set out herein are reasonable and should be acceptable to the individual boards of the respective jurisdictions, whose approval is required;

**NOW THEREFORE BE IT RESOLVED THAT** the City of Creedmoor will enter into a written enforceable agreement providing for the transfer of City assets necessary for the operation of water and sewer services in its jurisdiction to the South Granville Water and Sewer Authority for the sum of fifteen million six hundred seventy- five thousand dollars (\$15,675,000.00) provided that separate enforceable agreements respecting municipal service areas are entered into between the respective municipalities which are members of the Authority, Creedmoor's rights to fully participate in the SGWASA decisions through full voting rights are permanently restored and the extraterritorial jurisdictions of the municipalities as set out on the exhibit incorporated by this reference are adopted and implemented by the respective

municipalities and Granville County as provided by the General Statutes. The incorporated map is entitled "For Discussion Purposes Only, City of Creedmoor, NC Utility Service Area" prepared by the Creedmoor engineering staff dated 9/9/2013. Such written enforceable agreement shall include each of the numerous details, terms and provisions discussed by representatives of the parties, provisionally agreed upon and set out in the City Manager's written presentation to the board this day entitled "SGWASA Presentation September 24, 2013." A final draft of such written enforceable agreement shall be prepared by the City Manager and City Attorney and presented to the Board of Commissioners of the City for final review and approval at the earliest possible time, considering the need to communicate fully with the representatives of the Authority, the Town of Butner, the Town of Stem and Granville County with regard to the terms of the agreement and/or the required collateral agreements respecting service areas and ETJ.

Adopted by the Creedmoor Board of Commissioners this the 24th day of September, 2013.

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Darryl D. Moss, Mayor, City of Creedmoor

Attest:

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Robin E. Reif, City Clerk

Ayes: \_\_\_\_\_ Noes: \_\_\_\_\_