



**Town of Clayton
Regular Town Council Meeting Agenda
Monday, June 25, 2018 @ 6:00 PM
Council Chambers**

1. CALL TO ORDER

Pledge of Allegiance and Invocation

2. OLD BUSINESS

a. System Development Fees

[Cover](#)

[Ordinance](#)

POTENTIAL ACTION:

Adoption of Ordinance #2018-06-14

3. ADJOURNMENT



Town Council Agenda Cover Sheet

Meeting Date

SPECIAL MEETING - June 25 2018

Agenda Location

Old Business

Item Title

System Development Fees Ordinance

Presenters

Summary/Description

The Town of Clayton held a public hearing on June 18, 2018 to hear comments on potential changes to public water and sewer system development fees.

The North Carolina General Assembly recently passed [House Bill 436 \(HB 436\)](#) to help address fee inconsistencies among public providers, including calculation methodologies and implementation. The new law allows public water and sewer providers like the Town of Clayton to charge water & sewer System Development Fees (SDFs) to recover all or a portion of the capital investment made by the Town to provide sufficient capacity in its system to serve new users.

The Town of Clayton recently commissioned [Black & Veatch, a global utility consulting firm](#), analyze its water and sewer System Development Fees (SDFs) considering current events, in order to ensure compliance with HB 436.

The Town of Clayton proposes to update water and sewer System Development Fees for Fiscal Year 2019. The fees are charged to only new customers.

Per HB 436 guidelines, the Town of Clayton was required to offer a 45-day public comment period on the analysis and its recommendations, which it did.

Following the June 18, 2018 Public Hearing and after receipt and consideration of any comment(s) or amendments to the proposed analysis, the Clayton Town Council called for a special meeting to officially adopt the System Development Fee Analysis and the Fee Ordinance.

Requested Action

Adoption of Ordinance

Additional Documents To Be Included in Agenda Packet

Ordinance #2018-06-14

AN ORDINANCE TO ADOPT A FINAL SYSTEM DEVELOPMENT FEE SCHEDULE FOR THE
TOWN OF CLAYTON, NORTH CAROLINA

WHEREAS, the North Carolina legislature enacted Session Law 2017-138, An Act to Provide for Uniform Authority to Implement System Development Fees for Public Water and Sewer Systems in North Carolina and to Clarify the Applicable Statute of Limitations (the "Act"); and

WHEREAS, the Act required that a system development fee be calculated based on a written analysis; and

WHEREAS, the Town of Clayton hired Black & Veatch to prepare the written analysis in accordance with the Act; and

WHEREAS, the Town of Clayton posted the written analysis on its website and solicited public written comments for not less than 45 days; and

WHEREAS, on June 18, 2018, after the expiration of the 45 day public comment period, the Town Council held a public hearing regarding the written analysis; and

WHEREAS, Black & Veatch considered all comments in finalizing the written analysis; and

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Clayton, North Carolina that:

Section 1. The system development fee analysis of Black & Veatch is adopted.

Section 2. Based on the written analysis from Black & Veatch, comments received during the applicable notice period, and comments received at the Public Hearing, the following system impact development fee schedule is adopted:

Line	Meter Size	Meter Equivalency	Water System	Sewer System	Total System
			\$	\$	\$
1	5/8 Inch	1.00	1,793	3,260	5,053
2	3/4 Inch	1.50	2,690	4,890	7,580
3	1.0 Inch	2.50	4,483	8,150	12,633
4	1.5 Inch	5.00	8,965	16,300	25,265
5	2.0 Inch	8.00	14,344	26,080	40,424

Section 3. This ordinance shall become effective July 1, 2018 and shall be published in the Town's comprehensive fee schedule.

Duly adopted by the Clayton Town Council this 25th day of June 2018, while in regular session.

Jody L. McLeod
Mayor

ATTEST:

Kimberly A. Moffett
Town Clerk

Katherine E. Ross
Town Attorney

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North Carolina
Johnston County

This ____ day of _____, 2018, personally appeared before me Kimberly A. Moffett, Town Clerk of the Town of Clayton, who being duly sworn by me, says that she knows the common seal of the Town of Clayton and is acquainted with Jody L. McLeod, who is the Mayor and presiding member of said municipal corporation; and that she saw the said Mayor sign the foregoing instrument, and that she, the said Kimberly A. Moffett, signed her name in attestation of affixed said common seal of said corporation to said instrument in the presence of said Mayor.

Witness my hand and notarial seal, this the day and year first above written.

Notary Public – Signature

(SEAL)

Notary Public – Printed Name

Commission Expires: _____

County of Commission: Johnston