

WAKE COUNTY WATER, SEWER AND ROAD FINANCIAL POLICY

PRINCIPLES

The Wake County Board of Commissioners sets forth the following principles:

- That water, sewer and road plans should coordinate with and support local land use plans. Toward that end, water, sewer and road service should attract development to areas *in and around* municipalities, so as to not promote sprawl.
- That the County should not own, operate, or maintain water or sewer systems or public roads.
- That the County should encourage regional solutions or partnerships when the potential solution meets the needs of the individual municipalities and the County as a whole.

COUNTY'S ROLE

The County should continue its role as a facilitator of water and sewer service and public road infrastructure. It should *not* become an owner, operator or otherwise be responsible for the maintenance of a water or sewer system or public roads.

Through the creation and enforcement of regulations, the County will encourage property owners to install and maintain adequate water and wastewater systems, and to transfer private roads to the North Carolina Department of Transportation when appropriate.

The County may choose to participate financially in four areas:

- Economic development in the Wake County portion of Research Triangle Park.
- Non-municipal community and individual wells that have become contaminated or otherwise degraded.
- Failed non-municipal community and individual sewer systems.
- The transfer of roads designed and platted to be public but have yet to be accepted into the North Carolina Department of Transportation maintained highway system.

Policies for each area are set out below:

ECONOMIC DEVELOPMENT WITHIN RESEARCH TRIANGLE PARK

Promoting Economic Development in the Wake County portion of the Research Triangle Park

Any financial assistance from the County will be limited to properties within the Wake County portion of the Research Triangle Park (RTP) that cannot be annexed by a municipality. The County's assistance may include funding for the design and construction of the primary water transmission, reclaimed water transmission and sewerage collection system to extend service to the individual sites within RTP.

In addition, the County may approve, on a site-by-site basis, funding to construct on-site water, reclaimed water and sewer lines to within 5 feet of buildings being constructed by the industrial tenants in RTP. The County and the industrial tenant shall enter into an Infrastructure Funding Agreement for the County to be reimbursed for such costs.

NON-MUNICIPAL COMMUNITY AND INDIVIDUAL WELLS THAT HAVE BECOME CONTAMINATED OR OTHERWISE DEGRADED

The Board of Commissioners may determine that it is in the public interest to provide financial assistance to individual homeowners or communities to help them access potable water. This policy is only applicable in the unincorporated area of the County since the provision of water service within a municipality's corporate limits is entirely the responsibility of the municipality.

Infrastructure projects in response to well water contamination, or the lack of sufficient well water, at residences reliant on a well or wells are complex by nature. The guidance below represents key information necessary for decision-making by Wake County. Wake County's participation in any infrastructure project will be based upon consideration of the total situation and not necessarily upon any one individual response to the guidelines listed herein. Nor are the questions below necessarily all of the questions that will need to be answered before a decision can be made. All projects will be decided on a case-by-case basis and Wake County is under no obligation to provide project funding.

Extent of Problem		Responsibility
1a.	Water Quality: Has it been determined that a well or wells are contaminated above state (15A NCAC 18C) or federal (EPA Primary MCL) health standards as determined by analysis of well water performed by a laboratory certified by the State of North Carolina? Or, has the State Toxicologist determined that the well water should not be used for drinking and cooking?	Property owner(s)
1.b	Water Quantity: Have Wake County's Regulations Governing the Investigation and Mitigation of Well Interference been applied, but a problem remains?	Property owner(s) and Wake County
	Have the owners and occupants of all properties that rely on a well in the	Property owner(s)

2.	community (within a minimum distance of 1,000 feet from the affected well(s)) been notified in writing of the issue and available resources?	and Wake County
3.	Has the cause of water quality or quantity issue been determined?	Wake County
Alternate Solutions		
4.	Has a local government and/or private company declined to pay for the extension of waterlines with or without annexation?	Wake County
5.	Are NCDENR and/or the US EPA unable to take action to provide (or compel provision of) an alternative solution?	Wake County
6.	Have property owners investigated alternatives with site-specific cost estimates from appropriate water provision companies and/or water treatment professionals?	Property owner(s)
Infrastructure Assessment, Cost, and Involvement		
7.	Has a licensed engineer provided a detailed cost estimate of the project to extend water lines?	Property owner(s)
8.	Has the local government or private water company reviewed the engineering report and associated costs and deemed that it complies with their design and construction standards?	Wake County
9.	Does the local government or private water company have the capacity to supply the potential customers, and will they operate and maintain any and all waterlines turned over to them by Wake County in perpetuity?	Wake County
10.	Are grant funds available to cover all or a portion of the project costs?	Wake County
11.	Is there a demonstrated inability of the property owner(s) to pay for the solution, or any assessment charged? (i.e. loan denials, limited household income)?	Property owner(s)
12.	Have County funds been identified that could	Wake County

	be used in this situation?	
13.	Have the owners of the properties that will have access (frontage) to the water line AND be assessed for waterline extension costs, signed a petition approved by Wake County?	Property owner(s)

FAILED NON-MUNICIPAL COMMUNITY AND INDIVIDUAL SEPTIC SYSTEMS

The Board of Commissioners may determine that it is in the public interest to provide financial assistance to individual homeowners or communities to help the in the sanitary disposal of wastewater. This is only applicable in the unincorporated area of the County since the provision of wastewater service within a municipality's corporate limits is entirely the responsibility of the municipality.

Infrastructure projects in response to failed ground absorption wastewater treatment and dispersal systems are complex by nature. The guidance below represents key information necessary for decision-making by Wake County. Wake County's participation in any infrastructure project will be based upon consideration of the total situation and not necessarily upon any one individual response to the guidelines listed herein. Nor are the guidelines below necessarily all of the questions that will need to be answered before a decision can be made. All projects will be decided on a case-by-case basis and Wake County is under no obligation to provide project funding.

Extent of Problem		Responsibility
1.	Has it been determined that the existing system is in violation of 15A NCAC 18A.1961 Maintenance of Sewage Systems?	Property owner(s) and Wake County
2.	Has it been determined if this is a community problem or confined to an individual property?	Property owner(s) and Wake County
Alternate Solutions		
3.	Has a local government and/or a private company declined to pay for the extension of sanitary sewer lines with or without	Wake County

	annexation?	
4.	Have property owners investigated alternatives with site-specific cost estimates from appropriate professionals?	Property owner(s)
Infrastructure Assessment, Cost and Involvement		
5.	Has a licensed engineer provided a detailed cost estimate of the project to extend sanitary sewer lines?	Property owner(s)
6.	Has the local government or private company reviewed the engineering report and associated cost and deemed that it complies with their design and construction standards?	Wake County
7.	Does the local government or private company have the capacity to handle the potential customers, and will they operate and maintain any and all sewer infrastructure turned over to them by Wake County in perpetuity?	Wake County
8.	Are grant funds available to cover all or a portion of the project costs?	Wake County
9.	Is there a demonstrated inability of the property owner(s) to pay for the solution, or any assessment charged? (i.e. loan denials, limited household income)?	Property owner(s)
10.	Have County funds been identified that could be used in this situation?	Wake County
11.	Have the owners of the properties that will have access (frontage) to the sanitary sewer line AND be assessed for sanitary sewer line extension costs, signed a petition approved by Wake County?	Property owner(s)

TRANSFER OF ROADS DESIGNED AND PLANNED TO BE PUBLIC, BUT HAVE YET TO BE ACCEPTED INTO THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION MAINTAINED HIGHWAY SYSTEM

The Board of Commissioners may determine that it is in the public interest to provide financial assistance to communities to aid in repairing a road for the purpose of having it accepted into the State Highway maintained roadway system. This is only applicable in the unincorporated area of the County since the provision of road service within a municipality's corporate limits is entirely the responsibility of the municipality or the State of North Carolina. Roads with a right of way recorded or construction started prior to October 1, 1975 are not eligible for county financing. These roads will be considered for acceptance by the NC Department of Transportation (NCDOT) in accordance with the NCDOT State Maintenance Operations Manual - Secondary Streets and Subdivision Streets Policies.

Infrastructure projects in response to subdivision roadways being repaired to NCDOT standards for acceptance into the State Highway maintained roadway system are complex by nature. The guidance below represents key information necessary for decision-making by Wake County. Wake County's participation in any infrastructure project will be based upon consideration of the total situation and not necessarily upon any one individual response to the guidelines listed herein. Nor are the guidelines below necessarily all of the questions that will need to be answered before a decision can be made. All ~~projects-petitions for County financing~~ will be ~~decided-considered~~ on a case-by-case basis ~~in the order received-and~~. Funding to finance road projects will be considered during the County's annual budget process. A project will not move forward until funds are appropriated. Wake County is under no obligation to provide project funding.

Projects that are approved by the Board of Commissioners to receive County financing will be done so in accordance with North Carolina State Law. North Carolina General Statute 153A-199 states that assessments must be paid within 30 days after the assessment roll is confirmed by the Board of Commissioners, unless the Board has provided the option to pay by annual installment, which may not exceed a period of 10 years. Wake County will use the following formula to establish the annual installment period: The estimated annual installment, per lot, shall be approximately equal to the average annual property tax of all the lots requesting County financing, for a period no less than three years and no more than 10 years. Data from the Wake County Revenue Department will be used to determine the average annual property tax value.

Extent of Problem		Responsibility
1.	Are the roadways located in the unincorporated areas of Wake County?	Wake County
2.	Are the roadways designated as public on a recorded subdivision plat at the Wake County Register of Deeds?	Wake County
3.	Do the roadways meet NCDOT's minimum requirement of homes occupied to enter the State Highway maintained roadway system? (4 occupied homes per 0.2 mile)	NCDOT
4.	Has it been determined that the condition of the roadways is a public safety hazard?	Wake County
5.	Does the County have a financial guarantee posted by the developer?	Wake County
6.	Is the right of way free of illegal encroachments?	Property owner(s)
Alternate Solutions		
7.	Is the developer unable or unwilling to repair the roads and turn them over to the State Highway maintained roadway system?	Wake County
8.	Has it been determined if it is possible to hold the developer financially liable for the costs to repair the roads and turn them over to the State Highway maintained roadway system?	Property owner(s)
9.	Is there a demonstrated inability of the property owner <u>community or homeowner's association</u> to pay for the solution, or any assessment charged? (i.e. loan denials, limited household income)?	Property owner(s)
10.	If the County has a financial guarantee posted by the developer, is the amount adequate to pay for the repairs?	Wake County
Infrastructure Assessment, Cost, and Involvement		
11.	Has NCDOT conducted a punch list of the deficient roadway items in the last 60 days?	NCDOT

12.	Has a licensed engineer prepared cost estimates to repair the roads based on the NCDOT punch list?	Wake County/ Property owner(s)
13.	Have County funds been identified that could be used in this situation?	Wake County
14.	Have 75% of the owners of the properties that will have access (frontage) to the roadway(s), AND be assessed for roadway repair costs, signed a petition approved by Wake County? (NCGS 153A-205 requires minimum 75%)	Property owner(s)

FINANCIAL HARDSHIPS

If a property owner has a financial hardship which prevents them from paying the assessment as expected, they may make a written request to the Wake County Revenue Director for a modified payment arrangement on a property assessment as it relates to this policy. The property owner must occupy the home as their primary residence and must provide all information requested for the purpose of determining a financial hardship.

The Revenue Director will make a determination within 15 days of receiving all requested information. If the Revenue Director determines a financial hardship does not exist and denies the request, that decision may be appealed to the Board of Commissioners in writing within 30 days of notification by the Revenue Director.

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