

Biscoe Town Council Meeting Agenda

October 12, 2021

WORK SESSION 5:30 pm

1. Call to Order
2. Discussion and Review of Applications for the Vacant Board Position
3. Discussion for the Veterans' Committee
4. Recess

Mayor Reynolds

VETERANS COMMITTEE GOALS

1. Set rules and regulations for placing names on the Veterans' Monument at the Park
2. Help create of list of Veterans buried at Biscoe Cemetery (so flags can be placed on the graves by Committee Members.)
3. Help establish Veteran recognitions on holidays (Memorial Day and Veterans' Day, and Purple Heart Day)

People who have expressed interest in serving:

Danny Pilot – *application complete and returned*

Jerry Cornelison - *application complete and returned*

Russell Fuller – Veterans Parade Coordinator

Gracia Pack – Montgomery County Veterans Service Director

Harry Brower

Mike Chriscoe

Jimmy Patterson

Staff:

Town Manager Brandon Holland

Town Clerk Laura Morton

Town Intern Mya Ellis

Police Department Designee

Public Works Designee

Biscoe Town Council Meeting Agenda

October 12, 2021

REGULAR SESSION at 7:00 pm

1. Reconvene *Mayor Reynolds*
 - Moment of Silence
 - Pledge of Allegiance to the Flag
 - Statement of Disclosure/Conflict of Interest Statement

2. Adoption of the Agenda *Mayor Reynolds*

3. Public Forum

4. Consent Agenda
 - a) Approval of Minutes – September 13, 2021, regular meeting
 - b) Approval of Minutes – September 13, 2021, work session
 - c) Reschedule Maness Annexation Public Hearing for December 13, 2021
 - d) Declaration of Surplus Property and Approval to be sold by sealed bid

5. Appointment of New Board Member for Anliker Seat *Mayor Reynolds*

6. Budget Amendments *Manager Holland*
 - a) Request for Approval of Budget Amendment #1 – Admin – Fireproof File Cabinet

7. Request for Approval of Policy for Managing Utility Allocations & Extensions *Manager Holland*

8. Board & Staff Reports & Upcoming Events
 - a) Town Manager Barndon Holland (Recreation Funds Update)
 - b) Town Intern Mya Ellis
 - c) Town Clerk Laura Morton
 - d) Chief Shane Armstrong
 - e) Public Works Director Sam Stewart

9. Adjournment



**TOWN OF BISCOE
BOARD OF COMMISSIONERS MEETING
WORK SESSION
SEPTEMBER 13, 2021**

The Biscoe Town Board of Commissioners met in a work session on Monday, September 13, 2021, at 5:00 pm in the Municipal Building. The purpose of the meeting was to discuss the vacancy on the Board after the resignation of Dutch Anliker.

(Special Note: Gene Anderson's seat will be filled after the November 2021 Election)

Board Members Present:

Mayor Eddie Reynolds, Commissioner Kay Kinch, Commissioner Lashaunda Ryan, and Commissioner Barry Jackson.

Board Members Absent:

Commissioner Gene Anderson - passed away

Commissioner Dutch Anliker – resigned July 31, 2021 (he moved out of town)

Mayor Reynolds called the meeting to order, and the following business was conducted.

Vacant Board Position

After some discussion, the Board agreed to hold interviews on Tuesday, September 21st. The interviews would be recorded and should be no longer than 15 minutes per candidate. It was decided the Board would come up with questions and provide those questions to the Town Manager and Town Clerk so a list could be prepared prior to the interviews. The Town Clerk was asked to conduct the interviews and was asked to provide the recorded interview by September 24th.

The following candidate applications were received: John Beard, Jay Patel, Robert Dunn, and Jimmy Patterson.

The Board set a work session for October 12, 2021, at 5:30 to discuss the appointment for the vacant position. The appointment will be officially made on October 12, 2021, at 7 pm during the monthly Biscoe Town Board Meeting.

The new Board Member will be sworn in during the November 8, 2021, meeting.

Veterans Committee Discussion

The Board discussed the applications that were received for the Veterans Committee. Two applications were received: Jerry Cornelison and Danny Pilot. The Board decided to hold an interest meeting for the Veterans Committee on Monday, September 27 at 6 pm.

There being no further business, the meeting was recessed.

TOWN OF BISCOE
BOARD OF COMMISSIONERS MEETING
September 13, 2021

The Biscoe Town Board of Commissioners met in a regular session on Monday, September 13, 2021, at 7:00 pm in the Municipal Building.

Board Members Present:

Mayor Eddie Reynolds, Commissioner Kay Kinch, Commissioner Lashaunda Ryan, and Commissioner Barry Jackson.

Board Members Absent:

Commissioner Gene Anderson - passed away

Commissioner Dutch Anliker – resigned July 31, 2021 (he moved out of town)

Members of Management Present:

Town Manager Brandon Holland, Town Clerk Laura Morton, Public Works Director Sam Stewart, and Police Chief Shane Armstrong.

Call to Order/Pledge of Allegiance

Mayor Reynolds reconvened the meeting to order at 7:00 pm. The Pledge of Allegiance to the American Flag was recited and a moment of silence was observed.

Conflict of Interest Statement

Town of Biscoe Code of Ethics provides those public officials and all employees be independent, impartial and responsible to the public; those governmental decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals and in keeping with the ethical standards of conduct for town public officials and its employees, disclosure of interest in legislative action must be stated for the public record. The mayor or any member of the town council who has an interest in any official act or action before the council shall publicly disclose on the record of the council the nature and extent of such interest and shall withdraw from any consideration of the matter if excused by the council pursuant to G.S. 160A-75.

Agenda Adjustments & Approval

A motion was made by Commissioner Jackson, seconded by Mayor Pro-tem Kinch, and so the motion carried unanimously to approve the agenda with the following changes:

Remove Update on East Montgomery High School – Senator Jarvis had a scheduling change

Add Closed Session – Pursuant to NC General Statute 143-318.11 (5) Property

Public Forum

No one spoke during the public comment period.

Consent Agenda

A motion was made by Commissioner Ryan, seconded by Commissioner Jackson, and so the motion carried unanimously to approve the following consent agenda items:

- Approval of September 2021 Financial Report
- Approval of Minutes - August 9, 2021, regular meeting
- Approval of Minutes – August 9, 2021, work session
- Reschedule Annexation (Maston Maness) Public Hearing for October 12 at 7 pm
- Approval to Dissolve NCCMT Accounts and transfer to First Bank and Fidelity Bank

Request for Approval of New Water Tap – 124 Hogan Street

A motion was made by Mayor Pro-tem Kinch, seconded by Commissioner Ryan, and so the motion carried unanimously to approve a new water tap for 124 Hogan Street. (*This is outside of the city limits*).

Vacant Board Position

Mayor Reynolds announced that interviews for Board Candidates would be conducted. The interviews will be videoed and the Board will view the videos at a work session on October 12, 2021, at 5:30 pm.

Board & Staff Reports & Upcoming Events

Each Board Member, Town Manager, and all Department Heads provided updates.

Closed Session – Pursuant to NC General Statute 143-318.11 (5) Property

A motion was made by Commissioner Jackson, seconded by Mayor Pro-tem Kinch, and so the motion carried unanimously to recess the regular session and go into closed session to pursuant to NC General Statute 143-318.11 (5) Property.

A motion was made by Commissioner Ryan, seconded by Mayor Pro-tem Kinch, and so the motion carried unanimously to come out of closed session and reconvene the regular session.

The Board came out of the Closed Session with nothing to report.

Adjournment

A motion was made by Commissioner Jackson, seconded by Mayor Pro-tem Kinch, and so the motion carried to adjourn the meeting at 7:36 pm.

Reschedule Annexation Public Hearing - Maston Maness Annexation

We are waiting on the surveyor to provide legal description before paperwork can be completed. It is necessary to reschedule the public hearing until December 13, 2021.

Timothy Armstrong
Fri 10/8/2021 11:24 AM
To:

VIN 2FABP7BV6BX11607

2011 Ford Crown Victoria

Unk Mileage (odometer inoperable)

Has overheating issue while driven in tough conditions such as a pursuit.

No other known major issues ran when parked.



AMAZON

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FireKing Fireproof Lateral File Cabinet (4 Drawers, Impact Resistant, Water Resistant), 38" W x 22" D, Brown, Made in USA

Brand: FireKing

★★★★★ 5 ratings | 8 answered questions

Price: **\$4,499.00**

Get a **\$125 Amazon.com Gift Card** upon approval for the Amazon Business Prime American Express Card. Terms apply.

Style: 4 Drawer

2 Drawer

4 Drawer

Size: 39" W x 22" D

31" W x 22" D

38" W x 22" D

39" W x 22" D

44" W x 22" D

Color: Brown



Brand	FireKing
Color	Brown
Material	Metal
Finish Type	Brown
Style	4 Drawer

About this item

- Four wide file drawers built with high sides for use with hanging folders and 1 follower block per drawer
- Has UL listed high-security Medeco locks. Picking and drilling resistant lock. Keys cannot be duplicated except through FireKing. Access to vital records limited to authorized key holders only
- Fireproof insulation is 100% gypsum reinforced by a 1" x 2" lattice made of 14-gauge galvanized welded steel wire, providing complete peace of mind from fire, impact, or explosion

\$4,499.00

FREE delivery: **Oct 18 - 21**

[Deliver to Laura - Biscoe 27209](#)

In stock.

Usually ships within 4 to 5 days.

Qty: 1

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Fireking Fireproof 4 Drawer Lateral File Cabinet - Letter-Legal Size 37-1/4"W x 22"D x 53"H - Black

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Color Finish

Black



~~\$7,476.00~~ up to 40% OFF

Price: \$4,499.00

or



\$749.83/mo suggested payments with 6 month special financing

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Town of Biscoe
Policy for Managing Utility Allocations & Extensions

PURPOSE: A Policy to Establish the Provision of Water Distribution and Sewer Collection Services to Serve the Corporate Limits of the Town of Biscoe and Incorporate by Extension Additional Areas Outside the Corporate Limits Which May be Advantageous for Annexation into the Town of Biscoe, North Carolina.

WHEREAS, the Town of Biscoe, incorporated 1901, for the purpose of establishing essential municipal services for both current and future citizens;

WHEREAS, the Town of Biscoe Town Council declares the extension of potable water and sewer collection services into areas of need and areas of future growth to be a major priority; *and*

WHEREAS, the Town of Biscoe Town Council desires to establish a sound policy for the management of both water and sewer capacity to promote orderly growth in accordance with the Biscoe Town Plan 2040 – Comprehensive Land Use & Master Plan.

SCOPE/COVERAGE:

Section 1 - Policy for Evaluating and Reserving Utility Allocations

I. General Principles

- A. The Town of Biscoe has allocated substantial capital for investment in the infrastructure necessary to support a growing, prosperous, and healthy community. Water supply and wastewater treatment capacity are among the most important elements of this infrastructure.
- B. Increasing the Town’s property tax base revenues by the expansion and improvement of higher valued residential, commercial and industrial land uses and fostering a higher quality of life for its residents are the paramount factors by which utility allocation decisions are based.
- C. Consistent with the intent of this policy and other public statements and policies made by the Town Council, the following hierarchy shall apply to the evaluation of utility allocation requests:
 - 1. Location: The priority for utility extension will be given to applicants whose subject extension is to service an area that is within the corporate limits or otherwise incorporated into the Town of Biscoe.
 - 2. Industrial projects and other major employers.
 - 3. Commercial development projects with a mixed-use element.

Town of Biscoe
Policy for Managing Utility Allocations & Extensions

4. Additional phases attached to residential projects with a proven record of quality product and economic success.
5. Residential projects that include tangible, high quality community amenities.
6. Residential projects that include diverse products and opportunities.
7. Residential projects, not otherwise described above.

II. Reservation Process

- A. The owner of any project requiring utility service within the Town of Biscoe shall submit a written application for an allocation. The application shall be in letter form, addressed to the Town, and shall include detailed information on the amount of capacity necessary to serve the project, the nature of the project, project schedule in relation to consumption of utility capacity, and other supporting information demonstrating how the project serves the needs and interest of the Town of Biscoe.
- B. The Planning Board shall review and make recommendation to the Town Council for consideration and approval all allocations, which require or may require a daily flow allocation of five thousand gallons (5,000 gpd) or more; any application that requests allocation for any project outside the incorporated jurisdiction of the Town; and, any allocation made for a land use category from capacity otherwise set aside for a different land use type.
 1. Residential Subdivision Development, Mixed-use Planned Developments, Commercial and/or Industrial Developments, and Special Use Permits. The Town Council shall with deliberation incorporate the evaluation of utility allocation requests into the decision-making process associated with each of the aforementioned review processes established within the Town's development standards and specifications. The criteria contained herein for evaluation of utility allocation requests shall be included as elements within the review process for the accompanying land use application with regard to conformity with Town of Biscoe' policies and ordinances, planning practices, and consistency with the adopted *Town Plan 2040 - Comprehensive Land Use and Master Plan* or later version.
- C. The Town Public Works Engineer shall review for approval all incorporated area applications for utility capacity, which require a daily flow allocation of less than five thousand gallons (5,000 gpd) for allocations.

Town of Biscoe
Policy for Managing Utility Allocations & Extensions

1. The Town Public Works Engineer shall consider the goals articulated by this and related Town policies when reviewing applications for utility allocations. If an application is denied, the Town Public Works Engineer shall state in writing the reasons for denial of the request.
 2. Appeals process. Any applicant whose application for utility service is denied by the Town Public Works Engineer and who believes that such denial is inconsistent with the goals and priorities stated by this and related Town policies may appeal the denial for review by the Town Council for final decision at the next regularly scheduled Town Council meeting.
- D. Utility allocations granted under this policy shall require the requestor to post the tap fees within forty-five (45) days of the date the allocation is granted. Failure to pay the tap fees within this period may result in revocation of the allocation.
1. All utility allocations approved by the Town shall be effective for a period of twenty-four (24) months. Projects possessing an allocation must start construction within the time shown on the project schedule prepared and submitted by the developer or customer.
 2. Upon request by the applicant and at the discretion of the Town Manager, an allocation may be extended for a twelve (12)-month period.
 4. At the final expiration date for an unused allocation the Town shall rescind the allocation and retain sixty percent (60%) of the applicable fees paid to the Town.
 5. Authority of the distributing of utility allocations in association with the Town's utility services is held exclusively by the Town of Biscoe. Utility allocations shall not be redistributed to a third party.
 6. Relinquishment of allocated utilities shall be in accordance with Subsection II.E of this policy.
- E. An allocation holder may relinquish capacity back to the Town subject to the following policies for reimbursement of fees paid:

Town of Biscoe
Policy for Managing Utility Allocations & Extensions

1. If a project is unsuccessful in obtaining any required Town or County permit or approval or any State permit or approval, and the allocation holder relinquishes capacity back to the Town within ninety (90) days of the date the allocation is granted, the full amount paid on utility tap fees shall be reimbursed without penalty or other withholding by the Town.
2. If a project is successful in obtaining all required Town, County and State approvals and agrees to relinquish the total capacity allocation granted back to the Town within ninety (90) days following receipt of final permit approval from the Town, then the total amount of the utility capacity fees paid to the Town shall be returned without penalty or other withholding by the Town.
3. If a project is unsuccessful in obtaining any required Town or County permit or approval or any State permit or approval and holds an allocation for ninety (90) or more days, but relinquishes back to the Town the full amount of allocation within fewer than six (6) months beyond the scheduled date for start of construction, then twenty percent (20%) of the total utility tap fees shall be retained by the Town and the remaining amount shall be returned to the applicant.
4. If a project is successful in obtaining all required Town, County and State approvals and holds an allocation for ninety (90) or more days following receipt of final permit approval from the Town, but relinquishes back to the Town the full amount of allocation within fewer than six (6) months beyond the scheduled date for start of construction, then twenty percent (20%) of the total utility tap fees shall be retained by the Town and the remaining amount shall be returned to the applicant.
5. If a project is or is not successful in obtaining all required Town, County and State approvals and the allocation holder agrees to relinquish the total capacity allocation granted back to the Town after six (6) months beyond the scheduled date for start of construction, but within twelve (12) months beyond the scheduled date for start of construction, then thirty percent (30%) of the total utility tap fees shall be retained by the Town and the remaining amount shall be returned to the applicant.
6. If a project is or is not successful in obtaining all required Town, County and State approvals and the allocation holder agrees to relinquish the total capacity allocation granted back to the Town after

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twelve (12) months beyond the scheduled date for start of construction, but within eighteen (18) months beyond the scheduled date for start of construction, then forty percent (40%) of the total utility tap fees shall be retained by the Town and the remaining amount shall be returned to the applicant.

7. If a project is or is not successful in obtaining all required Town, County and State approvals and the allocation holder agrees to relinquish the total capacity allocation granted back to the Town after eighteen (18) months beyond the scheduled date for start of construction, but within twenty-four (24) months beyond the scheduled date for start of construction, then fifty percent (50%) of the total utility tap fees shall be retained by the Town and the remaining amount shall be returned to the applicant.
 8. If a project is or is not successful in obtaining all required Town, County and State approvals and has not demonstrated significant construction advancement in the proposed project within twenty-four (24) months beyond the scheduled date for start of construction, then the Town shall rescind the allocation and retain sixty percent (60%) of the applicable fees paid to the Town and the remaining amount shall be returned to the applicant.
- F. Granting of a utility allocation does not imply or confer approval of any other applications or reviews as may be required by Town Ordinance or policy and does not imply or create any vested right per G.S 160D-108.
- G. If the Town of Biscoe approves an allocation for utility capacity for a project and a permit for such project is ultimately denied by the North Carolina Department of Environmental Quality, its successors or other responsible regulatory agency, then the Town of Biscoe shall bear no liability for any costs incurred by the applicant, nor bear further responsibility in the matter. In such cases, applicable utility access fees, if previously collected, shall be returned as provided in Subsection II.E.

Town of Biscoe
Policy for Managing Utility Allocations & Extensions

III. Capacity Accounting

- A. Due to weather related factors, the regulatory environment, and the dynamic nature of both water resources and wastewater flow and treatment, accounting of available utility capacity is, by its very nature, inexact. The Town of Biscoe shall seek to track the amount of capacity that may be available for allocation; however, such reports do not constitute a policy statement, commitment or guarantee on the amount of capacity available for allocation.
 - 1. The Town Public Works Engineer shall prepare and incorporate as part of the program established hereunder a schedule of utility capacity available and a list of allocations granted.
 - 2. The Town Public Works Engineer shall make at least annual reports to the Town Council regarding the status of utility capacities available and allocations granted.

Section 2 - Utility Extension Policy

I. General Principles

- A. The Town of Biscoe has allocated substantial capital for investment in the infrastructure necessary to support a growing, prosperous, and healthy community. Water supply and wastewater treatment capacity are among the most important elements of this infrastructure.
- B. Increasing the Town's property tax base revenues by the expansion and improvement of higher valued residential, commercial and industrial land uses and fostering a higher quality of life for its residents are the paramount factors by which utility allocation decisions are based.
- C. Consistent with the intent of this policy and other public statements and policies made by the Town Council, the following hierarchy shall apply to the evaluation of utility extension requests:
 - 1. Location: The priority for utility extension will be given to applicants whose subject extension is to service an area that is within the corporate limits or otherwise incorporated into the Town of Biscoe.
 - 2. Industrial projects and other major employers.
 - 3. Commercial development projects with a mixed-use element.
 - 4. Additional phases attached to residential projects with a proven record of quality product and economic success.

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Policy for Managing Utility Allocations & Extensions

5. Residential projects that include tangible, high quality community amenities.
 6. Residential projects that include diverse products and opportunities.
 7. Residential projects, not otherwise described above.
- D. The planning and extension of water and sewer systems of the Town of Biscoe shall be accomplished in accordance with the following general principles:
1. Extensions shall be made to promote the orderly growth of the community. The minimum distance for any extension of a water main or sanitary sewer main shall be determined by Town Council. In general, the minimum distance for extensions shall be one platted block or, in the case of water mains, from main line valve to main line valve; and in the case of sanitary sewer extensions, from manhole to manhole.
 2. The size of water mains and sanitary sewer mains to be installed, and the other required system facilities shall be determined by the Town Council in accordance with the recognized standards and accepted engineering practices and design, and in accordance with applicable system plans adopted by the Town Council.
 3. The Town shall be responsible for the maintenance, operation, control and ownership of all water and sewer facilities.
 4. Developers of subdivisions shall be responsible for the full cost of installing utilities within their own subdivisions, and for the full cost of any mains or outfalls required to connect said subdivisions to the water or sewer systems of the Town existing at the time. This provision shall apply to all subdivisions whether within or outside of the corporate limits.

II. Application for Extension and Approval of Extension Application

- A. Any property owner or owners desiring water or sanitary sewer service shall apply in writing to the Town Council requesting the extension of water or sanitary sewer service or both. No request for the extension of services shall be considered unless submitted in writing in accordance with this Chapter and applicable provisions of the Town of Biscoe Development Ordinance.

Town of Biscoe
Policy for Managing Utility Allocations & Extensions

- B. The applicant shall be required to submit as part of the application, and prior to approval, such information, plans, specifications, or other data as may be required to adequately determine if the requirements of this Chapter and applicable provisions of the Town of Biscoe Development Ordinance are to be met.
- C. Prior to final approval by the Town, the applicant shall furnish to the Town all necessary information, reports, plans and specifications as well as appropriate fees payable to the Town and documentation of all required permits from other units of government and their agencies.
- D. When application is made for a water or sewer extension or both to serve an area or development that is planned as part of a larger development project or subdivision, all of which is not to be developed at the time application is made, the owner or owners shall submit plans in sufficient detail in order to determine the size and type facilities which will be necessary to serve the entire development or subdivision when completed.
- E. No extension to the water or sanitary sewer system of the Town shall be made, and no application approved, except in accordance with the requirements of this Section and the consistent with the adopted *Town Plan 2040 - Land Use and Comprehensive Master Plan* or later version.

III. Financing Extensions within the Corporate Limits

- A. *Extensions to Existing Lots, Parcels or Developed Property.*
 - 1. When application is received requesting the extension of water or sanitary sewer service or both to serve property, within the corporate limits, which is developed or where streets have been previously dedicated and accepted by the Town, and where the area is not part of a new subdivision, the Town Public Works Engineer or other person designated by the Town Council shall estimate the cost of the project and present the application for the extension, the estimated cost and other required information to the Town Council for consideration. If the application is approved by the Town Council, and subject to the availability of funds, the Town will install or have installed by contract under its supervision, the extensions which have been approved, and the extensions shall be financed in accordance with this Section.

Town of Biscoe
Policy for Managing Utility Allocations & Extensions

2. Upon receipt of a petition to extend a water and/or sewer main, the Town Council has the following five options for response:
 - a. Install the extension at the Town's expense.
 - b. Approve and allow the petitioner to install the extension at petitioner's expense.
 - c. Install the extension at the petitioner's expense.
 - d. Install and jointly finance the extension in cooperation with the petitioner.
 - e. Deny the request.
3. The criteria under which an option will be chosen are generally defined herein; however, the Town Council may act according to any aforementioned option, which it feels is in the best interest of the Town.
4. When the Town determines that it is advisable to install larger size lines or facilities than are necessary to serve the benefited property, the difference in the cost of the larger size facilities over the cost of the facilities required to serve the benefited property the extensions shall be paid by the Town and excluded from the total cost to be shared by the property owner(s) and the Town as provided herein.

- B. *Extension by the Town Council's Initiative.* Nothing in this Chapter shall prevent the Town Council from extending water or sanitary sewer mains or both within the corporate limits on their own initiative without receipt of an application from property owners and to assess the cost of such extensions in accordance with Subsection III.A above, when, in the opinion of the Town Council, the general public interest requires such extensions of service.

IV. Financing Extensions to Subdivisions and Properties Outside of the Corporate Limits

The financing of extensions of water or sanitary sewer service or both to properties located outside of the corporate limits or to subdivisions for which the extension of service has not been approved as of the date of adoption of this Ordinance shall be performed in accordance with the provisions of this Article and other applicable Town Ordinances including but not limited to the Town of Biscoe Development Ordinance.

- A. All applications for water and sewer extensions to serve properties located outside of the corporate limits or to serve subdivisions, for which an application for extension has not been approved as of the date of this Ordinance, shall be made in the same manner and under the same requirements as provided for in Subsection III.A and Subsection III.B.

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- B. If an application is approved by the Town Council, the owner or owners shall be required to pay 100% of the total cost of all extensions. However, the Town may participate to the extent agreed upon by the Town Council in the cost of larger size mains that are in excess of the size mains required to serve the project. No reimbursement by the Town shall be made upon annexation and all water and sewer lines connected to the Town system and located outside of the corporate limits shall become the property of the Town at the time those facilities are connected.

- C. All applicants requesting utility services shall, at the request of the Town, file a petition for annexation to the Town. Failure to file a petition for voluntary annexation or satellite annexation on notice from the Town may result in immediate termination of water service upon finding by the Town Council of a breach of the agreement for the provision of water service.

V. Specifications; Ownership

Any water mains or sanitary sewer mains, lift stations, pumping stations, tanks, controls, telemetry, easements and/or other appurtenances extended under the provisions of this Chapter shall be installed and constructed in accordance with the approved plans, specifications and other requirements of the Town. All facilities installed under the provisions of this Chapter, whether within or outside the corporate limits, shall become the sole property of the Town and under its jurisdiction and control for any and all purposes whatsoever at the time those facilities are connected to the Town system. The property owner or owners shall grant to the Town such utility easement as the Town may require. In addition, a deed to the Town for water or sewer facilities installed which are located outside the corporate limits, the cost of which is borne by the applicant or property owners, shall be executed prior to the time any extensions provided for in this Chapter are connected to the Town system.

ADOPTED on this the ___th day of _____ 2020.

s/ _____
Eddie Reynolds, Mayor

s/ _____
Laura B. Morton, Town Clerk