

Leland circulates annexation petition for residents outside H2Go service boundary

By [WECT Staff](#) | September 25, 2019 at 12:10 PM EDT - Updated September 25 at 6:59 PM

LELAND, N.C. (WECT) - The Town of Leland is circulating a petition for residents who are not part of the H2GO's Sanitary District in an effort to allow them to potentially vote in elections for board members if [an interlocal agreement](#) is approved.

The agreement, which would potentially end litigation over H2GO's sewer and water assets and create a singular, regional system, was announced in August.

In the agreement, Belville would return all Sanitary District assets, Leland would convey its water and sewer lines to the Sanitary District, the Sanitary District would operate and maintain all water and sewer assets as a singular system, and the Sanitary District would construct an aquifer-based reverse osmosis water treatment plant.

The areas outside of the current Sanitary District include Brunswick Forest, Windsor Park, Summerlin Trace, and several other individual parcels and undeveloped areas.

If these areas are not included in the boundaries and the Town's water and sewer assets are conveyed to H2GO in the agreement, then those residents would not be allowed to vote in elections for the H2GO Board of commissioners who will set their water and sewer rates.

The primary goal of the petition is to ensure potential future water and sewer customers are also voting constituents in the Sanitary District boundaries if Town Council members approve the interlocal agreement.

According to the Town of Leland, the addition of water and sewer service areas into the Sanitary District boundary is not automatic with the conveyance of assets from the Town.

The laws – specifically N.C. General Statute 130A-69 through 70.1 – provide a few different mechanisms and thresholds for annexation of areas into the Sanitary District, paraphrased as follows:

- If 100% of resident freeholders (property owners) of an area petition for annexation, the Sanitary District can take action to annex the area at its discretion without any other required process of elections or hearings.
- If 51% of resident freeholders (property owners) of an area petition for annexation, the Sanitary District must follow a procedure that notifies county commissioners and includes a public hearing and joint meeting with the N.C. Department of Health and Human Services before any action can be taken by the Sanitary District to annex the area.
- If 15% of resident freeholders (property owners) of an area petition for annexation, the Sanitary District must follow a procedure that notifies county commissioners and

includes a public hearing and joint meeting with the N.C. Department of Health and Human Services. Then, the matter can be placed on a ballot for a vote of the residents of the area for annexation, with a majority vote required to approve the annexation.

For satellite annexation areas of the Town not currently in the Sanitary District boundary, the Town Council can request they be annexed into the Sanitary District and the Sanitary District can annex the areas by resolution.

The Town of Leland is trying to do its due diligence to help ensure residents are not disenfranchised, despite knowing that not everyone will understand or agree with these efforts.

Town leaders will hold a special meeting to consider approval of the interlocal agreement, settlement agreement and other agreements associated with this matter Wednesday, Oct. 2 at 6 p.m. in Council Chambers at Leland Town Hall.