



## RESOLUTION DECLARING INTENT TO REGIONALIZE THE TOWN OF PITTSBORO WATER AND WASTEWATER UTILITY SYSTEMS WITH THE CITY OF SANFORD

### SECTION A

1. **WHEREAS**, the Town of Pittsboro owns and operates a potable water treatment and distribution system for the benefit of the Town's citizens, residents, and customers; and
2. **WHEREAS**, the Town of Pittsboro owns and operates a wastewater treatment and sanitary sewer collection system for the benefit of the Town's citizens, residents, and customers; and
3. **WHEREAS**, on April 12, 1999, the Town of Pittsboro enacted an ordinance establishing a moratorium on the Approval of Subdivisions of Land to prohibit approval and construction of residential subdivisions within the Town's corporate limits and the Town's Extra-territorial Jurisdiction for a period of 90 days while the Board of Commissioners intended to complete and enact a comprehensive new regulations for capital improvements inclusive of a new water and wastewater Capital Improvement Plan (CIP), fee structure, and regulations to implements the water and wastewater CIP; and
4. **WHEREAS**, on June 28, 1999, the Town of Pittsboro enacted an ordinance extending the April 12, 1999 established moratorium set to expire on July 11, 1999 for a period of an additional 60 days setting a new expiration date of September 10, 1999; and
5. **WHEREAS**, on April 24, 2000, the Town of Pittsboro enacted an ordinance establishing a moratorium on the Approval of Subdivisions of Land to prohibit approval and construction of residential subdivisions within the Town's corporate limits and major residential subdivisions in the Town's Extra-territorial Jurisdiction for a period of 365 days while the Board of Commissioners intended to complete and enact comprehensive new plans for the Town's future wastewater treatment needs and permitted hydraulic capacity, expansion of the Town's raw water intake and treatment facilities, the Town's Transportation Development Plan, and an update to the Town's Land Development Plan; and
6. **WHEREAS**, on March 26, 2001, the Town of Pittsboro enacted an ordinance extending the April 24, 2000 established moratorium set to expire on April 23, 2001 for a period of an additional 30 days setting a new expiration date of May 21, 2001; and

7. **WHEREAS**, on April 23, 2001, the Town of Pittsboro enacted an ordinance authorizing a second extension of the April 24, 2000 established moratorium set to expire on May 21, 2001 for a period of an additional 365 days, setting a new expiration date of May 21, 2002, and only subject to property within the Town's corporate limits and the Town's Extra-territorial Jurisdiction desiring to connect to the Town's public water and wastewater utilities; and
8. **WHEREAS**, on May 20, 2002, the Town of Pittsboro enacted an ordinance authorizing a third extension of the April 24, 2000 established moratorium set to expire on May 21, 2002 for a period of an additional 365 days, setting a new expiration date of May 21, 2003, and only subject to property within the Town's corporate limits and the Town's Extra-territorial Jurisdiction desiring to connect to the Town's public water and wastewater utilities; and
9. **WHEREAS**, on October 14, 2002, the Town of Pittsboro enacted an ordinance lifting April 24, 2000 established moratorium, and all subsequent extensions, set to expire on May 21, 2003 subject to residential construction within the Town's corporate limits and the Town's Extra-territorial Jurisdiction desiring to connect to the Town's public water and wastewater utilities; and
10. **WHEREAS**, on March 8, 2004, the Town of Pittsboro enacted an ordinance establishing a moratorium on the Approval of Subdivisions of Land to prohibit approval and construction of any major subdivisions proposed for the establishment of new residential units within the Town's corporate limits and any major residential subdivision requiring public water and wastewater utility service in the Town's Extra-territorial Jurisdiction for a period of 365 days while the Board of Commissioners intended to complete plans to expand the Town's sewer use capacity; and
11. **WHEREAS**, on February 28, 2005, the Town of Pittsboro tabled any decision to consider extending the March 8, 2004 established moratorium set to expire on March 8, 2005; and
12. **WHEREAS**, on April 11, 2005, the Town of Pittsboro enacted an ordinance establishing a moratorium on the Approval of Subdivisions of Land to prohibit any major subdivisions proposed for the establishment of new residential units and non-residential development requiring more than 1,800-gallons per day of public water and wastewater utility services within the Town's corporate limits and any major residential subdivision requiring public water and wastewater utility service in the Town's Extra-territorial Jurisdiction for a period of 365 days while the Board of Commissioners intended to complete plans to expand the Town's wastewater capacity; and
13. **WHEREAS**, on April 10, 2006, the Town of Pittsboro enacted an ordinance establishing a moratorium on the Approval of Subdivisions of Land to prohibit any major subdivisions proposed for the establishment of new residential units and



non-residential development requiring more than 1,800-gallons per day of public water and wastewater utility services within the Town's corporate limits and any major residential subdivision requiring public water and wastewater utility service in the Town's Extra-territorial Jurisdiction for a period of 365 days while the Board of Commissioners intended to complete plans to expand the Town's wastewater capacity; and

14. **WHEREAS**, on October 22, 2007, the Town of Pittsboro enacted an ordinance establishing a moratorium on the Approval of Major Subdivisions, Planned Unit Developments, and Non-Residential Development of Land to prohibit any major residential subdivision, planned unit development, or non-residential development requiring more than 1,800-gallons per day of public water and wastewater utility services within the Town's corporate limits and the Town's Extra-territorial Jurisdiction for a period of two (2) years or 730 days while the Board of Commissioners intended to complete plans to expand the Town's wastewater capacity; and
15. **WHEREAS**, on October 12, 2009, the Town of Pittsboro enacted an ordinance establishing a moratorium on the Approval of Major Subdivisions, Planned Unit Developments, and Non-Residential Development of Land to prohibit any major residential subdivision, planned unit development, or non-residential development requiring more than 1,800-gallons per day of public water and wastewater utility services within the Town's corporate limits and the Town's Extra-territorial Jurisdiction for a period of two (2) years or 730 days while the Board of Commissioners intended to complete plans to expand the Town's wastewater capacity; and
16. **WHEREAS**, in the October 12, 2009 ordinance establishing a moratorium, the Town of Pittsboro acknowledges the pursuit of a public-private partnership including the Town of Pittsboro, Chatham County, and private developers for the design and construction of a new 3.2-million gallons per day wastewater treatment plant; and
17. **WHEREAS**, on October 10, 2011, the Town of Pittsboro enacted an ordinance extending the two-year moratorium enacted on October 12, 2009 set to expire on October 11, 2011, to October 25, 2011; and
18. **WHEREAS**, in the October 10, 2011 ordinance extending the established October 12, 2009 moratorium to October 25, 2011, the Town of Pittsboro acknowledges the exploration of a connection to the City of Sanford's wastewater treatment facility, with an expected evaluation of this option by December 2011 as an alternative to the public-private partnership between the Town of Pittsboro,

Chatham County, and private developers for the design and construction of a new 3.2-million gallons per day wastewater treatment plant; and

19. **WHEREAS**, on October 24, 2011, the Town of Pittsboro enacted an ordinance extending the two-year moratorium enacted on October 12, 2009, originally set to expire on October 11, 2011, to October 25, 2011 once again to December 25, 2011 subject to any major subdivision of land, planned unit development, or multi-family residential development proposed for the establishment of new residential units with the Town's corporate limits and any major residential subdivision, planned unit development, or multi-family residential development requiring more than 3,600 gallons per day of public water and wastewater utility services within the zoning jurisdiction of the Town; and
20. **WHEREAS**, in the October 24, 2011 ordinance authorizing a second extension of the established October 12, 2009 moratorium to December 25, 2011, the Town of Pittsboro acknowledges the exploration of a connection to the City of Sanford's wastewater treatment facility, with an expected evaluation of this option by December 2011, as an alternative to the public-private partnership between the Town of Pittsboro, Chatham County, and private developers for the design and construction of a new 3.2-million gallons per day wastewater treatment plant; and
21. **WHEREAS**, on October 13, 2014, the Town of Pittsboro issued a Request for Qualifications for Wastewater Treatment Plant Expansion and Upgrade for a Preliminary Engineering Report to study our existing facility and the opportunities to pump to another facility, including those operated by the City of Sanford; and
22. **WHEREAS**, the Town of Pittsboro and the City of Sanford continued to develop a path forward for the transmittal of wastewater from Pittsboro to Sanford, and on March 6, 2017 the City of Sanford approved and executed a contract to move forward with a force main project with the Town of Pittsboro to transmit up to an average 2-million gallons per day of Pittsboro-generated wastewater for treatment in Sanford; the Town of Pittsboro approved and executed the contract on March 13, 2017; and
23. **WHEREAS**, on October 8, 2018, the Town of Pittsboro engaged an engineering consultant to purpose and water supply and water treatment expansion study for the Town's potable water needs; and
24. **WHEREAS**, on February 11, 2019, the Town of Pittsboro added to the scope of the water supply and water treatment expansion study for the Town's potable water needs to include analysis of emerging contaminants, including Per- and Polyfluoroalkyl substances (PFAS), 1,4 dioxane, and brominated compounds, in the Haw River, the Town's raw water supply; and



25. **WHEREAS**, on October 14, 2019, the Town of Pittsboro commissioned a water treatment plant pilot testing study to review the most effective advanced treatment methods to remove emerging contaminants from the Town's drinking water; and
26. **WHEREAS**, in June 2020, the Town of Pittsboro and the City of Sanford, on the basis of further exploring a joint utility partnership, cooperatively agreed to a qualifications-based selection process to select an engineering firm to identify and evaluate options for an interlocal agreement (ILA) between the Town of Pittsboro and the City of Sanford for the provision of safe, reliable, and sustainable water and wastewater services within their respective existing and future service areas; and
27. **WHEREAS**, in November 2020, the Town of Pittsboro and the City of Sanford selected an engineering consultant to work on behalf of the two partners to consider regional interconnections and planning studies with a macro perspective to reduce costs and increase efficiencies for both enterprise systems; and
28. **WHEREAS**, on February 8, 2021, the Town of Pittsboro approved a contract to move forward with a construction project at the Town's water treatment plant to install granular activated carbon (GAC) advanced treatment measures to address the ongoing emerging contaminant concerns in the Town's drinking water; and
29. **WHEREAS**, on August 9, 2021, the Town of Pittsboro engaged in an interlocal agreement with the City of Sanford and Chatham County to perform a Preliminary Engineering Report (PER) and an environmental assessment for a proposed waterline extending from the City of Sanford to the Triangle Innovation Point (TIP) megasite and northward to serve the Town of Pittsboro; and
30. **WHEREAS**, on October 6, 2021, after solicitation of bids for the Pittsboro Wastewater Improvements project, which includes the conversion of the Town's existing wastewater treatment plant and the construction of a wastewater force main connecting to the City of Sanford's wastewater collection system, the Town was forced to reject all bids due to responsive bid costs far exceeding the project budget; and
31. **WHEREAS**, on November 22, 2021, the Town of Pittsboro entered into an Interlocal Agreement with the City of Sanford, Chatham County, the Town of Holly Springs, and the Town of Fuquay-Varina, to jointly construct an 18-million gallon per day expansion to the existing City of Sanford water treatment plant; and
32. **WHEREAS**, in a letter to the City of Sanford dated November 23, 2021, communicating the Town of Pittsboro's intent to enter into the Interlocal Agreement for the joint construction of an 18-million gallon per day expansion to the City of

Sanford water treatment plant, the Town of Pittsboro also requested an additional 3-million gallons per day of wastewater treatment in addition to the Town's 2-million gallons per day of wastewater treatment to be delivered to the City of Sanford; and

33. **WHEREAS**, the Town of Pittsboro has continually endeavored to advance these aforementioned water and wastewater improvement projects while striving to be considerate of our customer in our utility rates.

## **SECTION B**

1. **WHEREAS**, the City of Sanford owns and operates a potable water treatment and distribution system for the benefit of the City's citizens, residents, and customers; and
2. **WHEREAS**, the City of Sanford owns and operates a wastewater treatment and sanitary sewer collection system for the benefit of the City's citizens, residents, and customers; and
3. **WHEREAS**, the Town of Pittsboro is in need of improved quality and increased quantities in its water and wastewater utility system for the benefit of the Town's existing and future citizens, residents, and customers; and
4. **WHEREAS**, the Town of Pittsboro desires to provide improved quality and increased quantities in its water and wastewater utility system in a manner considerate of utility rates and other revenue generating methods imposed Town's existing and future citizens, residents, and customers; and
5. **WHEREAS**, the City of Sanford is currently, and in the future, better positioned with excess capacity capabilities to treat and dispose of Pittsboro-generated water and wastewater than Pittsboro while also maintaining water and wastewater utility service to and for the benefit of the City's citizens, residents, and customers; and
6. **WHEREAS**, the Town of Pittsboro recognizes that a lack of water and wastewater treatment capacity and modern distribution and collection infrastructure could pose a detrimental effect on the ability of the Town to provide reliable utilities to its citizens, on the aesthetic quality of the Town, and the safety of the public, thus threatening the long-term economic health and viability of the Town's citizens, residents, and customers.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Board of Commissioners of the Town of Pittsboro, in consideration of the foregoing and hereafter set forth that we hereby expresses our intention to regionalize the public water and wastewater utility systems of the Town of Pittsboro, inclusive of the water treatment plant, public water conveyance and distribution infrastructure, wastewater treatment plant, and public wastewater collection infrastructure, by formally merging this infrastructure with the City of Sanford's public water and wastewater systems.



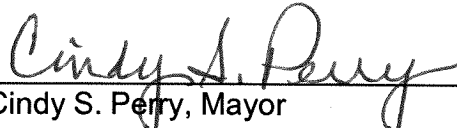
**BE IT FURTHER RESOLVED** that the Town Manager is hereby directed to prepare a letter to the attention of the City of Sanford Mayor and City Council of the Town's intent to and formal request to regionalize the water and wastewater utility systems of the Town of Pittsboro with the City of Sanford.

**BE IT FURTHER RESOLVED** that this Resolution be spread upon the permanent records of the Town of Pittsboro and a copy of this Resolution be delivered to the City of Sanford.

This 23<sup>rd</sup> day of May, 2022.

TOWN OF PITTSBORO

By:

  
Cindy S. Perry, Mayor

ATTEST:

  
Paul S. Messick Jr., Interim Town Clerk







May 24, 2022

City of Sanford  
C/o Hon. T. Chet Mann, Mayor  
PO Box 3729  
Sanford, NC 27331-3729

**RE: Town of Pittsboro Letter of Intent & Request to Regionalize the Town of Pittsboro Water and Wastewater Utility Systems with the City of Sanford**

Dear Mayor Mann,

On behalf of the Town of Pittsboro, our Mayor, and the Board of Commissioners, please accept this letter as our formal, written request to the City of Sanford to consider a merger of the Pittsboro water and wastewater utility systems with the City of Sanford consolidating our utility infrastructure and assets into an integrated system owned and operated by the City of Sanford.

Pittsboro and Sanford first discussed utility interconnectivity opportunities over a decade ago and since those first conversations, Pittsboro and Sanford have advanced as partners in several significant, but one-off, water and wastewater projects. As Pittsboro seeks to continue its identified growth trajectory, we find regional integration of the utility systems to be the best course of action and a tremendous opportunity for both communities. To that end, on May 23, 2022, the Pittsboro Board of Commissioners adopted a Resolution Declaring Intent to Regionalize the Town of Pittsboro Water and Wastewater Utility Systems with the City of Sanford, please find this Resolution attached hereto.

Pittsboro understands that our Resolution of Intent in no way compels or mandates a regional approach to water and wastewater capacity, conveyance, or treatment upon the City of Sanford. However, Pittsboro is confident that the City of Sanford will agree that both communities will find excessive benefits by completing this integration of our utility systems. Pittsboro appreciates the dialogue that has brought us to this point and the requisite resources, energy, and time that will be needed to further consider and develop this type of merger agreement.

In summary, the Town of Pittsboro is excited about the prospects of this Pittsboro – Sanford utility merger opportunity and hereby requests the City of Sanford's concurrence on an agreement to move forward with the necessary documentation to bring this merger of the Pittsboro water and wastewater utility systems with the City of Sanford consolidating our utility infrastructure and assets into an integrated system owned and operated by the City of Sanford into reality. I would like to thank you Mayor Mann, the Sanford City Council, City Manager Hegwer and his staff, and your community for the continued willingness to partner for the common good of Pittsboro and Sanford. We look forward to embarking upon this merger agreement to solidify our partnership with the City of Sanford.

Please do not hesitate to contact me if you require further direction or have any questions.

Sincerely,

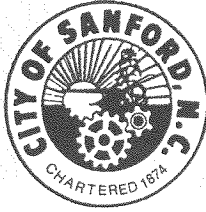
Chris Kennedy  
Town Manager

Attachments:

1. May 23, 2022 Resolution Declaring Intent to Regionalize the Town of Pittsboro Water and Wastewater Utility Systems with the City of Sanford

Cc:

Hon. Cindy Perry, Mayor of Pittsboro  
Pamela Baldwin, Mayor Pro Tempore, Town of Pittsboro  
John Bonitz, Commissioner, Town of Pittsboro  
Jay Farrell, Commissioner, Town of Pittsboro  
Kyle Shipp, Commissioner, Town of Pittsboro  
James Vose, Commissioner, Town of Pittsboro  
Hal Hegwer, City Manager, City of Sanford



P.O. Box 3729  
Sanford, NC 27331-3729

(919) 777-1110  
FAX: (919) 775-8205  
Email: hal.hegwer@sanfordnc.net

---

## City of Sanford

---

**Hal Hegwer**  
City Manager

June 27, 2022

Chris Kennedy, Town Manager  
Town of Pittsboro  
P.O. Box 759  
Pittsboro, North Carolina 27312

Re: City of Sanford Approval of Resolution Declaring the Intent to Investigate Merging  
Water and Wastewater Utility Systems with the Town of Pittsboro

Mr. Kennedy,

At its June 21, 2022 meeting, the Sanford City Council approved a resolution declaring its intent to investigate merging water and wastewater utility systems with the Town of Pittsboro. For your reference, enclosed you will find a copy of the resolution.

We look forward to working with the Town of Pittsboro and examining the mutual benefits of this endeavor.

Sincerely,

Hal Hegwer  
City Manager

Enclosure



**RESOLUTION DECLARING THE INTENT TO INVESTIGATE  
MERCING WATER AND WASTEWATER UTILITY SYSTEMS WITH  
THE TOWN OF PITTSBORO**

**WHEREAS**, the City of Sanford operates and maintains facilities for treatment of potable water and wastewater, and potable water distribution and sanitary sewer collection systems for the benefit of the City's residents and customers; and

**WHEREAS**, the Town of Pittsboro is in need of improved quality and increased quantities in its water and wastewater utility system for the benefit of the Town's existing and future residents and customers; and

**WHEREAS**, the Town of Pittsboro desires to provide improved quality and increased quantities in its water and wastewater utility system in a matter considerate of utility rates and other revenue generating methods imposed on the Town's existing and future residents and customers; and

**WHEREAS**, the City of Sanford is currently, and in the future positioned with capacity capabilities to treat, deliver, collect, and dispose of Pittsboro-generated water and wastewater while also maintaining water and wastewater utility service to and for the benefit of its residents and customers; and

**WHEREAS**, the Town of Pittsboro recognizes that a lack of water and wastewater treatment capacity and modern distribution and collection infrastructure could pose a detrimental effect on the ability of the Town to provide reliable utilities to its residents, on the aesthetic quality of the Town, and the safety of the public, thus threatening the long-term economic health and viability of the Town's residents and customers; and

**WHEREAS**, the Town of Pittsboro expressed their intention by a resolution passed on May 23, 2022 to regionalize the public water and wastewater systems with the City of Sanford's systems; and

**WHEREAS**, the Town of Pittsboro and the City of Sanford continued to develop a path forward for the transmittal of wastewater from Pittsboro to Sanford, and on March 6, 2017 the City of Sanford approved and executed a contract to move forward with a force main project with the Town of Pittsboro to transmit up to an average 2-million gallons per day of Pittsboro-generated wastewater for treatment in Sanford, the Town of Pittsboro approved and executed the contract on March 13, 2017; and

**WHEREAS**, on November 22, 2021, the Town of Pittsboro entered into an Interlocal Agreement with the City of Sanford, Chatham County, the Town of Holly Springs, and the Town of Fuquay-Varina, to jointly construct an 18-million gallon per day expansion to the existing City of Sanford water treatment plant; and



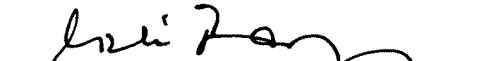
**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and in consideration of the foregoing and hereafter set forth that we hereby express our intention to investigate the mutual benefits of a regional public water and wastewater utility system of the City of Sanford and the Town of Pittsboro, whereby merging the Town of Pittsboro's water and wastewater systems into an integrated system owned and operated by the City of Sanford.

Adopted this the 21<sup>st</sup> day of June, 2022.



T. Chet Mann, Mayor

ATTEST:

  
Vicki R. Cannady, Deputy City Clerk

