



RESOLUTION
REQUESTING OFFICIAL DESIGNATION FOR TOWN OF PITTSBORO
WATER AND WASTEWATER UTILITY AS A DISTRESSED UNIT UNDER THE
VIABLE UTILITY PROGRAM

- WHEREAS,** Session Law 2020-79 was signed into law on July 1, 2020 to improve viability of the water and wastewater systems of certain units of local government; the Viable Utility Reserve was established in the Water Infrastructure fund to be used for grants to include the study of rates, asset inventory and assessment and/or merger and regionalization options as well as construction projects which may include rehabilitation of existing utility assets, interconnections/extensions to provide regional service, decentralize an existing system, and/or other options deemed feasible to support financial, organizational, and operational viability; and
- WHEREAS,** The State Water Infrastructure Authority (SWIA) and the Local Government Commission (LGC) have developed criteria to assess local government units and identify distressed units; and
- WHEREAS,** The Town of Pittsboro has been identified through the process approved by SWIA and the LGC as being potentially distressed, based on the financial, managerial, and/or technical challenges faced by the Town of Pittsboro which may affect the long-term sustainability of the utility, as supported by the most recent assessment score which is above the designation threshold for the first time; and
- WHEREAS,** The Town of Pittsboro has need for state grant assistance for study and/or construction project(s), training and education, and other related assistance in support of becoming a viable utility.

NOW, THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE TOWN OF PITTSBORO:

That the Town of Pittsboro, if designated as distressed, will complete the viable utility requirements set forth in N.C.G.S. §159G-45(b) by:

1. Conducting an asset assessment and rate study.
2. Participating in a training and educational program.
3. Developing a short-term and long-term action plan considering all of the following:
 - a. Infrastructure repair, maintenance, and management.
 - b. Continuing education of the governing board and system operating staff.
 - c. Long-term financial management plan.

That the Town of Pittsboro acknowledges that the State Water Infrastructure Authority and Local Government Commission can impose specific conditions on grants from the Viable Utility Reserve.

That the Town of Pittsboro will provide adequate access to staff, documents, equipment, and other resources pertinent to complete any future Viable Utility Reserve projects, and upon completion of the projects provide good faith effort to implement their short-term and long-term plans to achieve system viability.

That Town Manager Chris Kennedy, hereafter the Authorized Official, and successors so titled, is hereby authorized to execute and file these materials for consideration on behalf of the Town of Pittsboro with the State of North Carolina for a distressed designation to aid in the completion of projects in support of system viability.

That the Authorized Official, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such process: to make the assurances as contained above; and to execute such other documents as may be required in connection with the designation process.

That the Town of Pittsboro has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, and ordinances applicable to the project and to Federal and State grants pertaining thereto.

Adopted this 30th day of June, 2022.

TOWN OF PITTSBORO



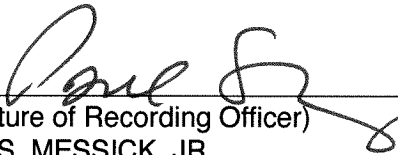
(Signature of Chief Executive Officer)
CHRIS KENNEDY

TOWN MANAGER

(Title)

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Town Clerk of the Town of Pittsboro does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Town of Pittsboro Board of Commissioners duly held on the 30th day of June, 2022; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of June, 2022.



(Signature of Recording Officer)
PAUL S. MESSICK, JR.

INTERIM TOWN CLERK

(Title)