

County of Chatham

THIS INTERLOCAL AGREEMENT, made and entered into this 7th day of September 2021, by and between the Town of Pittsboro, a North Carolina Municipal Corporation, (hereinafter referred to as "Pittsboro"), the City of Sanford, a North Carolina Municipal Corporation, (hereinafter referred to as "Sanford") and the County of Chatham, one of the one hundred counties of the State of North Carolina and body both politic and corporate, (hereinafter referred to as "Chatham County").

WITNESSETH:

WHEREAS, Pittsboro, Sanford and Chatham County have previously evaluated options to share in the development of potable water distribution services to better serve their respective communities; and,

WHEREAS, it is mutually beneficial for Pittsboro, Sanford and Chatham County to further develop the concept of sharing potable water distribution facilities by completing a Preliminary Engineering Report and Environmental Assessment for alternative distribution routes to provide potable water to Pittsboro and the Moncure area of Chatham County; and,

WHEREAS, the parties are authorized by NCGS §160A-461 to enter into interlocal agreements to cooperate in performing governmental activities; and,

WHEREAS, the parties agree that developing shared water distribution system facilities will provide significant and positive economic impacts for the region; and,

WHEREAS, the parties agree the cooperation between the parties to facilitate the development of shared water distribution facilities are in the best interest of the citizens of each party.

NOW, THEREFORE, in consideration of the premises, the mutual promises herein contained, and the sum of ten dollars, in hand paid, the receipt of which is hereby acknowledged, the parties hereto have mutually agreed as follows:

1. Preliminary Engineering Report and Environmental Assessment, The parties agree to the preparation of a Preliminary Engineering Report and Environmental Assessment prepared by a duly licensed engineering consulting firm to evaluate alternative routes for the water distribution system from the Sanford Water Treatment Plant to the Moncure area of Chatham County and to the Town of Pittsboro; evaluate the transmission and distribution system hydraulic models, needed water storage and pumping facilities; and prepare an environmental analysis that meets the requirements under the National Environmental Policy Act of 1969. A copy of the full scope of work is hereinafter shown as Exhibit 1 of this agreement.
2. Cost Sharing, The parties agree to jointly fund the completion of the Preliminary Engineering Report and Environmental Assessment for a total sum of \$375,000.00 during FY 21-22. The cost sharing is as follows:

Town Pittsboro	\$150,000.00
Chatham County	\$150,000.00
<u>City of Sanford</u>	<u>\$75,000.00</u>
Total	\$375,000.00

Pittsboro will serve as the contracting party to secure the consulting services to complete the Preliminary Engineering Report and Environmental Assessment. Sanford and Chatham County will pay their proportionate share of the project costs to Pittsboro within thirty (30) days of receipt of invoices from Pittsboro for said services.

3. Existing Agreements. Existing agreements between the parties that are not altered by this agreement remain in full force and effect.
4. Assignment. This Interlocal Agreement shall not be assigned or transferred, in whole or in part, without the prior written consent of all parties, which consent may be withheld in a party's sole discretion.
5. Notice. Any notice given pursuant to the Agreement shall be deemed given if (a) delivered by hand or (b) emailed to the addressee and then deposited in the United States Mail, postage prepaid, certified mail, return receipt requested and addressed as follows:

Town of Pittsboro
 PO Box 759
 Pittsboro, NC 27312-0759
 Attn: Chris Kennedy, Town Manager
 Telephone: (919)542-4621
 Email: ckennedy@pittsboronc.gov

City of Sanford
 PO Box 3729
 Sanford, NC 27331-3729
 Attn: Hal Hegwer, City Manager
 Telephone: (919)777-1110
 Email: hal.hegwer@sanfordnc.net

Chatham County
 PO Box 1809
 Pittsboro, NC 27312-1809
 Attn: Dan LaMontagne, County Manager
 Telephone: (919)545-8531
 Email: dan.lamontagne@chathamcountync.gov

IN WITNESS WHEREOF, the Town of Pittsboro has caused this Interlocal Agreement to be executed by its Town Manager, attested by the Town Clerk, and the Town seal affixed hereto, approved by the Town of Pittsboro Board of Commissioners on August 9, 2021.

STATE OF NORTH CAROLINA
TOWN OF PITTSBORO

Attest:

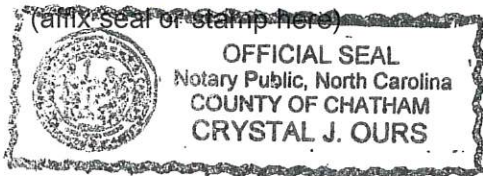
By: 
Name: Chris Kennedy
Title: Town Manager


Cassandra M. Bullock
Name: Cassandra M. Bullock
Title: Town Clerk
(affix Town Seal Here)

CHATHAM COUNTY, NORTH CAROLINA

I certify that Cassandra M Bullock personally appeared before me this day and acknowledged to me that she is the Town Clerk of the Town of Pittsboro, North Carolina, a North Carolina municipal corporation, and that by authority duly given and as the act of the Town Board of Commissioners, the foregoing document was signed in the Town's name by its Mayor, sealed with its official seal, and attested by her as its Town Clerk.

Date: 9/7/2021




Notary Public

Printed/Typed Name: Crystal J Ours

My Commission Expires: October 17th, 2023

IN WITNESS WHEREOF, the City of Sanford has caused this Interlocal Agreement to be executed by its City Manager, attested by the City Clerk, and the City seal affixed hereto, approved by the City of Sanford City Council on September 7, 2021

STATE OF NORTH CAROLINA
CITY OF SANFORD

Attest:

By: [Signature]
Name: Hal Hegwer
Title: City Manager

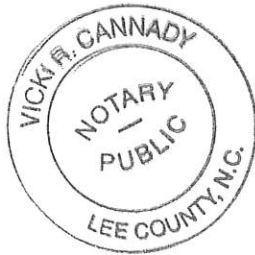
Bonnie Davis
Name: Bonnie Davis
Title: Clerk
(affix Town Seal Here)

LEE COUNTY, NORTH CAROLINA

I certify that Bonnie Davis personally appeared before me this day and acknowledged to me that he/she is the City Clerk of the City of Sanford, North Carolina, a North Carolina municipal corporation, and that by authority duly given and as the act of the City Council, the foregoing document was signed in the City's name by its City Manager, sealed with its official seal, and attested by his/her as its City Clerk.

Date: September 7, 2021
(affix seal or stamp here)

[Signature]
Notary Public
Printed/Typed Name: 6/24/2025
My Commission Expires: Vicki R. Cannady



IN WITNESS WHEREOF, the Chatham County has caused this Interlocal Agreement to be executed by its County Manager, attested by the Clerk to the Chatham County Board of Commissioners and the County seal affixed hereto, approved by the Chatham County Board of Commissioners on September 19, 2021.



Attest:

Lindsay K. Ray
Name: Lindsay K. Ray
Title: Clerk
(affix Town Seal Here)

STATE OF NORTH CAROLINA
COUNTY OF CHATHAM

By: [Signature]
Name: Dan LaMontagne
Title: County Manager

This instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act.

Hope Tally
Hope Tally, Finance Officer

CHATHAM COUNTY, NORTH CAROLINA

I certify that Lindsay K. Ray and Dan LaMontagne personally appeared before me this day and acknowledged to me that he/she is the Clerk to the Chatham County Board of Commissioners of Chatham County, North Carolina, and that by authority duly given and as the act of the Chatham County Board of Commissioners, the foregoing document was signed in the County's name by its County Manager, sealed with its official seal, and attested by his/her as its Clerk.

Date: January 26, 2022
(affix seal or stamp here)



[Signature]
Notary Public
Printed/Typed Name: Ann Hammack
My Commission Expires: September 26, 2024