

Resolution



Town of Carolina Beach
Town Council

RESOLUTION NO. 22-2261

RESOLUTION BY GOVERNING BODY OF APPLICANT

- WHEREAS, The Federal Clean Water Act Amendments of 1987 and the North Carolina the Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction and studies of a wastewater treatment works, wastewater collection system, and
- WHEREAS, The Town of Carolina Beach has need for and intends to construct a wastewater treatment works system, described as the construction of a New Headworks and abandoning the existing Headworks at the WWTF, and
- WHEREAS, The Town of Carolina Beach intends to request State loan and/or grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF CAROLINA BEACH:

That The Town of Carolina Beach, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Town of Carolina Beach to make scheduled repayment of the loan, to withhold from the Town of Carolina Beach any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Bruce Oakley, Town Manager, the **Authorized Official**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

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 application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

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That the **Applicant** 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 and loans pertaining thereto.

Adopted this the 26th day of April 2022 at The Town of Carolina Beach e), North Carolina.

Bruce Oakley, Town Manager

Mayor Albert L. Barbee

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CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Clerk to the Board of the Town of Carolina Beach 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 Council duly held on the 26th day of April, 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 26th day of April, 2022.

Kimberlee Ward, Town Clerk