



**RESOLUTION AUTHORIZING THE TOWN MANAGER TO EXECUTE AND FILE AN APPLICATION ON BEHALF OF THE TOWN OF NAGS HEAD WITH THE STATE OF NORTH CAROLINA FOR A LOAN AND/OR GRANT**

**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 design/studies of drinking water treatment works, and/or drinking water distribution systems; and

**WHEREAS**, The Town of Nags Head has need for and intends to replace:

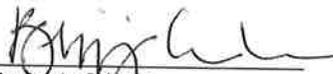
- Asbestos Cement Pipes in a portion of the Vista Colony neighborhood in Nags Head
- Customer water meters with Advanced Meter Infrastructure (AMI) thus eliminating the need for manual meter reads; and

**WHEREAS**, The Town of Nags Head intends to request State loan and/or grant assistance for the projects.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF NAGS HEAD:**

1. That the Town of Nags Head, the Applicant, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.
2. That the Town of Nags Head 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.
3. That the governing body of the Town of Nags Head agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Town of Nags Head to make scheduled repayment of the loan, to withhold from the Town of Nags Head 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.
4. That the Town of Nags Head will provide for efficient operation and maintenance of the project on completion of construction thereof.
5. The Town Manager, or in absence designee, of the Town of Nags Head is hereby authorized, individually and collectively, to execute and file an application on behalf of the Town of Nags Head with the State of North Carolina for a loan and/or grant to aid in the design and construction of the projects described above.
6. That the Town Manager, 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.
7. That the Town of Nags Head 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 6th day of April 2022.

  
Benjamin Cahoon, Mayor  
Town of Nags Head

ATTEST:  
  
Carolyn F. Morris, Town Clerk





**CERTIFICATION BY RECORDING OFFICER**

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ON BEHALF OF THE TOWN OF NAGS HEAD WITH THE STATE OF NORTH CAROLINA FOR A  
LOAN AND/OR GRANT**

The undersigned duly qualified and acting Town Clerk of the Town of Nags Head 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 Nags Head duly held on the 6th 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 17<sup>th</sup> day of April, 2022.

  
\_\_\_\_\_  
(Signature of Recording Officer)

**Town Clerk**  
\_\_\_\_\_  
(Title of Recording Officer)