

FORSYTH COUNTY
BOARD OF COMMISSIONERS

ADDITIONAL
ITEM

MEETING DATE: APRIL 24, 2017 AGENDA ITEM NUMBER: 17

SUBJECT: RESOLUTION AUTHORIZING EXECUTION OF NECESSARY DOCUMENTS TO APPLY FOR A LOAN AND/OR GRANT FROM THE STATE OF NORTH CAROLINA TO DEVELOP WASTEWATER COLLECTION AND DRINKING WATER DISTRIBUTION SYSTEMS FOR THE IDOLS ROAD BUSINESS PARK

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS: Recommend Approval

SUMMARY OF INFORMATION:

See attached

ATTACHMENTS: YES NO

SIGNATURE: J. Dudley White, Jr. /cdh DATE: April 20, 2017
COUNTY MANAGER

**RESOLUTION AUTHORIZING EXECUTION OF NECESSARY DOCUMENTS
TO APPLY FOR A LOAN AND/OR GRANT FROM THE STATE OF NORTH
CAROLINA TO DEVELOP WASTEWATER COLLECTION AND DRINKING WATER
DISTRIBUTION SYSTEMS FOR THE IDOLS ROAD BUSINESS PARK**

WHEREAS, the Federal Clean Water Act Amendments of 1987 and the North Carolina Water Infrastructure Act of 2005 (NCGS 159G) have authorized the making of loans and grants to aid eligible units of government to finance the cost of construction of wastewater treatment works, wastewater collection system, stream restoration, stormwater treatment, drinking water treatment works, and/or drinking water distribution system or other "green" projects; and

WHEREAS, Forsyth County owns and is developing the 169 acre tract of land on Idols Road near Clemmons, N.C. into a business park; and

WHEREAS, Forsyth County has need for and intends to construct a wastewater collection system and a drinking water distribution system for the Idols Road Business Park; and

WHEREAS, Forsyth County will be providing the public infrastructure to the business park and plans to sell the lots therein to companies wishing to locate and operate within the park; and

WHEREAS, Forsyth County intends to request State loan and/or grant assistance for the said project;

NOW, THEREFORE, BE IT RESOLVED that the Forsyth County Board of Commissioners hereby authorizes the Chairman or County Manager and Clerk to the Board to execute, on behalf of Forsyth County, necessary documents to apply for a loan and/or grant from the State of North Carolina to develop wastewater collection and drinking water distribution systems for the Idols Road Business Park.

BE IT FURTHER RESOLVED that Forsyth County will arrange financing/funding for all remaining costs of the project, if approved for a State loan and/or grant award.

BE IT FURTHER RESOLVED that Forsyth County 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 funding for proper operation, maintenance, and administration of the systems and the repayment of all principal and interest on the proposed loan.

BE IT FURTHER RESOLVED that Forsyth County agrees to include in the loan agreement with the State a provision authorizing the State Treasurer, upon failure of the County to make scheduled repayment of the loan, to withhold from the County 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.

BE IT FURTHER RESOLVED that Forsyth County will provide for efficient operation and maintenance of the proposed project upon completion of construction thereof.

BE IT FURTHER RESOLVED that the County Manager is hereby authorized to execute and file an application on behalf of Forsyth County with the State of North Carolina for a loan and/or grant to aid in the construction of the project described above.

BE IT FURTHER RESOLVED that the County Manager is hereby authorized and directed to furnish such public 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 loan or grant application.

BE IT FURTHER RESOLVED that Forsyth County 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 24th day of April 2017.

CERTIFICATION BY RECORDING OFFICER

The undersigned duly qualified and acting Clerk to the Board of the Forsyth County Board of Commissioners does hereby certify: that the 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 Forsyth County Board of Commissioners duly held on the 24th day of April, 2017; and, further, that such Resolution has been fully recorded in the minutes of the proceedings of the Board of Commissioners and maintained in my office.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of April, 2017.

(Signature of Recording Officer)

Clerk to the Forsyth County Board of Commissioners
(Title of Recording Officer)