

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: December 1, 2025

SUBJECT: Grant Project Resolution – North Carolina Department of Environmental Quality

PRESENTER(S): Emily Kanipe, Grants Administrator

ATTACHMENTS: Yes

1. Project Resolution

SUMMARY OF REQUEST:

Henderson County is pursuing a principle-forgiven loan for the completion of the Clear Creek Sewer System project. The North Carolina Department of Environmental Quality (NCDEQ) Division of Water Infrastructure requires a resolution for their Decentralized Wastewater Treatment Systems application. Any funding awarded will have the principle forgiven entirely by NCDEQ. The amount applied for will be determined by the scope of the project.

BOARD ACTION REQUESTED:

The Board is requested to adopt the project resolution stating Henderson County's intent to request loan for the completion of the Clear Creek Sewer System.

Suggested Motion:

I move that the Board adopt the resolution required for the Division of Water Infrastructure Decentralized Wastewater System-Helene loan application to fund the completion of the Clear Creek Sewer System.

Henderson County Board of Commissioners

1 Historic Courthouse Square • Suite 1 • Hendersonville, NC 28792
Phone (828) 697-4808 • Fax (828) 692-9855 • www.hendersoncountync.gov

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PROJECT RESOLUTION NC DEPARTMENT OF ENVIRONMENTAL QUALITY CLEAR CREEK SEWER SYTEM COMPLETION

WHEREAS, Henderson County has need for and intends to construct, the Clear Creek Sewer System Project, and

WHEREAS, Henderson County intends to request State loan assistance for the project.

NOW, THEREFORE, BE IT RESOLVED by the Henderson County Board of Commissioners that Henderson County, the applicant, will arrange financing for any remaining costs of the project, if approved for a state loan award.

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

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 any repayment of all principal and interest on the debt.

That the Henderson County Board of Commissioners agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the County to make a 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.

That County Manager John Mitchell is an Authorized Representative, and successors so titled, is hereby authorized to execute any agreements and Emily Kanipe, Grants Administrator is an Authorized Representative and successors so titled, is hereby authorized to file an application on behalf of the applicant with the State of North Carolina for a loan to aid in the design of the sewer system.

That the Authorized Representatives, and successors so titled, are 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.

That the applicant has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, ordinances, and funding conditions applicable to the project and to Federal and State grants and loans pertaining thereto.

In witness whereof I have here unto set my hand and caused the seal of the County of Henderson to be affixed.

Adopted this, the 1st day of December 2025.

WILLIAM G. LAPSLEY, CHAIRMAN
HENDERSON COUNTY BOARD OF COMMISSIONERS

ATTEST:

DENISA LAUFFER, CLERK TO THE BOARD