**\*\*\* The Resolution and Certification by Recording Officer MUST be included in the Application Package \*\*\***

**(The following is a suggested resolution and certification format for LGUs designated as distressed)**

**RESOLUTION BY GOVERNING BODY OF APPLICANT**

WHEREAS, Session Law 2020-79 was signed into law on July 1, 2020 to improve viability of the water and wastewater systems of certain units of local government; the Viable Utility Reserve was established in the Water Infrastructure fund to be used for grants to include the study of rates, asset inventory and assessment and/or merger and regionalization options; the State Water Infrastructure Authority and the Local Government Commission have developed criteria to assess local government units and identify distressed units, and

WHEREAS, The (unit of government) has been designated as a distressed unit and intends to conduct a (state whether an Asset Inventory and Assessment Study, Rate Study and/or Merger/Regionalization Feasibility evaluation, and/or drinking water/wastewater construction project), and

WHEREAS, The (unit of government) has need for state grant assistance for the project.

**NOW THEREFORE BE IT RESOLVED, BY THE (GOVERNING BODY) OF THE (UNIT OF GOVERNMENT):**

That (unit of government), the **Applicant**, will complete the viable utility requirements in §159G-45(b) by:

1. Conducting an asset assessment and rate study. (Recently completed asset assessment or rate studies may be sufficient to meet this requirement.)
2. Participate in a training and educational program.
3. Develop a short-term and long-term action plan considering all of the following:
   1. Infrastructure repair, maintenance, and management.
   2. Continuing education of the governing board and system operating staff.
   3. Long-term financial management plan.

That (unit of government), the **Applicant**, acknowledges that the State Water Infrastructure Authority and Local Government Commission can impose specific conditions on grants from the Viable Utility Reserve.

If applying or a merger / regionalization feasibility study, the Applicant will work with other units of government or utilities in conducting the study including (name units of government or utility).

That the **Applicant** will provide adequate access to staff, documents, equipment, and other resources pertinent to complete the project, and upon completion of the project provide good faith effort to implement the short- term and long-term plan to achieve viable utility infrastructure measures.

That (name and title of official), 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 (grant) to aid in the completion 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.

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 pertaining thereto.

Adopted this the (date adopted) at (place), North Carolina.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Signature of Chief Executive Officer)

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(Title)

#### **CERTIFICATION BY RECORDING OFFICER**

The undersigned duly qualified and acting (title of officer) of the (unit of government) 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 (name of governing body of applicant) duly held on the­­­\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_; 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 ­­­\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

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|  |
| (Signature of Recording Officer) |
|  |
| (Title of Recording Officer) |

**\*\*\* The Resolution and Certification by Recording Officer MUST be included in the Application Package \*\*\***

**(The following is a suggested resolution and certification format for LGUs not designated as distressed but are applying for an AIA or MRF project partnering with LGUs designated as distressed)**

**RESOLUTION BY GOVERNING BODY OF APPLICANT**

WHEREAS, Session Law 2020-79 was signed into law on July 1, 2020 to improve viability of the water and wastewater systems of certain units of local government; the Viable Utility Reserve was established in the Water Infrastructure fund to be used for grants to include the study of rates, asset inventory and assessment and/or merger and regionalization options; the State Water Infrastructure Authority and the Local Government Commission have developed criteria to assess local government units and identify distressed units, and

WHEREAS, The (unit of government) intends to conduct a (state whether an Asset Inventory and Assessment Study, Rate Study and/or Merger/Regionalization Feasibility evaluation), and

WHEREAS, The (unit of government) has need for state grant assistance for the project.

**NOW THEREFORE BE IT RESOLVED, BY THE (GOVERNING BODY) OF THE (UNIT OF GOVERNMENT):**

That (unit of government), the **Applicant**, recognizes that

1. (name of unit of government designated as distressed) has been designated as distressed by the State Water Infrastructure Authority (Authority) and the Local Government Commission (Commission) under §159G-45(b) and must complete the requirements under this statute; and
2. The LGC can impose specific conditions on grants from the Viable Utility Reserve.

That the Applicant will work with other units of government in conducting the asset assessment, rate and/or merger/regionalization feasibility studies including (name units of government and must list a distressed unit).

That the **Applicant** will provide adequate access to staff, documents, equipment, and other resources pertinent to complete the project, and upon completion of the project provide good faith effort to implement the short- term and long-term plan to achieve viable utility infrastructure measures.

That (name and title of official), 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 (grant) to aid in the completion 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.

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 pertaining thereto.

Adopted this the (date adopted) at (place), North Carolina.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Signature of Chief Executive Officer)

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(Title)

#### **CERTIFICATION BY RECORDING OFFICER**

The undersigned duly qualified and acting (title of officer) of the (unit of government) 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 (name of governing body of applicant) duly held on the­­­\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_; 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 ­­­\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

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| --- |
|  |
| (Signature of Recording Officer) |
|  |
| (Title of Recording Officer) |