



**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 Town of Nags Head has identified a specific stormwater management issue and intends to design and construct stormwater infrastructure improvements located along Wrightsville Avenue from Bonnett Street to Bainbridge Street, (the "Project") where insufficient drainage along low-lying properties, and elevated groundwater, have caused flooding:

- The proposed solution (the "Solution") to address the Project issue associated with stormwater management is comprised of a collection system along South Wrightsville Avenue that will connect to a pump station that will discharge to an infiltration area partially below the Bonnett Street beach access parking lot; and
- Costs have been updated to capture total project costs to include design services, stormwater pipe collection, pump station, force main, infiltration gallery, and associated parking lot reconstruction and rehabilitation of areas disrupted by construction of the proposed solution; and

**WHEREAS**, The Town of Nags Head will adopt, by Project Resolution, a local stormwater management plan (the "Plan") by completion of the Project and that the specific proposed Project and Solution will be identified in the Plan; and

**WHEREAS**, The Plan to be adopted will support the need for the proposed stormwater management construction Project by recommending the identified Solution in order to reduce flooding and provide sufficient drainage along low-lying areas located along Wrightsville Avenue from Bonnett Street to Bainbridge Street. Detailed modeling will evaluate the benefits of various pumping and discharge scenarios in order to more accurately predict the flood reduction benefits and to determine the maximum rate and volume of pumped groundwater and/or floodwater that the soils under the Bonnett Street beach access parking lot could accept without exacerbating existing flooding concerns on South Virginia Dare Trail (NC-12). Detailed information on approach, methods, and results will be reported. There is no available open space where pumped groundwater could be discharged and expected to infiltrate (other than environmentally sensitive areas), therefore the area under Bonnett Street beach access is the most viable location; and

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

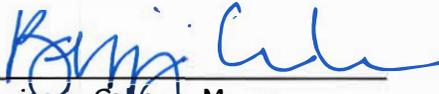
**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF NAGS HEAD:**

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 their 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 project 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 September 2023.

  
Benjamin Caroon, Mayor  
Town of Nags Head

ATTEST:

  
Carolyn F. Morris, Town Clerk





**CERTIFICATION BY RECORDING OFFICER**

**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**

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 September 2023; 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 6th day of September 2023.

*Catherine J. Morris*  
(Signature of Recording Officer)

Town Clerk  
(Title of Recording Officer)