

RESOLUTION AUTHORIZING THE COUNTY MANAGER TO APPLY FOR
STATE LOAN FUNDS

WHEREAS, over the last several years this Board has done everything within its power attempting to mitigate the exposures and risks to residents living in the area of the old CTS facility on Mills Gap Road; and

WHEREAS, County health officers have assisted the EPA and NCDENR with well testing within a 1 mile radius of the facility as well as requests for tests outside that area; and

WHEREAS, there are approximately 129 wells serving residents in the area, and there is no certainty that water filtration devices will provide the needed protections for public health and safety from ground water contaminants, including trichloroethylene (TCE), that have been found near the former CTS site; and

WHEREAS, the Federal Safe Drinking Water Act Amendments of 1996 and the North Carolina Water Infrastructure Act of 2005 (NCGS Ch. 159G) have authorized the making of loans and grants to aid eligible units of government in financing the cost of construction for drinking water system improvements; and

WHEREAS, this Board is of the opinion that it is in the best interests of the citizens and residents of the County to instruct the County Manager to seek funding to construct and extend city water to the approximately 129 locations currently supplied with well water and which may be impacted by groundwater contamination in the area of the former CTS facility.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners for the County of Buncombe as follows:

1. That the County Manager, or her designee, is hereby authorized to prepare and file an application on behalf of the County with the State of North Carolina for a loan to aid in the construction of the project described above.
2. That by and with the approval of the County Attorney, the County Manager, or her designee, are hereby authorized, empowered and directed to do any and all other acts and to execute any and all other documents, which they, in their discretion, deem necessary and appropriate in order to consummate the transactions contemplated by this Resolution; except that none of the above shall be authorized or empowered to do anything or execute any document which is in contravention, in any way, of the specific provisions of this Resolution.
3. All acts and doings of officers, employees and agents of the County that are in

conformity with the purposes and intents of this Resolution and in the furtherance of the execution, delivery and performance of said construction project as described above shall be, and the same hereby are, in all respects approved and confirmed.

- 4. All resolutions or parts thereof of the Board in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.
- 5. That this resolution shall be effective upon its adoption.

This the 19th day of June, 2012.

ATTEST

BOARD OF COMMISSIONERS FOR THE
COUNTY OF BUNCOMBE

Kathy Hughes, Clerk

By: _____
David Gantt, Chairman

APPROVED AS TO FORM

Michael C. Frue, County Attorney