

**RESOLUTION NO. 2021.05**

**A RESOLUTION AUTHORIZING THE VILLAGE OF SUNBURY TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT FOR PLANNING, DESIGN AND CONSTRUCTION OF WASTEWATER FACILITIES; DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN; AND DECLARING AN EMERGENCY**

**WHEREAS**, the Village of Sunbury seeks to upgrade its existing wastewater facilities; and

**WHEREAS**, the Village of Sunbury intends to apply for Water Pollution Control Loan Funds (WPCLF) for the planning, design and construction of the wastewater treatment facilities; and

**WHEREAS**, the Ohio Water Pollution Control Loan Fund (WPCLF) requires the governmental authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source.

**NOW THEREFORE, BE IT RESOLVED** by the Council for the Village of Sunbury, Delaware County, State of Ohio, as follows:

**SECTION I:** The Village Administrator is hereby authorized to apply for a WPCLF loan, sign all documents for and enter into a Water Pollution Control Loan Fund (WPCLF) with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for planning, design and construction of wastewater facilities on behalf of the Village of Sunbury, Delaware County, Ohio. A copy of said agreement is attached hereto as Exhibit "A".

**SECTION II:** That the dedicated source of repayment will be Village of Sunbury Wastewater Proprietary Fund.

**SECTION III:** The Village Administrator is hereby authorized to sign all required documents consistent with this legislation, provided that the Agreement shall be in substantially same form presented to this Council, with such changes not inconsistent with this Resolution as shall be agreed to by the Village Administrator, the Solicitor and the Fiscal Officer with the execution by the Village Administrator, the Solicitor and the Fiscal Officer constituting conclusive evidence of such approval.

**SECTION IV:** It is found and determined that all formal actions of this Council concerning or relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were meetings open to the public, and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION V:** This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the citizens of the Village of Sunbury, Ohio to allow the planning, design, and construction of wastewater improvements to be executed without undue delay.

**WHEREFORE**, this Resolution shall take effect and be in force from and after the earliest period allowed by law.

**VOTE ON SUSPENSION OF RULES**

YEAS

NAYS

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**VOTE ON THE EMERGENCY**

YEAS

NAYS

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**VOTE ON RESOLUTION NO. 2021.05**

YEAS

NAYS

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**PASSED:** \_\_\_\_\_, 2021

\_\_\_\_\_  
Tommy Hatfield, Mayor

**ATTEST:**

\_\_\_\_\_  
Kathy Belcher, Director of Finance

**CERTIFICATION**

I hereby certify on this \_\_\_\_ day of \_\_\_\_\_, 2021, that the foregoing is a true and accurate copy of the Resolution passed at the meeting held on \_\_\_\_\_, 2021, of the Council of the Village of Sunbury of the County of Delaware, State of Ohio.

\_\_\_\_\_  
Director of Finance