

**BOARD OF COMMISSIONERS
COUNTY OF DAUPHIN, PENNSYLVANIA**

RESOLUTION NO. 28 - 2021

**A RESOLUTION ESTABLISHING A PROPERTY ASSESSED CLEAN
ENERGY PROGRAM IN THE COUNTY OF DAUPHIN AND TAKING AND
AUTHORIZING OTHER ACTION IN CONNECTION THEREWITH**

WHEREAS, Title 12 of the Pennsylvania Consolidated Statutes, 12 P.S. §4301, *et seq.*, as amended, authorizes counties and municipalities to establish a Commercial Property Assessed Clean Energy program (“Program”); and

WHEREAS, Section 4303 of Title 12 authorizes a county to establish the Program by adopting a resolution establishing the Program, defining an area or group of real properties designated for the purpose of establishing the Program (the “District”) and provide other operational standards and guidelines; and

WHEREAS, the Dauphin County Department of Community and Economic Development (“DCED”), at the direction of the Dauphin County Board of Commissioners, has been exploring the feasibility and benefits of establishing a Program with the Sustainable Energy Fund; and

WHEREAS, the Sustainable Energy Fund is a Pennsylvania 501(c)(3) not-for-profit entity with a mission to promote, research, and invest in clean and renewable energy technologies, energy conservation, energy efficiency and sustainable energy enterprises that provide opportunities and benefits; and

WHEREAS, the Sustainable Energy Fund has been a leader in developing program guidelines that can be used statewide in establishing a program; and

WHEREAS, the Sustainable Energy Fund can perform the role of Program Administrator for an established Program; and

WHEREAS, DCED desires the County to establish the Program; and

WHEREAS, DCED desires the County to enter into a Cooperation Agreement with Sustainable Energy Fund for the administration of the Program; and

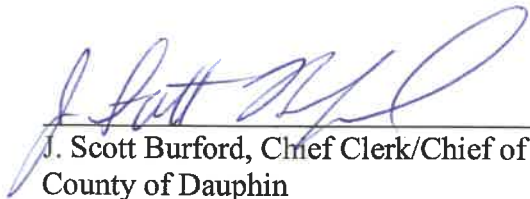
WHEREAS, notice has been provided to every municipality within the County that the Board of Commissioners intends to establish the Program throughout the entire County.

NOW, THEREFORE, BE AND IT HEREBY IS RESOLVED AS FOLLOWS:

1. A Property Assessed Clean Energy Program shall be established in the County and shall be known as the "Dauphin County C-PACE Program".
2. The Board of Commissioners designates the entire County as the District as defined in Section 4302 of Title 12 of the Pennsylvania Consolidated Statutes, 12 P.S. §4302.
3. The Sustainable Energy Fund shall be authorized to administer the Dauphin County C-PACE Program in accordance with a Cooperation Agreement.
4. The County and the Sustainable Energy Fund shall negotiate the terms of the Cooperation Agreement.
5. The Dauphin County Board of Commissioners authorizes the Chief Clerk to execute the mutually agreed upon Cooperation Agreement.
6. The Dauphin County Board of Commissioners authorizes the Chief Clerk to execute any and all other necessary documents as may be required to facilitate the successful implementation of the Dauphin County C-PACE Program.
7. Any reference in this Resolution to any officer of the County or any officer or member of the Dauphin County Board of Commissioners shall be deemed to refer to his or her duly qualified successor in office, if applicable.
8. The County approves, ratifies and confirms all action heretofore taken by its officers, its designated representative or representatives, and other persons on its behalf in connection with the undertakings herein contemplated, to the extent not inconsistent with this Resolution.
9. In the event any provision, section, sentence, clause or part of this Resolution shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this Resolution, it being the intent of the Dauphin County Board of Commissioners that such remainder shall be and shall remain in full force and effect.
10. All prior resolutions or parts of prior resolutions that are inconsistent with this Resolution are hereby repealed.
11. This Resolution shall become effective immediately upon it having been recorded in the minutes of the Dauphin County Board of Commissioners, and the Dauphin County Board of Commissioners hereby directs that this Resolution be recorded immediately following its adoption.
12. This Resolution shall be effective immediately.

ADOPTED this 15th day of December 2021, by the Board of Commissioners of the County of Dauphin, Pennsylvania in lawful session duly assembled.

ATTEST:



J. Scott Burford, Chief Clerk/Chief of Staff
County of Dauphin


COUNTY OF DAUPHIN, BOARD OF COMMISSIONERS:

By: 

Mike Pries, Chairman

By: 

Chad Saylor, Vice Chairman

By: 

George P. Hartwick, III, Secretary

CERTIFICATE

I, Richie Martz, Assistant Chief Clerk of the County Commissioners of County Commissioners of the COUNTY OF DAUPHIN, Pennsylvania (the "County"), certify that the foregoing Resolution was adopted by majority vote of the entire County Commissioners of County Commissioners of the County at a meeting convened and held according to law on December 15, 2021; said Resolution was adopted by an aye and nay vote; said Resolution and the vote thereon has been recorded in the minutes of said meeting; said Resolution; a notice of intent to adopt said Resolution duly was published as required by law; said Resolution has been recorded in the minute book of the County; and said Resolution has not been altered, modified, amended or repealed as of the date of this Certificate.

I further certify that the County Commissioners of County Commissioners of this County met the advance notice requirements of the Sunshine Act, 65 Pa. C. S. §701, *et seq.*, by advertising the time and place of said meeting, by posting prominently a notice of said meeting at the administrative office of the County or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at such meeting prior to the adoption of said Resolution.

IN WITNESS WHEREOF, I affix my hand and the official seal of the County, this
15 day of December.



Richie Martz, Assistant Chief Clerk

(SEAL)