

COUNTY OF LAWRENCE, PENNSYLVANIA

RESOLUTION NO. OF 242

A RESOLUTION ESTABLISHING A PROPERTY ASSESSED CLEAN ENERGY PROGRAM IN THE COUNTY OF LAWRENCE 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 Lawrence County Department of Community and Economic Development, at the direction of _____, 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 501c3 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, The Lawrence County Commissioners desires the County to establish the Program; and

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

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

Orig: Assessor 10/31/19 (B)
cc: Controller & file

**NOW, THEREFORE, BE IT RESOLVED BY THE LAWRENCE COUNTY
COMMISSIONERS OF LAWRENCE COUNTY, PENNSYLVANIA** that:

1. A property assessed clean energy program shall be established in the County and shall be known as the "Lawrence County C-PACE Program".
2. The Lawrence County 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 Lawrence County C-PACE Program in accordance with the Cooperation Agreement.
4. The County and the Sustainable Energy Fund shall negotiate the terms of the Cooperation Agreement.
5. The Lawrence County Commissioners authorizes the Chairman of the Lawrence County Commissioners to execute the Cooperation Agreement.
6. The Lawrence County Commissioners authorizes the Chairman of the Lawrence County Commissioners to execute any and all other necessary documents as may be required to facilitate the successful implementation of the Lawrence County C-PACE Program.
7. Any reference in this Resolution to any officer of the County or any officer or member of the Lawrence County 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 Lawrence County 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 Lawrence County Commissioners, and the Lawrence County Commissioners hereby directs that this Resolution be recorded immediately following its adoption.

ADOPTED this 29 day of OCTOBER, by the County Commissioners of Lawrence County Pennsylvania in lawful session duly assembled.

ATTEST:

James Augustine J.
_____, Chief Clerk

County of Lawrence

Date: 10/29/2019

By: D. J. [Signature]
_____, Chairman

By: [Signature]
_____, Commissioner

By: Robert H. [Signature]
_____, Commissioner

**County Commissioners of Commissioners
of Lawrence County, Pennsylvania**

CERTIFICATE

I, the undersigned, (Assistant) Chief Clerk of the County Commissioners of County Commissioners of the COUNTY OF LAWRENCE, Pennsylvania (the "County"), certify that the foregoing Resolution was adopted by majority vote of the entire County Commissioners of Lawrence County Commissioners of the County at a meeting convened and held according to law on _____; 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
29 day of OCTOBER.



(Assistant) Chief Clerk

(SEAL)



office of
COMMISSIONERS
Lawrence County Government Center
430 Court Street
New Castle, PA 16101-3503

Commissioners
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Steve Craig
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October 17th, 2019

City of New Castle
230 N Jefferson St
New Castle, Pa 16101

Dear Municipal Official,

In June 2018, Governor Wolf signed Act 30 into law, making Pennsylvania the 34th state to enable Commercial Property Assessed Clean Energy financing (C-PACE). The Act allows local governments to establish a C-PACE program to facilitate financing of clean energy and energy efficiency projects for commercial properties.

C-PACE is a tool for local property owners, developers, and county and municipal governments to encourage economic development and the deployment of clean energy and energy efficiency projects.

Pursuant to § 4303.3 of Act 30, this letter is a formal notification that Lawrence County has the intention of establishing a C-PACE program, which would be available to properties within your municipality. The County Commissioners are scheduled to vote on the resolution to adopt C-PACE on October 22nd, 2019.

Once a C-PACE program is established, owners of commercial property in the county may utilize C-PACE to finance an energy efficiency, clean energy, or water conservation project. The County, through a tri-party agreement, would facilitate the repayment of energy efficiency financing as an additional line item on the property tax bill. The County will provide to the County Treasurer all information required to collect the C-PACE financing repayment for properties that have elected to utilize C-PACE financing. The County will adopt formal Program Guidelines and, upon request, provide your municipality with educational information about C-PACE that can be shared with your businesses.

Additional information about this program can be found at www.PennsylvaniaCPACE.org.

Sincerely,

A handwritten signature in cursive script that reads "Charles Hardester".

Charles "JR" Hardester, CPE, MS
Chief Assessor
chardester@co.lawrence.pa.us
724-656-2191

Cc. Lawrence County Commissioners