

COUNTY OF WAYNE, PENNSYLVANIA

RESOLUTION 26-9-2019

A RESOLUTION ESTABLISHING A PROPERTY ASSESSED CLEAN ENERGY PROGRAM IN THE COUNTY OF WAYNE 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, C-Pace is a financing tool which will facilitate energy efficiency, clean energy loans and investment implemented through local government and will otherwise promote clean energy projects that are financed through a C-PACE loan that is repaid as an assessment on the municipal tax bill; and

WHEREAS, The County Commissioners desires the County to establish the Program county-wide; and

WHEREAS, The County Commissioners desires the County to enter into the Cooperation Agreement with PP&L Sustainable Energy Fund for the administration of the Program and authorize the Chief Clerk and other county personnel take the necessary steps to fulfill any participatory requirements and agreements; and

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

1. A property assessed clean energy program shall be established in the County and shall be known as the “Wayne County C-PACE Program”.
2. The 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 County and PP&L Sustainable Energy Fund have agreed on the terms of the Cooperation Agreement in the form attached here to.
4. The County Commissioners authorizes the Chairman to execute the Cooperation Agreement.

5. The County Commissioners authorizes the Chairman and/or the Chief Clerk to execute any and all other necessary documents as may be required to facilitate the successful implementation of the Wayne County C-PACE Program.

6. Any reference in this Resolution to any officer of the County or any officer or member of the County Commissioners shall be deemed to refer to his or her duly qualified successor in office, if applicable.

7. 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.

8. 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 County Commissioners that such remainder shall be and shall remain in full force and effect.

9. This Resolution shall become effective immediately upon it having been recorded in the minutes of the County Commissioners, and the County Commissioners hereby directs that this Resolution be recorded immediately following its adoption.

ADOPTED this 26th day of September 2019, by the County Commissioners of Wayne County, Pennsylvania in lawful session duly assembled.

ATTEST:

Vicky J Botjer
Vicky J Botjer, Chief Clerk

County of Wayne
Date: 9/26/19

By: Brian W Smith
Brian W. Smith, Chairman

By: Wendell R Kay
Wendell R. Kay

By: Joseph W Adams
Joseph W. Adams

CERTIFICATE

I, the undersigned, Chief Clerk of the County Commissioners of County Commissioners of the COUNTY OF WAYNE, 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 September 26, 2019; 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
26th day of September 2019

Vicky J Botjer
Vicky J Botjer, Chief Clerk

(SEAL)