

COUNTY OF SOMERSET, PENNSYLVANIA

RESOLUTION NO. 11 OF 2023

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

WHEREAS, Title 12 of the Pennsylvania Consolidated Statutes, 12 Pa.C.S.A. §§4301, *et seq.*, as amended, authorizes counties and municipalities to establish a 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 qualifying properties designated for the purpose of establishing the Program (the “District”) and provide other operational standards and guidelines; and

WHEREAS, the Somerset County Board of Commissioners, JARI, and the Department of Community and Economic Development have been exploring the feasibility and benefits of establishing a Program with the Sustainable Energy Fund; and

WHEREAS, the PP&L Sustainable Energy Fund Inc. hereinafter “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, the Somerset County Commissioners heard a presentation by Sustainable Energy Fund on the nature and benefits of establishing a Program in Somerset County; and

WHEREAS, the Somerset County Commissioners desire the County to establish the Program; and

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


WHEREAS, the Somerset County Commissioners have provided notice to every municipality within the County that the County Commissioners intend to establish the Program throughout the entire County.

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

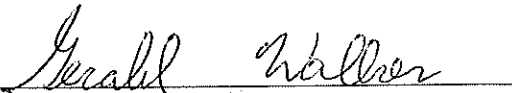
1. A property assessed clean energy program shall be established in the County and shall be known as the "Somerset County C-PACE Program."
2. The Somerset County Commissioners designate the entire County as the District as defined in Section 4302 of Title 12 of the Pennsylvania Consolidated Statutes, 12 Pa.C.S.A. §4302.
3. The Sustainable Energy Fund shall be authorized to administer the Somerset 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 Somerset County Board of Commissioners is hereby authorized to execute the Cooperation Agreement.
6. The Somerset County Board of Commissioners, or its designee, is hereby authorized to execute any and all other necessary documents as may be required to facilitate the successful implementation of the Somerset County C-PACE Program.
7. Any reference in this Resolution to any officer of the County or any officer or member of the Somerset 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 Somerset 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 Somerset County Commissioners, and the Somerset County Commissioners hereby directs that this Resolution be recorded immediately following its adoption.


ADOPTED this 28th day of March, 2023, by the Board of Commissioners of Somerset County, Pennsylvania in lawful session duly assembled.

ATTEST:


Chief Clerk

Date: 3-28-23

By: 
Gerald Walker, Chair

By: 
Colleen R. Dawson, Vice Chair

By: 
Pamela A. Tokar-Ickes, Secretary


**Board of Commissioners of
Somerset County, Pennsylvania**

CERTIFICATE

I, the undersigned, Sonya K. Augustine, Chief Clerk of the County of Somerset, Pennsylvania (the "County"), certify that the foregoing Resolution was adopted by majority vote of the County Board of Commissioners at a meeting convened and held according to law on March 28, 2023; 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 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 Board of Commissioners 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 28th day of March, 2023.



Sonya K. Augustine, Chief Clerk

(SEAL)