

**RESOLUTION AMENDING RESOLUTION #22-07  
APPROVING THE ESTABLISHMENT OF A  
PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM**

**RESOLUTION #24-04**

WHEREAS, the Board of Commissioners of Alpena County, Michigan previously adopted Resolution #22-07, a Resolution approving the establishment of a property assessed clean energy program ("PACE Program") and creating a PACE district pursuant to Act No. 270, Public Acts of Michigan, 2010, as amended ("PACE Statute"), for the purpose of promoting the use of renewable energy systems and energy efficiency improvements by owners of certain real property; and

WHEREAS, the Board of Commissioners established a PACE Program as described in the PACE Program Report, so as to provide a property owner based method of financing and funds for projects, including owner-arranged financing from a commercial lender, which funds and financing shall be secured and repaid by assessments on the property benefited, with the agreement of the record owners, such that no Alpena County moneys, general Alpena County taxes or Alpena County credit of any kind whatsoever shall be pledged, committed, impaired or used in connection with any project as required by, and subject to the PACE statute; and

WHEREAS, the Alpena Board of Commissioners has found that financing PACE projects is a valid public purpose because it stimulates economic development, improves property values, reduces energy costs, reduces greenhouse gas emissions, and increases employment in Alpena County; and

WHEREAS, the types of projects that may currently be financed under the PACE Program include, but are not limited to: insulation in walls, roofs, floors, foundations, or heating and cooling distribution systems; storm windows and doors; multi-glazed windows and doors; heat-absorbing or heat-reflective glazed and coated window and door systems; and additional glazing, reductions in glass area, and other window and door system modifications that reduce energy consumption; automated energy control systems; heating, ventilating, or air-conditioning and distribution system modifications or replacements; caulking, weather-stripping, and air sealing; replacement or modification of lighting fixtures to reduce the energy use of the lighting system; energy recovery systems; day lighting systems; installation or upgrade of electrical wiring or outlets to charge a motor vehicle that is fully or partially powered by electricity; measures to reduce the usage of water or increase the efficiency of water usage; any other installation or modification of equipment, devices, or materials approved as a utility cost-savings measure by the Board of Commissioners; a fixture, product, device, or interacting group of fixtures, products, or devices on the customer's side of the meter that use one or more renewable energy resources to generate electricity. Renewable energy resources include, but are not limited to: biomass; solar and solar thermal energy; wind energy; geothermal energy and methane gas captured from a landfill.

WHEREAS, the PACE Statute, Public Act 270 of 2010 has recently been amended with the passage of Senate Bills 302 & 303 of 2023; and

WHEREAS, the projects that may now be financed under the PACE Program have been amended to provide the option for property owners of retrofits or rehab projects to waive the energy savings guarantee; for new construction, the energy savings guarantee is no longer required; require that new construction be built above Michigan's energy code; allow for the financing of environmental hazard projects including mitigation of lead, heavy metal, or PFAS contamination in potable water systems, mitigation of lead paint contamination; mitigation of the effects of floods or drought; and increase the resistance of property against severe weather.

WHEREAS, it has been determined that the PACE Program and PACE Program Report approved in 2022 require amendment to be consistent with the amended statute; and

WHEREAS, an amended PACE Program Report has been prepared and reviewed by the county.

**NOW THEREFORE BE IT RESOLVED** that the Alpena County Board of Commissioners amends Resolution #22-07 approving amendments to the Alpena PACE Program and adopts the amended PACE Program Report attached to this resolution.

BE IT FURTHER RESOLVED that all other provisions of the PACE Program and PACE Program Report not amended herein shall remain in full force and effect.

BE IT FURTHER RESOLVED that all resolutions and parts of resolutions are, to the extent of any conflict with this resolution, hereby rescinded.

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John Kozlowski, Board Chairman  
Alpena County Board of Commissioners  
February 27, 2024

STATE OF MICHIGAN)  
County of Alpena)

I, the undersigned, being duly qualified and County of Alpena) acting Clerk of Alpena County, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Alpena County Board of Commissioners at a regular meeting held on the 27<sup>th</sup> day of February 2024, and that notice of said meeting was given in accordance with the Open Meetings Act.

IN TESTIMONY THEREOF, I have hereunto set my hand and affixed the seal of said Court, at Alpena this 27<sup>th</sup> day of February 2024.

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Keri Bertrand, Alpena County Clerk