RESOLUTION NO. _____

RESOLUTION AUTHORIZING COUNTY OF BUNCOMBE, NORTH CAROLINA TO PARTICIPATE IN THE COMMERCIAL PROPERTY ASSESSED CAPITAL EXPENDITURE (C-PACE) PROGRAM

WHEREAS, pursuant to N.C. Gen. Stat. § 160-239.15(b), a county may, after conducting a public hearing on the proposed program, adopt a resolution providing that the local government is joining the C-PACE Program.

WHEREAS, as required by N.C. Gen. Stat. § 160A-239.14(a)(1), the Board of Commissioners, of the County of Buncombe North Carolina the County previously adopted Resolution No. [__] (the "Resolution of Intent"), declaring the intent of the County to participate in the Commercial Property Assessed Capital Expenditure (C-PACE Program) established under Article 10B of Chapter 160A of the General Statutes of North Carolina, as amended (the "C-PACE Act"); and

WHEREAS, as required by N.C. Gen. Stat. § 160A-239.14(b), on February 3rd, 2026 the County held a public hearing on its intent to participate in the C-PACE Program; and

WHEREAS, as required by N.C. Gen. Stat. § 160A-239.14(a)(2), the County now desires to adopt a resolution to join the C-PACE Program;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Buncombe North Carolina as follows:

Section 1. The County hereby joins the C-PACE Program, and declares that its participation in the C-PACE Program shall be subject to and consistent with the provisions of the C-PACE Act, the terms of the C-PACE Program as established by the Economic Development Partnership of North Carolina as the Statewide Administrator of the C-PACE Program, and the Resolution of Intent.

Section 2. Nothing in this resolution shall be interpreted as authorizing the County to pledge, offer, or encumber its full faith and credit, and the County shall not pledge, offer, or encumber its full faith and credit in connection with any C-PACE Financing.

Section 3. Should any provision or provisions of this Resolution be declared invalid or unenforceable in any respect by final decree of any court of competent jurisdiction, the invalidity or unenforceability of any such provisions shall not affect the remaining provisions of such Resolution.

Section 4. All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 5. This Resolution shall take effect upon its adoption.

Adopted this ____ day of _____, 2025

Attest:

_____
Sarah Gross, Clerk to the Board

Buncombe County Board of Commissioners

By: _____
Amanda Edwards, Chair

Approved as to form:

_____
Curt Euler, County Attorney