

**Resolution designating Franklin County as an Alternative Energy Zone pursuant to O.R.C. 5727.75 and to support the installation of solar panels on the City of Columbus' Fleet Management Facility**

(Economic Development and Planning)

**WHEREAS, the Board of Commissioners of Franklin County may designate the county as an Alternative Energy Zone pursuant to Ohio Revised Code Section 5727.74(E); and**

**WHEREAS,** the Board of County Commissioners of Franklin County in keeping with its environmental policy described in Resolution #683-06 approved on August 29, 2006 desires to encourage the development of alternative energy generation facilities within the county; and

**WHEREAS,** Amended Senate Bill 232 exempts qualifying energy projects from real and personal property taxation, instead requiring project owners to make payments in lieu of taxes ("PILOT") based upon electricity generating capacity: and,

WHEREAS, projects requesting exemptions available under SB 232 must make application to the Ohio Development Services Agency("ODSA") and be approved based upon specified conditions; and

**WHEREAS,** the City of Columbus desires to install a 636 kW solar array ("System") on the roof of their Fleet Management Building located at 4211 Groves Road, Columbus, Ohio 43232, parcel number 010-118493-00; and

**WHEREAS,** Tipping Point Energy COC SPE-1 LLC desires to be the owner of the System at the Columbus Fleet Management facility and has entered into a Power Purchase Agreement and License Agreement dated November 14, 2011 (amended November 12, 2012) whereby the City of Columbus will purchase the energy produced by the System for a term of twenty (20) years to be used exclusively at the City of Columbus' Fleet Management Facility; and

**WHEREAS,** the System will be owned, operated and maintained by a third party (Tipping Point Energy) causing the System to be defined by the Ohio Department of Taxation as a public utility property and subject to personal property tax on equipment and energy generated in the state of Ohio; and

**WHEREAS,** Tipping Point Energy must apply to the Ohio Development Services Agency to receive Qualified Exemption Status and will be required to make a PILOT as defined in the Ohio Revised Code Section 5727.75, to the Franklin County Treasurer for an agreed upon period of twenty (20) years on

equipment and energy generated based upon the nameplate capacity of the system, being .636 MWs; and

**WHEREAS**, Tipping Point Energy will receive a personal property tax exemption to support the construction of a solar array on the City of Columbus' Fleet Management Building, provided the appropriate PILOT payments are made during the agreement period;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of County Commissioners of Franklin County, Ohio:

Section 1. The Franklin County Board of Commissioners, pursuant to ORC 5727.75 (E), declare Franklin County to be an Alternative Energy Zone, and direct the Director of the county's Department of Economic Development and Planning to establish policies and procedures for the review, approval and submission of applications to the Ohio Development Services Agency consistent with applicable local building and zoning code s.

Section2. Parcel 010-118493-00 containing +/- 26 acres which is the location of the Columbus Fleet Management facility at 4311 Groves Road, is designated an Alternative Energy Zone pursuant to the Ohio Revised Code Section 5727.75(E)(1)(c).

A. The amount of each annual service payment shall be \$7,000 per megawatt, multiplied by the nameplate capacity of the Project located on parcel 010-118493-00 located in Franklin County, Ohio for the term of 20 years as defined by O.R.C 5727.75 (G).

B. The annual service payment required by this Resolution shall be paid on or before the final dates for payments of taxes on public utility personal property on the real and public utility personal property tax list for each tax years for which the property of the energy project is exempt from taxation pursuant to O.R.C. 5727.75.

C. The annual service payment required by this Resolution shall be paid by the current owner of the energy project located on parcel number 010-118493-00 or any successor owner.

- D. The County Treasurer is directed to deposit the annual service payments required by this Resolution into the general operating fund of the county.

Section 4. The County Clerk is directed to send a copy of this resolution by certified mail to the Director of the Ohio Development Services Agency and to the owner of each energy project that is the subject of an application submitted by the Director of the Department of Development Services to the Board of County Commissioners of Franklin County within 30 days after the application is received. The clerk shall also provide a copy of this resolution to the County Treasurer within 30 days after the application from Director of the Department of Development Services is received by Board of County Commissioners of Franklin County.

Prepared by: James Schimmer, Director, Franklin County Economic Development and Planning