

BOARD APPROVAL OF SMALL SOLAR FACILITY DECOMMISSIONING AGREEMENTS

RESOLUTION NO. _____ It was moved by Commissioner _____ and duly seconded by Commissioner _____ to adopt the following Resolution:

WHEREAS, USS LandCo LLC, in collaboration with USS Tallgrass Solar LLC, USS Hampden Solar LLC, USS Raptor Solar LLC, USS Calico Solar LLC, USS Great Plains Solar LLC, and USS High Plains Solar LLC, all of whom are subsidiaries of US Solar, have received approvals for Small Solar System Facilities, as follows:

USS Tallgrass Solar LLC, in case no. AE23-001,
USS Hampden Solar LLC, in case no. AE23-003,
USS Raptor Solar LLC, in case no. AE24-007,
USS Calico Solar LLC, in case no. AE24-008,
USS Great Plains Solar LLC, in case no. USR24-001, and
USS High Plains Solar LLC, in case no. USR24-002.

WHEREAS, the Arapahoe County Land Development Code Section 5-3.5.E.15.d requires the owner/operator of a Small Solar System facility to provide the County with a decommissioning bond in an amount approved by the Building Division and with a form of surety approved by the County prior to placing the facilities into operation; and

WHEREAS, the process of determining and setting a decommissioning bond requires that a decommissioning plan be established to determine the appropriate bond amount; and

WHEREAS, the aforementioned parties, have memorialized the terms and conditions of decommissioning into a Decommissioning Agreement for each site, made a part of this record and included for consideration and review by the Board of County Commissioners (Board) and made available to the public; and

WHEREAS, the Board has reviewed the Decommissioning Agreements, the terms and conditions therein, and find the same to be acceptable to the County, and necessary for the public health, safety, and welfare of the residents of Arapahoe County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners that the Decommissioning Agreements are approved and the Chair of the Board is authorized to execute each on behalf of the County.

BE IT FURTHER RESOLVED, that the County Attorney is hereby authorized to correct such errors or omissions in the Decommissioning Agreements as may be necessary to ensure the intent of the parties and obligations of each are correctly reflected therein.

The vote was:

Commissioner Baker, ____; Commissioner Campbell, ____; Commissioner Fields, ____;
Commissioner Summey, ____; Commissioner Warren-Gully, ____.

The Chair declared the motion carried and so ordered.