

**BOARD OF CHOSEN FREEHOLDERS
MORRIS COUNTY, NEW JERSEY**

Resolution No. _____

Adopted: March 2, 2015

WHEREAS, the Morris County Improvement Authority ("MCIA") has previously issued \$34,300,000 aggregate principal amount of Renewable Energy Program Lease Revenue Bonds, the principal and interest of which is guaranteed by the County of Morris (the "County"), to fund what is commonly known as the Solar II Projects (the "Solar II Projects") at various local units within the County; and

WHEREAS, the County is considering entering into a settlement concerning outstanding State and federal court litigation matters related to the Solar II Project, which settlement requires, among other things, that the County pay approximately \$7 million in furtherance of the settlement of all outstanding litigation matters; and

WHEREAS, in addition to the Bond funds spent to date to build the completed Solar I and Solar II Projects and the payment of the proposed settlement amount to settle all outstanding litigation, the County will consider spending all or a portion of the remaining Bond funds to complete some or all of the currently unbuilt Solar II Projects; and

WHEREAS, since the County has experienced significant issues and financial liabilities due to energy market conditions, and unforeseen issues amongst developers and their contractors, the County believes an independent evaluation of the Solar II Projects by an unrelated third party is warranted; and

WHEREAS, the State Comptroller's office, pursuant to N.J.S.A. 52:15C-10 has a "duty to audit and monitor the process of soliciting proposals for and the process of awarding contracts by contracting units which contracts involve a significant consideration or expenditure of funds..."; and

WHEREAS, a review by the State Comptroller's office is consistent with its "duty to audit and monitor contracts"; and

WHEREAS, if, as a result of the State Comptroller audit and review, wrong doing is discovered, the New Jersey Attorney General's Office is to be notified to commence an investigation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Chosen Freeholders of the County of Morris in the State of New Jersey as follows:

1. The County requests the State Comptroller's office review the Solar II Projects and, if it determines in its own discretion, audit the Solar II Projects and advise the County of procedures, safeguards, and revisions it recommends to the Solar II Projects and any of the future procurements by the County.
2. The within resolution shall take effect immediately.

I hereby certify the above to be a true copy of a resolution adopted by the Board of Chosen Freeholders of the County of Morris at a regular meeting held on March 2, 2015.

Diane M. Ketchum, Clerk of the Board
Of Chosen Freeholders of the
County of Morris