

## LEGAL NOTICE

Notice is hereby given that the Board of Commissioners of the County of Carbon, Commonwealth of Pennsylvania do hereby intend to adopt an Ordinance at a regular meeting of the Board of Commissioners meeting to be held on or after 15<sup>th</sup> day of May, 2025 at 10:30 am, Commissioners meeting room 3<sup>rd</sup> Floor, Carbon County Administration Building, 2 Hazard Square, Jim Thorpe, PA, to approve an amendment to the articles of incorporation of the Carbon County Industrial Development Authority to extend the authority's term of existence for a period of fifty (50) years from approval by the Department of State.

Michael J Sofranko  
Chairman  
Carbon County Board of Commissioners

ADV. 5/3/25

COUNTY OF CARBON, PENNSYLVANIA

ORDINANCE NO. \_\_\_\_\_

APPROVING AN AMENDMENT TO THE ARTICLES OF INCORPORATION OF THE CARBON COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY TO EXTEND THE AUTHORITY'S TERM OF EXISTENCE FOR A PERIOD OF FIFTY (50) YEARS FROM APPROVAL BY THE DEPARTMENT OF STATE

**WHEREAS**, the Carbon County Industrial Development Authority (the "Authority") was formed by the County of Carbon (the "County") by virtue of Articles of Incorporation filed December 4, 1969 and approved by the Secretary of the Commonwealth of Pennsylvania by issuance of a Certificate of Incorporation; and

**WHEREAS**, the Authority presently is organized and existing under provisions of said Authorities Act; and

**WHEREAS**, the Authority, by Resolution duly adopted, has proposed that its Articles of Incorporation shall be amended so as to define its powers under the Authorities Act and to increase its term of existence, which amendments are authorized and permitted by the Authorities Act; and

**WHEREAS**, the Authority has caused to be submitted to the Board of Commissioners of this County a copy of the Resolution adopted by the Board of the Authority, duly certified by the Chair or Vice Chair and Secretary or Assistant Secretary of the Authority, as appropriate, wherein said amendments are proposed which Resolution contains the language of said proposed amendments; and

**WHEREAS**, the Authorities Act provides, among other things, that the Board of Commissioners of this County, being the governing authority of the municipality composing the Authority, shall adopt or reject said proposed amendments by ordinance.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED**, by the Board of Commissioners of the County of Carbon, Pennsylvania, as follows:

**SECTION 1.** The Board of Commissioners of this County hereby adopts and approves certain amendments to the Articles of Incorporation of the Authority as proposed by a Resolution duly adopted by the Board of the Authority, a copy of which Resolution, duly certified by the Chair or Vice Chair and Secretary or Assistant Secretary, as appropriate, of the Authority, has been submitted to the Board of Commissioners of this County.

**SECTION 2.** The first amendment to the Articles of Incorporation of the Authority, which hereby is adopted and approved, shall amend the Articles of Incorporation in order to define its powers under the Authorities Act by amending paragraph 2 of the Articles of Incorporation in its entirety to read as follows:

"2. The aforesaid Authority is formed under the Municipality Authorities Act of May 2, 1945, P. L. 382 (the "1945 Act"), which 1945 Act is codified and continued by Act No. 22, approved on June 19, 2001, 53 Pa.C.S.A. §5601 *et seq.*, as amended, supplemented, modified or reenacted by the General Assembly of the Commonwealth of Pennsylvania, and shall be empowered to exercise any and all powers, for any or all lawful purpose or purposes, for which a municipal authority may be organized and created under the Authorities Act."

**SECTION 3.** The second amendment to the Articles of Incorporation of the Authority, which hereby is adopted and approved, shall amend the Articles of Incorporation in order to increase the term of existence of the Authority by adding a new paragraph 7 to the Article of Incorporation, which new paragraph 7 shall read as follows:

“7. The term of existence of said Authority shall be for a period of fifty (50) years, retroactive from the date December 4, 2019 and effective as of the date of approval of these Articles of Amendment to the Articles of Incorporation.”

**SECTION 4.** Proper officers of the Authority hereby are authorized to execute, verify and file appropriate Articles of Amendment with the Secretary of the Commonwealth of Pennsylvania and to take all other action and to do all other things which may be necessary in order to accomplish the amendment of the Articles of Incorporation of the Authority in the manner herein adopted and approved.

**SECTION 5.** All ordinances or parts of ordinances, insofar as the same shall be inconsistent herewith, shall be and the same hereby expressly are repealed.

DULY ENACTED AND ORDAINED by the Board of Commissioners of the County of Carbon, Pennsylvania, in lawful session duly assembled, this \_\_\_\_ of \_\_\_\_\_, 2025.

**COUNTY OF CARBON, PENNSYLVANIA**

\_\_\_\_\_  
Michael J. Sofranko, Chairman

\_\_\_\_\_  
Wayne E. Nothstein, Commissioner

\_\_\_\_\_  
Rocky C. Ahner, Commissioner

(SEAL)

ATTEST:

\_\_\_\_\_  
Chief Clerk

(SEAL)

CERTIFICATE

I, the undersigned, Chief Clerk of the County of Carbon, Pennsylvania (the "County"), certify that: the foregoing is a true and correct copy of an Ordinance of the Board of Commissioners of the County which duly was enacted by affirmative vote of a majority of the members of the Board of Commissioners of the County at a meeting held on \_\_\_\_\_, 2025; said Ordinance duly has been recorded in the Ordinance Book of the County; said Ordinance duly has been published as required by law; and said Ordinance remains in effect, unaltered and unamended, as of the date of this Certificate.

I further certify that the Board of Commissioners of the County met the advance notice requirements of all laws of the Commonwealth of Pennsylvania.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the County, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Chief Clerk

(SEAL)