

1 RESOLUTION NO. 2017-105

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3 SPONSOR Ms. Shapiro

4
5 DATE April 17, 2017 COMMITTEE Planning

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7 **A Resolution authorizing the County of Summit, pursuant to Section 4929.26 of the Ohio**
8 **Revised Code, to join the Northeast Ohio Public Energy Council, authorizing the County**
9 **Executive to execute the Agreement establishing the Northeast Ohio Public Energy**
10 **Council, and approving and adopting the Bylaws of the Northeast Ohio Public Energy**
11 **Council, for the Executive, and declaring an emergency.**

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13 WHEREAS, the County of Summit wishes to establish an opt-out natural gas aggregation
14 program pursuant to Section 4929.26 of the Ohio Revised Code (the "Natural Gas Program") for
15 certain eligible natural gas consumers located within the City of New Franklin and in the
16 townships of Bath, Boston, Copley, Coventry, Northfield Center, Richfield, Springfield and
17 Twinsburg, in Council Districts 1, 4, 5, 7 and 8; and

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19 WHEREAS, pursuant to Section 4929.26 of the Ohio Revised Code, the County may
20 exercise such authority jointly with other political subdivisions in the State of Ohio; and

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22 WHEREAS, for said purpose, the County wishes to join the Northeast Ohio Public
23 Energy Council (the "NOPEC"), whereby the County will be able to act jointly with other
24 member political subdivisions and thereby maximize the potential benefit of natural gas
25 deregulation through group purchasing efforts; and

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27 WHEREAS, the County Executive recommends that this Council find and determine that
28 it is necessary and in the best interest of the County and certain eligible natural gas consumers in
29 the aforementioned communities in Summit County for the County to join the NOPEC and to
30 authorize the same; and

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32 WHEREAS, the Executive further recommends that the County enter into the Agreement
33 establishing the Northeast Ohio Public Energy Council, and approve and adopt the Bylaws of the
34 NOPEC; and

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36 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
37 that it is necessary and in the best interest of the County of Summit and certain eligible natural
38 gas consumers in the aforementioned communities in Summit County to join the NOPEC, to
39 authorize the Executive to execute the Agreement establishing the NOPEC and to approve and
40 adopt the Bylaws of the NOPEC;

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42 NOW, THEREFORE, IT IS HEREBY RESOLVED by the Council of the County of
43 Summit, State of Ohio, that:

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45 SECTION 1

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47 This Council hereby finds and determines that it is necessary and in the best interest of
48 the County of Summit and certain eligible natural gas consumers located within City of New
49 Franklin and in the townships of Bath, Boston, Copley, Coventry, Northfield Center, Richfield,
50 Springfield and Twinsburg, in Council Districts 1, 4, 5, 7 and 8 for the County, pursuant to
51 Section 4929.26, to join the Northeast Ohio Public Energy Council (the "NOPEC") and hereby
52 authorizes the County to join the NOPEC.
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4 SECTION 2

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6 The County Executive is hereby authorized, pursuant to Section 4929.26 of the Ohio
7 Revised Code, to execute the Agreement establishing the NOPEC. The Executive is hereby
8 authorized to execute said Agreement establishing the NOPEC in substantially the form attached
9 to this Resolution as Exhibit A.

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11 SECTION 3

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13 This Council, pursuant to Section 4929.26 of the Ohio Revised Code, hereby approves
14 and adopts the Bylaws of the NOPEC, which are attached to this Resolution as Exhibit B. The
15 County Executive is hereby authorized to execute any documents necessary for the adoption by
16 the County of said Bylaws, including, but not limited to, the Bylaws in substantially the form
17 attached to this Resolution as Exhibit B.

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19 SECTION 4

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21 This Resolution is hereby declared an emergency in the interest of the health, safety, and
22 welfare of the citizens of the County of Summit and for the further reason of immediately
23 allowing the County to join NOPEC in order to timely establish an opt-out natural gas
24 aggregation program through NOPEC for the benefit of the County and certain eligible natural
25 gas consumers within City of New Franklin and in the townships of Bath, Boston, Copley,
26 Coventry, Northfield Center, Richfield, Springfield and Twinsburg.

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28 SECTION 5

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30 Provided this Resolution receives the affirmative vote of eight members, it shall take
31 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
32 effect and be in force at the earliest time provided by law.

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34 SECTION 6

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36 It is found and determined that all formal actions of this Council concerning and relating
37 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
38 deliberations of this Council and of any of its committees that resulted in such formal action,
39 were in meetings open to the public, in compliance with all legal requirements, including Section
40 121.22 of the Ohio Revised Code.

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5 INTRODUCED March 20, 2017

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7 ADOPTED April 17, 2017

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CLERK OF COUNCIL


PRESIDENT OF COUNCIL

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14 APPROVED April 18, 2017

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19 
EXECUTIVE

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21 ENACTED EFFECTIVE April 18, 2017

Voice Vote: 11-0 YES: Crawford, Dickinson, Donofrio, Feeman, Hamilton, Koehler, Prentice, Rodgers, Schmidt, Walters, Wilhite