

1 RESOLUTION NO. 2017-107

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3 SPONSOR Ms. Shapiro

4  
5 DATE April 17, 2017 COMMITTEE Planning

6  
7 **A Resolution approving and adopting, pursuant to Section 4929.26 of the Ohio Revised**  
8 **Code, the Plan of Operation and Governance for the Northeast Ohio Public Energy**  
9 **Council Natural Gas Aggregation Program for the purpose of jointly establishing and**  
10 **implementing an opt-out natural gas aggregation program, for the Executive, and**  
11 **declaring an emergency.**

12  
13 WHEREAS, this Council has adopted legislation authorizing the County of Summit to  
14 establish, pursuant to Section 4929.26, an opt-out natural gas aggregation program of the Ohio  
15 Revised Code through the Northeast Ohio Public Energy Council (the "NOPEC") for certain  
16 eligible natural gas consumers located within the City of New Franklin and in the townships of  
17 Bath, Boston, Copley, Coventry, Northfield Center, Richfield, Springfield and Twinsburg, in  
18 Council Districts 1, 4, 5, 7 and 8, through the NOPEC and authorizing the County Executive to  
19 execute a Natural Gas Program Agreement with the NOPEC concerning the same; and

20  
21 WHEREAS, this Council has adopted legislation pursuant to Section 4929.26 of the Ohio  
22 Revised Code authorizing the County to join the NOPEC, authorizing the County Executive to  
23 execute the Agreement establishing the NOPEC and approving and adopting the NOPEC's  
24 Bylaws so that the County will be able to act jointly with other member political subdivisions  
25 and thereby maximize the potential benefits of gas deregulation through group purchasing  
26 efforts; and

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28 WHEREAS, on behalf of this Council pursuant to Section 4929.26 of the Ohio Revised  
29 Code, two (2) public hearings have been held on the Plan of Operation and Governance for the  
30 NOPEC Natural Gas Aggregation Program; and

31  
32 WHEREAS, the County Executive recommends that this Council find and determine that  
33 it is necessary and in the best interest of the County and certain eligible natural gas consumers in  
34 the aforementioned communities in Summit County for the County to approve the Plan of  
35 Operation and Governance for the NOPEC Natural Gas Aggregation Program; and

36  
37 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
38 that it is necessary and in the best interest of the County of Summit and certain eligible natural  
39 gas consumers in the aforementioned communities in Summit County to approve the Plan of  
40 Operation and Governance for the NOPEC Natural Gas Aggregation Program;

41  
42 NOW, THEREFORE, IT IS HEREBY RESOLVED by the Council of the County of  
43 Summit, State of Ohio, that:

44  
45 SECTION 1

46  
47 This Council hereby finds and determines that it is necessary and in the best interest of  
48 the County and certain eligible natural gas consumers located within City of New Franklin and in  
49 the townships of Bath, Boston, Copley, Coventry, Northfield Center, Richfield, Springfield and  
50 Twinsburg, in Council Districts 1, 4, 5, 7 and 8, to approve and adopt, pursuant to Section

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4 SECTION 1 (Cont.)

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6 4929.26 of the Ohio Revised Code, the Plan of Operation and Governance of the Northeast Ohio  
7 Public Energy Council (the "NOPEC") Natural Gas Aggregation Program, attached to this  
8 Resolution as Exhibit A, for the purpose of establishing and implementing the Gas Aggregation  
9 Program in the County. This Council hereby approves and adopts, pursuant to Section 4929.26,  
10 the Plan of Operation and Governance of the NOPEC Natural Gas Aggregation Program. The  
11 County Executive is hereby authorized, pursuant to Section 4929.26 of the Ohio Revised Code,  
12 to execute any documents necessary for the approval and adoption by the County of said Plan of  
13 Operation and Governance of the NOPEC Natural Gas Aggregation Program, including, but not  
14 limited to, the Plan of Operation and Governance of the NOPEC Natural Gas Aggregation  
15 Program in substantially the form attached to this Resolution as Exhibit A.

16  
17 SECTION 2

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

26  
27 SECTION 3

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

32  
33 SECTION 4

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

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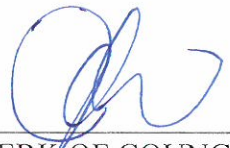
5 INTRODUCED March 20, 2017

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7 ADOPTED April 17, 2017

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11 CLERK OF COUNCIL



PRESIDENT OF COUNCIL

13

14 APPROVED April 18, 2017

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18 EXECUTIVE

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20 ENACTED EFFECTIVE April 18, 2017

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