

**RESOLUTION OF THE BOARD OF TRUSTEES  
OF WOODVILLE TOWNSHIP, OHIO**

Date: February 3, 2010  
Resolution No: 2010-01

**AN RESOLUTION AUTHORIZING ALL ACTIONS NECESSARY TO  
EFFECT A GOVERNMENTAL ELECTRICITY AGGREGATION PROGRAM  
WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4928.20 OHIO  
REVISED CODE, DIRECTING THE SANDUSKY COUNTY BOARD OF  
ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS; AND  
DECLARING AN EMERGENCY.**

The Board of Trustees of Woodville Township, Sandusky County, Ohio (hereinafter "Board") met in regular session on the 3rd day of February, 2010, with all of the Board present, to wit: Kenneth Green, William Hammer, and Robert Schroeder.

The Fiscal Officer advised the Board that the notice requirements of Section 121.22 of the Revised Code and any implementing rules adopted by the Board pursuant thereto were complied with for the meeting.

Mr. Green moved for the adoption of the following resolution concerning the electric aggregation:

Whereas, The Ohio Legislature has enacted electric deregulation legislation ("Am. Sub. S.B. No. 3") which authorizes the legislative authorities of municipal corporations, townships and counties to aggregate the retail electrical loads located within the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of electricity ("Governmental Aggregation"); and

Whereas, Such legislative authorities may exercise such authority jointly with any other legislative authorities; and

Whereas, Governmental Aggregation provides an opportunity for residential and small business consumers to participate collectively in the potential benefits of electricity deregulation through lower electricity rates which would not otherwise be available to those electricity customers individually; and

Whereas, this Board, seeks to establish a Governmental Aggregation program with opt-out provisions pursuant to Section 4928.20, Ohio Revised Code (the "Aggregation Program") for the residents, businesses and other electric consumers in the Township.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Woodville Township, Ohio that:

Section 1: This Board finds and determines that it is in the best interest of the Township, its residents, businesses and other electric consumers located within the said township to establish this Aggregation Program in the Township. Provided that the Aggregation Program is approved by the electors of the Township pursuant to Section 2 of this Resolution, the Board of Trustees is hereby authorized to automatically aggregate, in accordance with Section 4928.20, Ohio Revised Code, the retail electric loads located within the Township, and, for that purpose, to enter into service agreements to facilitate for those loads the purchase and sale of electricity. The Township may exercise such authority jointly with any other municipal corporation, township or county or other political subdivision of the State of Ohio to the full extent permitted by law. The aggregation will occur automatically for each person owning, occupying, controlling or using an electric load center proposed to be aggregated and will provide for the opt-out rights described in Section 3 of this Resolution.

Section 2: The Board of Elections of Sandusky County is hereby directed to submit the following question to the electors of the Township at the primary election on May 4, 2010:

***Shall the Township of Woodville have the authority to aggregate the retail electric load located in the Township of Woodville, and for that purpose, enter into service agreements to facilitate for those loads the sale and purchase of electricity, such aggregation to occur automatically except where any person elects to opt out?***

The Fiscal Officer of this Board is instructed to immediately file a certified copy of this resolution and the proposed form of the ballot question with the County Board of Elections not less than seventy-five days prior to the primary election. The Aggregation Program shall not take effect unless approved by a majority of the electors voting upon this resolution and the Aggregation Program provided for herein at the election held pursuant to this Section 2 and Section 4928.20, Ohio Revised Code.

Section 3: Upon approval of a majority of the electors voting at the primary election provided for in Section 2 of this Resolution, this Board, individually or jointly with any other political subdivision, may develop a plan of operation and governance for the Aggregation Program. Before adopting such plan, this Board shall hold at least two public hearings on the plan. Before the first hearing, notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the Township. The notice shall summarize the plan and state the date, time and place of each hearing. No plan adopted by this Board shall aggregate the electric load of any electric load center within the Township unless it, in advance, clearly discloses to the person owning, occupying, controlling, or using the load center that the person will be enrolled automatically in the Aggregation Program and will remain so enrolled unless the person affirmatively elects by a stated procedure not to be so enrolled. The disclosure shall state prominently the rates, charges, and other terms and conditions, of enrollment. The stated procedure shall allow any person enrolled in the Aggregation Program the opportunity to opt-out of the program at least every three years, without paying a switching fee. Any such person that opts out of the Aggregation Program pursuant to the

state procedure shall default to the standard service offer provided under division (a) of Section 4928.35, Ohio Revised Code until the person chooses an alternative supplier.

Section 4: It is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this resolution were adopted in an open meeting of this Board and that the deliberations of this Board and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including section 121.22 of the Ohio Revised Code.

Section 5: This resolution shall take effect and be in force immediately upon its adoption.

Mr. Schroeder second the motion and the vote upon its adoption resulted as follows: