

RECORD OF PROCEEDINGS
BROWN TOWNSHIP TRUSTEES
REGULAR SESSION

Held: December 9, 2024

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REGULAR MEETING of BROWN TOWNSHIP TRUSTEES convened in Regular session from 6:00 P.M. to 7:24 P.M. At the TOWNSHIP OFFICE.

TRUSTEE-CHAIR JOHN DUSTMAN called the meeting to order.

Attendance:

TRUSTEE-CHAIR JOHN P. DUSTMAN	Present
TRUSTEE-VICE CHRISTOPHER ROTONDO	Present
TRUSTEE BROCK HUTCHISON	Absent
FISCAL OFFICER PEGGIE CONNER	Present
SUPERINTENDENT: LEWIS WARNER	Present

VISITORS:

Steve Reed, World Fuels - Will not be delivering to small organizations any longer.

1. Public Comment Period

None

2. Additions or Corrections to the Agenda

Trustee Rotondo presented two resolutions for Trebel Energy.

- I. Trustee Rotondo made a motion (R76-2024) authorizing all actions necessary to effect a governmental natural gas aggregation program with opt-out provisions pursuant to section 4928.20 Ohio Revised Code. Trustee Dustman seconded the motion.

ROLL CALL: Trustee-Chair John Dustman yes
Trustee Brock Hutchison N/A
Trustee Chris Rotondo yes Motion carried

SEE APPENDIX A FOR FULL RESOLUTION

- II. Trustee Rotondo made a motion (R77-2024) authorizing all actions necessary to effect a governmental electricity aggregation program with opt-out provisions pursuant to section 4928.20 Ohio Revised Code.

ROLL CALL: Trustee-Chair John Dustman yes
Trustee Brock Hutchison N/A
Trustee Chris Rotondo yes Motion carried
SEE APPENDIX A FOR FULL RESOLUTION

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APPENDIX A

Resolution No. 77

A RESOLUTION AUTHORIZING ALL ACTIONS NECESSARY TO EFFECT A GOVERNMENTAL ELECTRICITY AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4928.20 OHIO REVISED CODE.

WHEREAS, the Ohio Legislature enacted electric deregulation legislation ("Am. Sub. S.B. No. 3"), which authorized the legislative authorities of municipal corporations, townships, and unincorporated areas of the county, 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; and

WHEREAS, such legislative authorities may exercise said authority individually or 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, the Board of Trustees of Brown Township ("Trustees") seeks to expand their governmental aggregation program with opt-out provisions pursuant to Section 4928.20, Ohio Revised Code, for the residents, businesses and other electric consumers in the incorporated areas of the Township, and may be in conjunction with any other legislative authorities in the State of Ohio, as permitted by law (the "Aggregation Program"). This program will include the Village of Malvern.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Brown Township, Carroll County, Ohio that:

Section 1: The Board finds and determines that it is in the best interest of the Township, its residents, businesses and other electric consumers located within the incorporated areas of the Township, including Malvern Village, to establish an Aggregation Program within the incorporated areas of the Township. Provided that the Aggregation Program is approved by the electors of the Township pursuant to Section 2 of this Resolution, the Board is hereby authorized to automatically aggregate, in accordance with Section 4928.20, Ohio Revised Code, the retail electric loads located within the incorporated areas of the Township, and, for that purpose, to enter into service agreements to facilitate for those loads the purchase and sale of electricity. The Board may exercise such authority jointly with any other

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political subdivision of the State of Ohio to the full extent permitted by law, which may include use of an energy broker/consultant/aggregator, so long as the broker/consultant/aggregator is certified by the Public Utilities Commission of Ohio.

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 2 of this Resolution.

Section 2: No plan adopted by this Board shall aggregate the electric load of any electric load center within the incorporated areas of 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 who opts out of the Aggregation Program pursuant to the stated procedure shall default to the standard service offer provided under Section 4928.141 of the Ohio Revised Code, until the person chooses an alternative supplier.

Section 3: 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.

Date: 12-9-24

Trustee

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Resolution No. 76

A RESOLUTION AUTHORIZING ALL ACTIONS NECESSARY TO EFFECT A GOVERNMENTAL NATURAL GAS AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4928.20 OHIO REVISED CODE.

WHEREAS, the Ohio Legislature enacted Chapter 4929, Ohio Revised Code, which authorized the legislative authorities of municipal corporations, townships, and unincorporated areas of the county, to aggregate the retail natural gas loads located within the respective jurisdictions and to enter into service agreements to facilitate the purchase and sale of the service for the retail natural gas loads; and

WHEREAS, such legislative authorities may exercise said authority individually or 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 natural gas service deregulation through lower natural gas rates, which would not otherwise be available to those natural gas customers individually; and

WHEREAS, the Board of Trustees of Brown Township ("Trustees") seeks to expand their governmental aggregation program with opt-out provisions pursuant to Section 4928.20, Ohio Revised Code, for the residents, businesses and other natural gas consumers in the incorporated areas of the Township, and may be in conjunction with any other legislative authorities in the State of Ohio, as permitted by law (the "Aggregation Program"). This program will include the Village of Malvern.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Brown Township, Carroll County, Ohio that:

Section 1: The Board finds and determines that it is in the best interest of the Township, its residents, businesses and other retail natural gas consumers located within the incorporated areas of the Township to establish an Aggregation Program in the incorporated areas of the Township, inclusive of Malvern Village. The Board may exercise such authority jointly with any other political subdivision of the State of Ohio to the full extent permitted by law, which will include use of an energy broker/consultant/aggregator, so long as the broker/consultant/aggregator is certified by the Public Utilities Commission of Ohio.

The aggregation, subject to Section 4929.26(A)(2)(a) and (b), Ohio Revised

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Code, and the opt-out rights described in Section 2 of this Resolution, will occur automatically for the retail natural gas loads located within the incorporated areas of the Township and for which there is a choice of supplier, a rule or order has been adopted or issued under Chapter 4905, Ohio Revised Code, or an exemption granted under Sections 4929.04 to 4929.08, Ohio Revised Code.

Section 2: No plan adopted by this Board shall aggregate the retail natural gas load of any retail natural gas load center within the incorporated areas of 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 two years, without paying a switching fee. Any such person who opts out of the Aggregation Program pursuant to the stated procedure shall default to the natural gas company providing distribution service for the person's retail natural gas load, until the person chooses an alternative supplier.

Section 3: 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.

Date: 12-9-24

Trustee

Trustee

Trustee