

RESOLUTION

A RESOLUTION AUTHORIZING ALL ACTIONS NECESSARY TO AFFECT A GOVERNMENTAL ELECTRICITY AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4928.20 OF THE OHIO REVISED CODE, DIRECTING THE LICKING COUNTY BOARD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS OF UNINCORPORATED AREAS OF THE COUNTY, EXCLUDING ETNA, UNION, GRANVILLE AND HARRISON TOWNSHIPS.

WHEREAS, the Ohio legislature has enacted electric deregulation legislation which authorizes the legislative authorities of townships and counties to aggregate the retail electrical loads located within their respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of electricity; 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 Commissioners of Licking County seek to establish a governmental aggregation program with opt-out provisions pursuant to Section 4928.20 of the Ohio Revised Code for the residents, businesses and other electric consumers in the County; and,

WHEREAS, four Townships (Etna, Granville, Union and Harrison) already have enacted electricity aggregation for their respective Townships thus making it unnecessary to have this on the ballot in those Townships.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Licking County, State of Ohio:

Section 1. BEST INTERESTS OF THE COUNTY

The Board of Commissioners of Licking County has concluded that it is in the best interest of the County, its residents and businesses located within the unincorporated limits of the county to establish this aggregation program in the county.

Section 2. APPROVAL BY THE ELECTORATE

The aggregation program must be approved by the electors of the County pursuant to Section 3 of this Resolution. Upon approval by the electorate the County is hereby authorized to automatically aggregate, in accord with Section 4928.20 of the Ohio Revised Code, the retail electric loads (customers) located within the County, and enter into service agreements to facilitate for those loads the purchase and sale of electricity. The County may exercise such authority jointly with any other municipal corporation, township, or county or other political subdivision of the State of Ohio.

Section 3. BALLOT LANGUAGE

The Board of Elections of Licking County is hereby directed to submit the following question, in substantially the following form, to the electors of unincorporated portions of Licking County, except for Etna, Granville, Union and Harrison Townships, at the general election on November 7th, 2023:

A majority vote shall be necessary for passage.

Shall the Board of Commissioners of Licking County have the authority to aggregate the retail electric loads located in the unincorporated area of Licking County, 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?

Section 4. CERTIFICATION TO THE BOARD OF ELECTIONS

The Clerk of the Licking County Commissioners is instructed to immediately file a certified copy of this resolution and the proposed form of the ballot question with the Licking County Board of Elections not less than 90 days prior to the general 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 Section 3 and Section 4928.20 of the Ohio Revised Code.

CONTINUED

Section 5. PROCEDURE AFTER AN AFFIRMATIVE VOTE; HEARINGS AND NOTICE OF HEARINGS; OPT-OUT RIGHTS.

Upon approval of a majority of the electors voting at the general election provided for in Section 3 of this Resolution, the Board of Commissioners of Licking County, individually or jointly with any other political subdivision, may develop a plan of operation for the aggregation program. Before adopting this plan, the Board of Commissioners of Licking County shall hold a least two public hearings on the plan.

Notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the County prior to the first hearing. The notice will summarize the plan and state the date, time and place of each hearing. No plan adopted by this Board of Commissioners shall aggregate the electric load of any electric load center within the County 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 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 once during the term of each newly negotiated service agreement without paying a switching fee. Any 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 of the Ohio Revised Code until the person chooses an alternative supplier.

Section 6. OPEN MEETING LAW COMPLIANCE

It is hereby found and determined that all formal actions of this Board of Commissioners of Licking County concerning and relating to the passage of this resolution were adopted in an open meeting of this Board of Commissioners of Licking County and that the deliberations of this Board of Commissioners of Licking County 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.

BE IT RESOLVED by the Board of County Commissioners, County of Licking, State of Ohio:

This Board authorizes the President of this Board, on behalf of the full Board, in its representative capacity of the participating entities in the Governmental Aggregation Program, to enter into any Addendums to the Master Agreements in order to add participating entities into the program without further resolution(s).

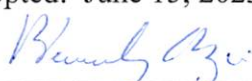
Motion by **FLOWERS** seconded by **BLACK**

that the resolution be adopted was carried by the following vote:

YEAS:  * *
NAYS: _____ * *

CC: Ken Oswalt – Compliance Officer FILE
Bob Snavelly – Palmer Energy

Timothy E. Bubb
Duane H. Flowers
Rick Black

Adopted: June 15, 2023

Beverly Adzic, Clerk/Administrator