

**RESOLUTION G2017-62**

**RESOLUTION AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO SIGN A  
NATURAL GAS AGGREGATION AGREEMENT WITH CONSTELLATION**

**WHEREAS**, the Ohio Legislature has enacted electric deregulation legislation (“Am. Sub, S.B. No. 3” which authorizes the legislative authorities of townships to aggregate retail electrical loads location in their respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of electricity; and

**WHEREAS**, the Symmes Township Trustees placed this issue on the ballot and the residents voted to create an aggregation program in the township on November 9, 2009; and

**WHEREAS**, pursuant to Chapter 4929.26 of the Ohio Revised Code, the Township desires to aggregate automatically and arrange for competitive retail natural gas service for the retail natural gas loads location within its jurisdictional boundaries; and

**WHEREAS**, Symmes Township desires to establish the rights and obligations of the Parties with respect to aggregating the natural gas load located with the applicable jurisdictional boundaries and making competitive retail natural gas service available to that load; and

**WHEREAS**, the current agreement for gas aggregation expires on November 1, 2017 and the Symmes Township Board of Trustees, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, agree to the terms and conditions set forth in the attached agreement.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Symmes Township, Hamilton County, Ohio takes the following action:

**Section 1.** That the Township Administrator is authorized to sign a natural gas aggregation agreement or necessary paperwork with Constellation New Energy-Gas Division, LLC, 9960 Corporate Campus Drive, Suite 2000, Louisville, KY 40223, which provides the Township and its residents with natural gas services prior the expiration date of November 1, 2017.

**Section 2.** That this agreement will be in effect until October 31, 2020.

**Section 3.** That it is hereby found and determined that all formal actions of the Board concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

**Section 4.** The Board of Trustees of Symmes Township upon majority vote does hereby dispense with the requirement that this Resolution be read on two separate days and hereby authorizes the adoption of this Resolution upon its first reading.

**Section 5.** This Resolution shall take effect and be enforced from and after the earliest period allowed by law.

**ADOPTED OCTOBER 3, 2017 – RESOLUTION G2017-62**

Vote Record: Mrs. Leis \_\_\_\_ Mr. Bryant \_\_\_\_ Mr. Beck \_\_\_\_

**BOARD OF TRUSTEES:**

\_\_\_\_\_  
Jodie L. Leis, President

\_\_\_\_\_  
Kenneth N. Bryant, Vice-President

\_\_\_\_\_  
Philip J. Beck, Trustee

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Carol A. Sims, Fiscal Officer

\_\_\_\_\_  
Kevin McDonough, Law Director