

RECORD OF PROCEEDINGS
German Township Board of Trustees
Special Session
July 23, 2014

The German Township Trustees met in special session on Tuesday, July 23, 2014 at 7:30 p.m. at the German Township Office, 3940 Lawrenceville Drive, Springfield, Ohio. The meeting is called into order by Mr. Rodney Kaffenbarger, President.

Roll Call: Mr. Clark – present; Mr. Metzger – present; Mr. Kaffenbarger – present

Other Township personnel present: George Degenhart, Zoning Inspector; Angela Griest, Fiscal Officer.

Visitors: Mic Digioia; Joe Garrett, Trebel; Scott Belcastro, Trebel (late arrival)

- A. Motion to approve the Township property and liability insurance through OTARMO \$39,343.00:
Motion: Mr. Metzger 2nd: Mr. Clark Ayes: All
- B. Motion to accept the County Auditor's Certificate of Estimated Property Tax Revenue for an additional levy at a rate of 1.314 mills for Current Expenses pursuant to Revised Code Section 5705.19(A) which will bring in approximately \$199,371 to the General Fund per year; and to file a Resolution to Proceed of the Tax Authority with the Clark County Board of Elections for an additional levy at a rate of 1.314 mills for the purposes of Current Expenses pursuant to Revised code Section 5705.19(A):
Motion: Mr. Metzger 2nd: Mr. Clark Ayes: All

Mr. Joe Garrett of Trebel is here today to address questions and concerns of the German Township Trustees regarding Electric and Gas Aggregation. Mr. Scott Belcastro of Trebel arrives later, and joined the conversations.

Discussions/Questions/ Highlights

- Trebel to do all marketing – no postage or printing costs to the Township. Opt out notices will be paid for by the suppliers through the contract that Trebel will have with them.
- Trebel does not charge any Termination Fees
- All residents and small businesses not currently signed up with another aggregation program or a co-op program will be automatically put into this aggregation group. Anyone may opt out if they do not want to be a part of the aggregation.
- Some suppliers do not have budget payment options, Trebel can try to only work with suppliers that can provide budget plans.
- Trebel makes sure that any supplier letters that go out will have the Township information on it so residents will know that this a program supported by the township and not just some junk mail.
- There will be a webpage with a button for German Township where people can find more information.
- Ohio Edison will also notify the residents of the switch.
- There will be a number that residents can call for information. Or they can call Ohio Edison, or they may call the trustees.
- Trebel works with the PUCO and handles all the regulation processes.
- Residents may opt out at any time, any day with no fees. They can call Ohio Edison or Columbia Gas.
- Trebel does not buy “blocks” of energy. They represent us to the guys who do buy “blocks” of energy.
- The prices are contracted for a set time at that rate. Guaranteed rate of discount. No hidden fees.
- The contract with Trebel is for 3 years. The contracts with the energy suppliers can be for different time periods.
- Aggregation is for residents and small businesses. Larger businesses who used very large units of energy have probably already switched. This program is most beneficial to residents.
- The rates Trebel receive for their services are not negotiable. This is the rate they feel they need to be at to provide the best track record of education, rates, higher discounts, and service protections.

Mr. Digioia had several questions and concerns that he addressed to Mr. Garrett and the Trustees concerning Trebel and electric/gas aggregation. Mr. Digioia felt that aggregation would be good for the

Township but felt the Trustees should look at other brokers who could manage our aggregation program for a comparison.

Mr. Kaffenbarger stated he agreed that the electric and gas aggregation was good. He spoke with Integrys Energy Services on the telephone for 45 minutes and discussed aggregation with them.

Mr. Kaffenbarger asked who else had talked with other companies. Mrs. Griest stated that she called all of Treble's references. The gentleman from Prairie Township was out of town that week so she was unable to speak with him. The gentleman from the Goodwill Services in Columbus was satisfied that they had done what was expected of them, and that he was saving money at all of his locations.

Mrs. Griest also asked Trebel questions about how many entities do they currently service, and how many years' experience they had buying as a broker? Mr. Belcastro responded they had several entities in the Columbus, Franklin County area and are adding our residents, Bethel's and Pike's to make a large group for better purchasing power. They have 4 or 5 programs that are in the beginning of the process and are pending. The company was founded in 2010, 4 years ago. Remember that electric aggregation is new.

Mr. Belcastro stated that they do a variable rate, but our discount off the rate will always stay the same. Example: Your cost is always 10 % of the variable rate no matter what the rate is. He drew a diagram to show how this works.

Mr. Clark made the statement that he believes aggregation would be beneficial for the Township, but would like to be able to speak with other brokers or managers of aggregation to see what they bring to the table and to be able to compare programs from various sources.

Mr. Metzger stated Trebel has been the only company to come to the Trustees asking to help with electric and gas aggregation, and they (Trebel) were at the trade show at the Ohio Township Winter Conference. Mr. Metzger felt the Township needed to move ahead with the aggregation

C. Motion to place electric aggregation on the ballot for the November 2014 election:

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 AND DIRECTING THE CLARK COUNTY BOARD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS.

WHEREAS, the Ohio Legislature enacted electric deregulation legislation ("Am. Sub. S.B. No. 3"), which authorized 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; and

WHEREAS, such legislative authorities may exercise said 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, the Board of Trustees of German Township ("Trustees") seeks to establish a 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 Township, and may be in conjunction with any other legislative authorities in the State of Ohio, as permitted by law (the "Aggregation Program").

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of German Township, Clark 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 corporate limits of the Township to establish an 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 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 Board may exercise such authority jointly with any other 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 3 of this Resolution.

Section 2: The Board of Elections of Clark County is hereby directed to submit the following question to the electors of Township at the election on November 4, 2014:

Shall the Board of Trustees of German Township have the authority to aggregate the retail electric loads located in the Township, and for that purpose, enter into services 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, in accordance with Section 4928.20 of the Ohio Revised Code and Resolution No. 07232014C adopted by the Board of Trustees?

The [Administrator/Clerk/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 Clark County Board of Elections not less than ninety (90) days prior to the election to be held November 4, 2014. 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 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 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 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.

Motion: Mr. Metzger 2nd: Mr. Clark Ayes: All

D. Motion to place gas aggregation on the ballot for the November 2014 election:

A RESOLUTION AUTHORIZING ALL ACTIONS NECESSARY TO EFFECT A GOVERNMENTAL NATURAL GAS AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4929.26 OHIO REVISED CODE AND DIRECTING THE CLARK COUNTY BOARD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS.

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 customers individually; and

WHEREAS, the Board of Trustees of German Township ("Trustees") seeks to establish a governmental aggregation program with opt-out provisions pursuant to Section 4929.26, Ohio Revised Code, for the residents, businesses and other natural gas consumers in the Township, and may be in conjunction with any other legislative authorities in the State of Ohio, as permitted by law (the "Aggregation Program").

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of German Township, Clark 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 boundary limits of the Township to establish an 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 is hereby authorized to automatically aggregate, in accordance with Section 4929.26, Ohio Revised Code, the retail natural gas loads located within the Township, and, for that purpose, to enter into service agreements to facilitate for those loads the purchase and sale of natural gas service. 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 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, subject to Section 4929.26(A)(2)(a) and (b), Ohio Revised Code, and the opt-out rights described in Section 3 of this Resolution, will occur automatically for the retail natural gas loads located within 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: The Board of Elections of Clark County is hereby directed to submit the following question to the electors of Township at the election on November 4, 2014:

Shall the Board of Trustees of German Township have the authority to aggregate the retail natural gas loads located in the Township and for which there is a choice of supplier of that service, and for that purpose, enter into services agreements to facilitate for those loads the sale and purchase of natural gas service, such aggregation to occur automatically except where any person elects to opt-out, in accordance with Section 4929.26 of the Ohio Revised Code and Resolution No. 07232014D adopted by the Board of Trustees?

The [Administrator/Clerk/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 Clark County Board of Elections not less than ninety (90) days prior to the election to be held November 4, 2014. 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 4929.26, Ohio Revised Code.

Section 3: Upon approval of a majority of the electors voting at the 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 any retail natural gas load within the Township unless it, in advance, clearly discloses to the person whose retail natural gas load is to be so aggregated 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 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.

Motion: Mr. Metzger 2nd: Mr. Clark Ayes: All

E. Motion to Adjourn by Mr. Kaffenbarger 2nd: Mr. Clark Ayes: All

Approved by:

Board of German Township Trustees

Rodney Kaffenbarger, President

Mr. Metzger, Vice President

Robert Clark, Member

Recorded in the
Record of Proceedings
July 23, 2014

Angela D. Griest, Fiscal Officer