

VILLAGE YELLOW SPRINGS, OHIO
Resolution #2007-06

TO AUTHORIZE THE EXECUTION OF THE 2006 WASG POWER POOL SCHEDULE, TO AUTHORIZE THE VILLAGE MANAGER TO EXECUTE A WESTERN AREA SERVICE GROUP (WASG) POWER POOL SCHEDULE WITH AMERICAN MUNICIPAL POWER - OHIO, INC. (AMP-OHIO) IN ORDER TO ARRANGE FOR CAPACITY AND ASSOCIATED ENERGY OUTPUT FROM AMP-OHIO

WHEREAS, the Village of Yellow Springs, Ohio (the "Municipality"), owns and operates an electric utility system for the sale of electric power and associated energy for the benefit of its citizens and taxpayers; and

WHEREAS, in order to satisfy the electric power and energy requirements of its electric utility system, the Municipality has heretofore purchased economical and reliable power and energy from American Municipal Power-Ohio, Inc. (hereinafter "AMP-Ohio"), an Ohio corporation not for profit, of which the Municipality is a member, or has heretofore purchased power arranged by AMP-Ohio; and

WHEREAS, the Municipality, acting individually and, along with other municipalities which own and operate electric utility systems, jointly through AMP-Ohio, endeavors to arrange for reliable, reasonably priced supplies of electric power and energy for ultimate delivery to its customers; and

WHEREAS, Municipality has executed, or will execute, a Master Services Agreement with AMP-Ohio which sets forth the general terms and conditions for the provision of power supply and other services by AMP-Ohio to the Municipality; and

WHEREAS, Municipality desires to contract with AMP-Ohio and other AMP-Ohio WASG member municipalities to pool, arrange and share electric power and energy assets to provide for reliable and economical electric power and energy.

NOW, THEREFORE, THE COUNCIL OF THE VILLAGE OF YELLOW SPRINGS, OHIO HEREBY RESOLVES THAT:

SECTION 1. That the form of 2006 WASG Power Pool Schedule attached hereto as Exhibit 1, including Appendices thereto between this Municipality and AMP-Ohio, be, and the same hereby is, approved substantially in the form attached hereto, subject to and with any and all changes provided herein and therein.

SECTION 2. That the Village Manager is hereby authorized and directed to execute and deliver on behalf of this Municipality the 2006 WASG Power Pool Schedule, substantially in the form attached hereto.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

SECTION 4. If any section, subsection, paragraph, clause or provision or any part thereof of this resolution shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this resolution shall be unaffected by such adjudication and all the remaining provisions of this resolution shall remain in full force and effect as though such section, subsection, paragraph, clause or provision or any part thereof so adjudicated to be invalid had not, to the extent of such invalidity, been included herein.

SECTION 5. This Resolution shall take effect and be in full force from and continuing thereafter upon the earliest date allowed by law.

Karen Wintrow, Vice President of Council

Passed: April 2, 2007

Attest: _____
Deborah Benning, Clerk of Council

ROLL CALL:

Kathryn Van der Heiden __Y__ Judith Hempfling __Y__ Kathryn Chase __Y__

Bruce Rickenbach __Y__ Karen Wintrow __Y__

#2007-06 WASG POWER POOL SCHEDULE

I the undersign, Deborah Benning, Clerk of Council for the Village of Yellow Springs, Ohio, hereby certify that the foregoing is a true and correct copy of Resolution #2007-07 adopted by said Council on the 2ND day of April, 2007 .

Deborah Benning, Clerk of Council