

**VILLAGE OF YELLOW SPRINGS, OHIO  
ORDINANCE 2023-12**

**APPROVING THE PLAN OF OPERATION AND GOVERNANCE FOR  
THE SUSTAINABLE OHIO PUBLIC ENERGY COUNCIL (“SOPEC”)  
NATURAL GAS AGGREGATION PROGRAM, FOR THE PURPOSE OF  
JOINTLY ESTABLISHING AND IMPLEMENTING A NATURAL GAS  
AGGREGATION PROGRAM, AND DECLARING AN EMERGENCY**

**WHEREAS**, Village Council previously enacted legislation authorizing the Village to establish an opt-out natural gas aggregation program, pursuant to Section 4929.26 of the Ohio Revised Code (the “Natural Gas Aggregation Program”) for the residents, businesses, and other eligible natural gas consumers located within the Village, and for that purpose, to act jointly with any other village, city, township, municipal corporation, county, or other political subdivision of the State of Ohio, as permitted by law; and

**WHEREAS**, by joining the Southeast Ohio Public Energy Council (dba Sustainable Ohio Public Energy Council) (“SOPEC”), the Village will be able to act jointly with other member political subdivisions and thereby maximize the potential benefits of natural gas deregulation through group purchasing efforts; and

**WHEREAS**, Village Council, pursuant to Section 4929.26, Ohio Revised Code, has held two (2) public hearings on the Plan of Operation and Governance (the “Plan”) for the SOPEC Natural Gas Aggregation Program.

**WHEREAS**, for the immediate preservation of the public peace, property, health, and safety, and for the further reason that this Ordinance is required to be immediately effective in order to maximize the potential benefit through the Natural Gas Aggregation Program, it is necessary that this Ordinance take effect at the earliest possible date.

**NOW, THEREFORE, BE IT ORDAINED BY COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, COUNTY OF GREENE, AND STATE OF OHIO, THAT:**

**SECTION 1.** Village Council hereby approves and adopts the Plan of Operation and Governance of the SOPEC Natural Gas Aggregation Program in the form presented to this Village Council and on file with the Clerk.

**SECTION 2.** It is found and determined that all formal actions of this Village Council concerning and relating to the passage of this Ordinance were adopted in open meetings of this Village Council, and that all deliberations of this Village 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 including the Village’s Codified Ordinances and Section 121.22 of the Ohio Revised Code.

**SECTION 3.** This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the Village, and for the further reason that this Ordinance shall take effect immediately upon its adoption and approval by Village Council in order to maximize the potential benefit through the Natural Gas Aggregation Program provided by SOPEC.

Signed: \_\_\_\_\_  
Brian Housh, President of Council

Passed: 3-20-2023

Attest: \_\_\_\_\_  
Judy Kintner, Clerk of Council

ROLL CALL:

Brian Housh   Y        Kevin Stokes   Y        Marianne MacQueen   Y    
Carmen Brown   Y        Gavin DeVore Leonard   Y