

COLES COUNTY BOARD
Special Meeting
November 26, 2012

The special meeting of the Coles County Board was called to order at 4:30 p.m. with the following members present John Bell, Paul Daily, Mark Degler, Jan Eads, Dan Lawrence, Stan Metzger, Mike Weaver, Marc Weber, Phil Wilson and Mike ZuHone with Chairman John Hurst presiding. Absent was member Clint Bays.

Following the Pledge to the Flag, the Invocation was given by John Hurst.

RESOLUTION

**A RESOLUTION APPROVING THE COLES COUNTY ELECTRICITY
AGGREGATION PROGRAM PLAN OF OPERATION AND GOVERNANCE**

For a copy of the resolution (see page 2137)

Upon motion by Bell, seconded by Daily

AYES: Bell, Daily, Degler, Eads, Hurst, Lawrence,
Metzger, Weaver, Weber, Wilson, ZuHone (11)
NAYS: None (0)
ABSENT: Bays (1)

RESOLUTION

**A RESOLUTION AUTHORIZING EXECUTION OF A SERVICE AGREEMENT WITH
THE LOWEST RESPONSIBLE BIDDER FOR THE SUPPLY OF ELECTRICITY FOR
RESIDENTIAL AND SMALL COMMERCIAL RETAIL CUSTOMERS WHO DO NOT
OPT OUT OF SUCH PROGRAM**

For a copy of the resolution (see pages 2138 - 2139)

Upon motion by Lawrence, seconded by Bell

AYES: Bell, Daily, Degler, Eads, Hurst, Lawrence,
Metzger, Weber, Wilson, ZuHone (10)
NAYS: Weaver (1)
ABSENT: Bays (1)

ADJOURNED

Motion by Weber, seconded by Wilson the Coles County Board was adjourned at 4:55 p.m..

AYES: Bell, Daily, Degler, Eads, Hurst, Lawrence,
Metzger, Weaver, Weber, Wilson, ZuHone (11)

NAYS: None (0)

ABSENT: Bays (1)

ATTEST:

_____ County Clerk

RESOLUTION

A RESOLUTION APPROVING THE COLES COUNTY ELECTRICITY AGGREGATION PROGRAM PLAN OF OPERATION AND GOVERNANCE

BE IT RESOLVED that the County Board for the County of Coles establish an opt-out electricity aggregation program and to implement the program according to the terms of the Illinois Power Agency Act, 20 ILCS 3855/1-1 *et seq.*; and

WHEREAS, Section 1-92 of the Illinois Power Agency Act, 20 ILCS 3855/1-92, requires the County to develop a plan of operation and governance for the electricity aggregation program.

Section 1. The County's Electricity Aggregation Program Plan of Operation and Governance, in substantially the form of the copy of said Plan attached hereto and hereby incorporated by reference, be and the same is hereby authorized and approved.

Section 2. The County's electricity aggregation program shall be operated and governed in accordance with said Electricity Aggregation Program Plan of Operation and Governance, the applicable provisions of the Illinois Power Agency Act, and any applicable rules and regulations that are now or in the future adopted pursuant to the Act.

DATED THE 26TH DAY OF NOVEMBER, 2012

SIGNED: _____
COUNTY BOARD CHAIRMAN

ATTEST: _____
COUNTY CLERK

RESOLUTION

A RESOLUTION AUTHORIZING EXECUTION OF A SERVICE AGREEMENT WITH THE LOWEST RESPONSIBLE BIDDER FOR THE SUPPLY OF ELECTRICITY FOR RESIDENTIAL AND SMALL COMMERCIAL RETAIL CUSTOMERS WHO DO NOT OPTOUT OF SUCH A PROGRAM

(Municipal electric aggregation)

WHEREAS, Section 1-92 of the Illinois Power Agency Act, 20 ILCS 3855/1- 92, permits a municipality, if authorized by referendum, to adopt an ordinance by which it may operate a program to solicit bids and enter into service agreements for the sale and purchase of electricity and related services and equipment to residential and small commercial customers who do not opt-out of such a program; and

WHEREAS, the County of Coles (County), in a referendum held on November 6, 2012, submitted the public question of whether it should operate the program as an opt-out program; and

WHEREAS, the referendum passed by a majority vote of the qualified electors voting on the question; and

WHEREAS, the County Board finds that the best interests of the County are served by entering into an agreement with the lowest responsible bidder, pursuant to 20 ILCS 3855/1-92, to aggregate the residential and small commercial retail electric loads located within the County and to arrange for competitive electric supply to these retail electrical accounts; and

WHEREAS, because electricity is a commodity for which supply bids typically are made each morning and expire the same day at the close of business, the County must act promptly to accept any such desired bid in order to contractually guarantee a per kilowatt hour electric rate for its residential and small commercial customers; and

NOW, THEREFORE, BE IT RESOLVED by the Coles County Board, Coles County, Illinois, as follows:

Section 1.The County Board Chair of Coles County, Illinois, be and the same is hereby

authorized to execute and deliver and the Executive Director of the Coles County Regional Planning Commission, be and the same is hereby authorized to attest to said execution of a service agreement with the lowest responsible bidder for the supply of electricity for residential and small commercial retail customers who do not opt out of such a program, said execution and attestation to take place within the applicable time constraints required by the bidder; provided, however, that the energy price to be paid per kilowatt hour pursuant to the agreement is less than the default rate currently in effect, resulting in savings for the County's residential and small commercial retail customers.

Section 2. This Resolution shall be effective immediately and shall remain in effect until such time as the year 2012 electricity aggregation program electric supplier selection process has been completed.

DATED THE 26TH DAY OF NOVEMBER 2012

SIGNED: _____
COUNTY BOARD CHAIRMAN

ATTEST: _____
COUNTY CLERK