

February 28, 2023
Tuesday- 6:30 p.m.
Village of Minster Council Chambers
SPECIAL MEETING

- 1) Call to Order
- 2) Ordinances and Resolutions:
 - a) Ordinance 23-02-05: Discussion, suspend, pass and adopt an ordinance to approve the form and authorize the execution of an energy services agreement, interconnection agreement, termination agreement and lease agreement and taking other actions in connection therewith regarding the energy storage system and to declare an emergency.
SUSPEND - CRAIG O/CURT A. PASS - HEER/Travis W.
- 3) Old Business:
- 4) New Business:
 - a) Discussion and motion to allow the Historical Society to hold their annual Food Truck Rally. ~~June 3RD~~
→ Craig/Curt
- 5) Motion to adjourn
Craig/Nicole

COUNCIL MEMBER	YES	NO	ABSTAIN
Travis Wilges			
Tom Herkenhoff			
Craig Sherman			
Curt Albers			
Craig Oldiges			
Nicole Clune			
Mayor Dennis Kitzmiller			

ORDINANCE NO. 23-02-05

AN ORDINANCE TO APPROVE THE FORM AND AUTHORIZE THE EXECUTION OF AN ENERGY SERVICES AGREEMENT, INTERCONNECTION AGREEMENT, TERMINATION AGREEMENT AND LEASE AGREEMENT AND TAKING OTHER ACTIONS IN CONNECTION THEREWITH REGARDING THE ENERGY STORAGE SYSTEM AND TO DECLARE AN EMERGENCY:

WHEREAS, the Village of Minster, Ohio (the "Municipality") owns and operates an electrical 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 requirements of its electric utility system, municipality has heretofore purchased, or desires to purchase in the future, economical, reliable, and environmentally sound energy related services; and

WHEREAS, Municipality, endeavors to arrange for reliable, environmentally sound and reasonably priced supplies of energy related services for ultimate delivery to its customers; and

WHEREAS, Municipality has determined that it can utilize additional sources of reliable and environmentally sound energy related services on a long-term basis at reasonable costs; and

WHEREAS, Summit Ridge Energy or its affiliates ("Summit Ridge"), organized to own and operate facilities or to provide otherwise, for the generation of energy related services, or any combination thereof desires to construct, operate and maintain energy storage facilities to supply and sell energy related services from such energy storage facilities; and

WHEREAS, in furtherance of this purpose, the Municipality and Summit Ridge desire to enter into an Energy Services Agreement, Interconnection Agreement, Termination Agreement and Lease Agreement that will allow Summit Ridge to construct, operate and maintain energy storage facilities on said Municipality's property and to supply associated energy related services from such energy storage facilities to the Municipality through a connection to the Municipality's electric utility system; and

WHEREAS, it is desirable for Municipality to enter into these agreements with Summit Ridge to provide for an additional source of capacity and energy; and

WHEREAS, after due consideration, the Municipality has determined it is reasonable and in its best interest to proceed as authorized herein below.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL FOR THE VILLAGE OF MINSTER, OHIO:

Section 1. That the Agreements between Municipality and Summit Ridge, substantially in the form attached hereto or on file with the Clerk, including Exhibits thereto, are approved, and the Mayor of the Village of Minster is hereby authorized to execute and deliver the Agreements, with such changes as the Mayor may approve as neither inconsistent with this Ordinance nor materially detrimental to the Municipality, his or her execution of the Agreements to be conclusive evidence of such approval; provided however, that Municipality's obligation under the Agreements shall be specifically contingent upon the Energy Storage Facilities being sited on property owned by the Municipality and interconnected with its electric system.

SECTION 2. That the Mayor is hereby authorized to (i) acquire under the Agreements, a contract for energy services, (ii) make any determinations and approvals required thereunder, if any, as the Mayor shall deem necessary and advisable; and

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

Section 5: If any section, subsection, paragraph, provision or any part of this ordinance shall be finally adjudicated by a court of competent jurisdiction to be invalid, the remainder of this ordinance shall be unaffected by such adjudication and all the remaining provisions of this ordinance 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 6. That this Ordinance is hereby declared to be an emergency measure for the preservation of the public peace, health, safety or property due to the necessity to obtain energy related services and power at a favorable price and shall take effect and be in force immediately upon passage .

ADOPTED: February 28, 2023

Dennis Kitzmiller, Mayor

ATTEST:

Brittany Hemmelgarn, Fiscal Officer