

## **RESOLUTION NO. R08-06 CMS**

### **A RESOLUTION AUTHORIZING THE INTERIM DIRECTOR OF OBERLIN MUNICIPAL LIGHT & POWER SYSTEM TO REPRESENT THE CITY OF OBERLIN AS A MEMBER OF THE BOARD OF TRUSTEES OF AMERICAN MUNICIPALPOWER-OHIO, INC.**

**WHEREAS**, the City of Oberlin (the "municipality") is a member of American Municipal Power-Ohio, Inc. ("AMP-Ohio"), a non-profit corporation in the State of Ohio whose members are Ohio, Pennsylvania and West Virginia municipal corporations that own and operate electric utility systems; and

**WHEREAS**, AMP-Ohio exists for a public purpose, namely to assist the municipally-owned electric systems of the State of Ohio, Pennsylvania and West Virginia in obtaining and providing safe, reliable and reasonable priced electric power for their citizens and customers; and

**WHEREAS**, the affairs of AMP-Ohio are managed by a Board of Trustees (the "Board"), with sixteen voting members elected by, and from among, the membership, who meet from time-to-time in Columbus, Ohio at the headquarters of AMP-Ohio; and

**WHEREAS**, the Municipality has been elected as a Trustee of the Board (a "Trustee"); and

**WHEREAS**, the Municipality is required to designate formally a person to represent it on the Board and to exercise the duties of Trustee of AMP-Ohio.

**NOW, THEREFORE BE IT RESOLVED**, by the Council of the City of Oberlin, County of Lorain, State of Ohio, a majority of all members elected thereto concurring:

**SECTION 1.** That, effective as of August 26, 2008, Doug McMillan, as an incident of his official capacity as Interim Electric Director, be, and is hereby designated the representative of the Municipality on the Board to act on behalf of the Municipality in the discharge of its duties as a Trustee and that Vic Oeftering, Technical Superintendent, be and hereby is, designated as the alternate to such Representative in his stead during such period as he may be unable to represent the Municipality.

**SECTION 2.** That the representative of the Municipality so designated be, and hereby is, authorized and empowered, acting for, in the name of and on behalf of the Municipality, and as the Municipality's agent, to exercise all the functions, powers, rights and privileges, and to fulfill the obligations, that the Municipality may have as a Trustee of the Board, including without limitation to attend and take part in meetings of the Board and of committees of the Board, to vote on and otherwise act with respect to all matters that may properly come before the Board or any committee of the Board, and to do or cause to be done all acts, and to take all steps as may in each case be, in the opinion of such representative, necessary or desirable in order to represent the Municipality and exercise its functions, powers, rights and privileges, and to fulfill its obligations, as a Trustee of AMP-Ohio and to carry out the full intent and purposes of this Resolution and powers of AMP-Ohio.

**SECTION 3.** That the representative named in Section 1 will be entitled to receive reimbursement from AMP-Ohio for reasonable out-of-pocket expenses associated with his service as representative for the Municipality as Trustee.

**SECTION 4.** It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this 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, including Section 121.22 of the Ohio Revised Code.

**SECTION 5.** That this Resolution shall take effect at the earliest date allowed by law.

**PASSED:** 1<sup>st</sup> Reading – August 25, 2008  
**(E)** 2<sup>nd</sup> Reading –  
3<sup>rd</sup> Reading –

*to ensure continuity in our representation on the AMP-Ohio Board of Trustees.*

**ATTEST:**



Belinda B. Anderson  
**CLERK OF COUNCIL**



David E. Sommer  
**PRESIDENT OF COUNCIL**

**POSTED: 08/26/2008**

**EFFECTIVE DATE: 08/25/2008**

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