

ORDINANCE NO. 1-1987

AN ORDINANCE DETERMINING THE NEED FOR PARTICIPATION, AND AUTHORIZING AND DIRECTING SUCH PARTICIPATION BY THE TOWN OF FLEMING, COLORADO, IN THE OPERATION OF MUNICIPAL ENERGY AGENCY OF NEBRASKA AND TO PRESCRIBE THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

BE IT ORDAINED BY THE MAYOR AND TOWN BOARD OF TRUSTEES OF THE TOWN OF FLEMING, COLORADO:

Section 1. The Town Board of Trustees hereby finds and declares that, in consideration of the present and future needs of this Town for electric power and energy, and the inadequacy and unsuitability of the Town's supply of electric power and energy available to meet those needs, and in consideration of the economic and other advantages which will be realized by cooperative action with other municipalities, it would be in the public welfare and in the interest of the customers of the Town's electric utility that the Town become a participant in the Municipal Energy Agency of Nebraska, an agency which has been formed pursuant to Sections 26 to 34 of the Municipal Cooperative Financing Act contained in LB 132 of the 87th Legislature (1981) First Session of the State of Nebraska, as a participating municipality. At the present time, the Agency is comprised of the Nebraska municipalities of:

Alliance, Arnold, Auburn, Bayard, Beaver City, Blue Hill, Broken Bow, Burwell, Callaway, Chappell, Crete, Curtis, Fairbury, Falls City, Gering, Grant, Kimball, Lyman, Mitchell, Morrill, Mullen, Nebraska City, Oxford, Pender, Red Cloud, Shickley, Sidney, Stuart, Wahoo and West Point

It is anticipated that there may be other municipalities that may become participants pursuant to the provisions of the Municipal Cooperative Financing Act.

-- The general description of the business in which the Agency

engages, and the location and method of operation of the proposed plants and systems of the Agency are:

To generate and supply electrical energy and engage in the ownership and operation of power projects as defined in the Municipal Cooperative Financing Act, within and without the State of Nebraska, and exercise all other powers granted by law relating to the above activities. The principal place of business shall be Lincoln, Nebraska.

Section 2. It is hereby ordered and directed that the Town of Fleming, Colorado, acting through its Mayor and Town Clerk, become a participating municipality in Municipal Energy Agency of Nebraska, an organization which has been created pursuant to Sections 26 to 34 of the Municipal Cooperative Financing Act contained in LB 132 of the 87th Legislature (1981) First Session of the State of Nebraska and do all things necessary to become a participant in such Agency. This would include the submission of an application to the Municipal Energy Agency of Nebraska expressing this Town's desire and need to become a participating municipality and the appointment of a director to the Agency.

Section 3. This Ordinance shall be in full force and take effect after its passage, approval, and publication as provided by law.

Passed and approved on the 3rd day of November, 1987.


MAYOR OF TOWN BOARD OF TRUSTEES

ATTEST:


TOWN CLERK

(SEAL)