

Montville Township Trustees
February 14, 2012

Present:

Trustee Ron Bischof, Chairman
Trustee Jeff Brandon
Trustee Sally Albrecht
Fiscal Officer Mary Pawlowski
Police Chief Terry Grice
Zoning Assistant Paul Jeffers
Roads Superintendent Dennis Clapper

Also Present:

David E. Cooper, Resident
Tom Decker, Resident
Darrell Albrecht, Resident
Fred Boreman, Spencer, OH
Glenn Wojciak, The Post

Trustee Bischof opened the meeting of the Montville Township Trustees, which came to order at 6:30 p.m. The Pledge of Allegiance was recited. Trustee Albrecht asked for a moment of silence to ask for guidance and wisdom. Trustee Bischof stated that the meeting is being recorded for transcription purposes only.

Trustee Bischof turned the meeting over to Trustee Albrecht, who reported on her research of the relatively new fracking industry coming to Montville Township. Trustee Albrecht said that she began her investigation of the gas well industry after the January 10th Trustees meeting, where a group of the Concerned Citizens of Medina County attended the meeting and distributed a large amount of literature against the fracking industry.

Trustee Albrecht said that she has learned from her research that townships have no authority over the fracking industry whatsoever. The only thing that a township can do is prohibit fracking wells and injection wells on township property and have a road use maintenance agreement in place, which is actually developed by the county commissioners for township use. This road use agreement includes a bond and a maintenance agreement that the company will maintain the roads. Even though the trucks used by the gas drilling companies are at a legal weight, the chronic overuse of the roads destroys them. The energy companies are very willing to compensate townships for road use in advance; it is actually part of their process to meet with county commissioners to develop a RUMA, or a Road Use Maintenance Agreement.

Trustee Albrecht said that the energy companies have very sophisticated business plans. She identified two main risks of the fracking process to public safety. The first risk is during the initial drilling of the fracking well, from the time the drill first penetrates the surface through the first couple hundred feet. If the drilling isn't done properly, it can contaminate nearby wells.

The second area of risk occurs at the end of the entire process when the used brine water is recycled and disposed. Some companies had been actually dumping the brine water on the roads; this is now being regulated by EPA. Recently, energy companies have started the process of drilling injection wells for the leftover unrecyclable brine water containing chemicals to be put back into the ground. This is the issue that is affecting the Youngstown area. The brine water goes into the layers of granite, creating friction, which causes the layers to shift and makes the seismic activity.

ODNR has now suspended permits on new injection wells while they write a report on the Youngstown dilemma. This report should come out this month. They believe that the report will result in stiffer fines and penalties for companies that do not follow all of

the safety regulations, as well as a modernization of the permit process and the regulations and inspections.

Trustee Albrecht showed an educational PowerPoint about the industry, showing how it grows and the different stages and processes. This PowerPoint is from Chesapeake Energy and is their public relations material which makes it somewhat biased, favoring the industry. However, it is an excellent source of information to understand the industry, what they do, and the sophistication of their safety measures.

Land broking companies are currently going around and approaching landowners to secure leases on the sublevel mineral rights. Trustee Albrecht spoke with the Ohio Oil and Gas Association about leases. Landowners get an initial lease and then there are monthly residuals. It is recommended that landowners have legal advice when drawing up a lease. If the concerned citizens groups really want to have an impact on the community, Trustee Albrecht suggested they focus their energy on providing literature to individual property owners since townships can do nothing to stop the fracking industry from drilling on private property.

Trustee Albrecht explained an encouraging alternative to hydraulic fracturing. A Canadian company in Alberta called Gasfrack has developed a propane gel used for fracking in place of water. The advantage of using the propane gel is that it dissolves into a gas when it is heated so there is nothing to recycle afterwards. The gas is simply extracted with the other gas. This eliminates the whole problem of getting rid of the contaminated brine water. This process is currently being reviewed in the U.S. to use it here; however, it is difficult finding information and data on the propane gel; the Canadian companies are being very quiet about it right now. It is more expensive than the current model but it is much safer.

As a township, we can contact ODNR and ask to be notified when anyone wants to put a well anywhere in our township. Also, before any work is begun, the township can have the Road Use Maintenance Agreement in place. The cost for roads to be in excellent shape when the energy company is finished is determined in advance.

Resident David Cooper from Wadsworth Road commented that residents all around him are being pressured to sign leases on sublevel mineral rights for their properties. The land brokers are working to find a combination of property owners to have 100 acres for a fracking well. Mr. Cooper is concerned that, in theory, he could have a drill head right next to his home. He said that the drilling companies only have interest in profits and so they will make sure all their facts appear in their favor. He said that we owe it to ourselves to listen to all sides of the argument and make well-informed decisions on anything we try to do that may handicap our children and grandchildren down the road. Mr. Cooper requested the Trustees restrict wells on our township property.

Trustee Bischof said that the township owns approximately 80-90 acres of land. The Trustees could make a resolution to prohibit drilling on township property, but it will not make a huge impact for the township. Trustee Albrecht agreed that prohibiting gas drilling on the small amount of land the township owns will not make a big difference. She said that the Trustees can adopt the resolution but it is only good if all three Trustees are in agreement, and only while the same three Trustees remain on the Board. It could change over time. She again recommended concerned citizens to focus on calling and visiting those residents who are being approached and talking with the people with significant amounts of

township land to educate them about the fracking wells. This is where the biggest impact can be made. Mr. Cooper appreciated that a Resolution by the Trustees would not make a huge impact but could provide some comfort to some of the residents the Trustees are doing what they could on this issue.

Trustee Bischof requested, and **Trustee Albrecht moved Resolution 021412.01 prohibiting hydraulic fraction and the drilling of any injection wells on Montville Township property. Trustee Brandon seconded the Resolution. The Resolution was passed, 3 ayes, 0 naves and 0 abstentions.**

PUBLIC RECOGNITION:

Medina City resident Thomas Decker introduced himself to the Trustees and let them know of his candidacy for County Commissioner. Mr. Decker has been a resident in Medina for 13 years. He gave an overview of his qualifications and said that he is not a politician but would like to become involved in unified economic development for the townships in Medina County. He identified some initiatives that are important to him: reasonable term limits on commissioners; transparency of how money is spent by having county budget and contracts on line for public access; starting a senior citizen core of volunteers who are a tremendous wealth of knowledge and talent to call on them for county projects; and tax reduction utilizing performance management, which was started in the JFK School of Government at Harvard and first used by the NYPD. This program could save millions of dollars of tax payers' money. With the money saved, Mr. Decker said that the county is in dire need of a capital improvement program.

APPROVAL OF MINUTES:

Trustee Brandon made a motion approving the minutes for the following Trustees' meetings: January 17 special meeting; January 24 regular meeting; and the January 30th special meeting. Trustee Albrecht seconded the motion. In discussion, Fiscal Officer Pawlowski requested a correction on attendance portion of the January 17th meeting for Jim Vild, who is part of our Service Department. **The motion was passed with the correction made, 3 ayes, 0 naves and 0 abstentions.**

Fiscal Officer Pawlowski requested a Resolution requiring ODNR to notify the township on fracking permits applied for in the township. Mrs. Pawlowski said that the township would be able to notify nearby residents so they would have time to have their wells tested before it happens. The Trustees agreed. Trustee Albrecht had a copy of Mr. Thorne's sample letter in her file that can be used to send to ODNR for permit notification.

Trustee Albrecht moved Resolution 021412.02 requesting that Montville Township contact ODNR to request notification of the issuing of any new permits for any future gas well drilling or injection well drilling in Montville Township. Trustee Brandon seconded the Resolution. The Resolution was passed, 3 ayes, 0 naves and 0 abstentions.

Trustee Albrecht will follow through with having this notification sent to ODNR and to provide copies to the Board of Trustees.