

UN # 1  
218 /2011

Motion by

WHEREAS, the horizontal hydraulic fracturing, aka "fracking", of underground shale is being utilized to commercially extract natural gas in Ohio and is being contemplated and/or implemented in Stark County; and

WHEREAS, according to credible news sources and anecdotal evidence, fracking has allegedly resulted in the damage of nearby water well casings and the pollution of wells with toxic chemicals; and

WHEREAS, large mining apparatus with increased related traffic are necessary to fracking as is the transport, high-pressure use and collection of large amounts of toxic chemicals which also pose a risk of air, land and water pollution; and

WHEREAS, numerous political subdivisions, other state authorities and medical associations are calling for a moratorium on horizontal hydraulic fracking in their respective areas to protect their ecosystems; and

WHEREAS, Plain Township and its residents rely on the Township's water resources as a magnificent health and economic resource; and

WHEREAS, the Plain Township Board of Trustees are charged with protecting the health, safety and welfare of their residents via their police powers and constitutional home rule authority under Ohio law; and

WHEREAS, the Plain Township authorities are conducting legal research and pursuing due diligence investigation into safeguarding their residents, lands, water transport and aquifers via future local legislation from the potential threats of horizontal hydraulic fracking.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, that we hereby go on record strongly urging our Ohio General Assembly and Governor's Administration to place a moratorium on the future use of horizontal hydraulic fracturing of shale for the commercial extraction of natural gas until the safety of the process and related chemicals have been fully investigated and vetted through the Ohio and U.S. Environmental Protection agencies.

The Plain Township Board of Trustees fears the adverse effects and possible irreversible damage to our water systems and supplies that pose a threat to our health, safety and welfare and that of our future generations.

The Plain Township Board of Trustees is to forward certified copies of this Resolution to the Governor's office, the Leadership of the Ohio House and Senate and the Senator and Representative serving Plain Township in the Ohio General Assembly as well as the Stark Council of Governments.

Seconded by \_\_\_\_\_

Vote: Mr. Leno \_\_\_\_\_; Mr. Giavasis \_\_\_\_\_; Mr. Haws \_\_\_\_\_.

  
\_\_\_\_\_  
Law Director

2-8-11  
Date

Reviewed as to form  
pursuant to O.R.C. 504.15

11-371

Motion by G

7/12/2011  
LD # 1

WHEREAS, the Plain Township Board of Trustees, Stark County, Ohio desires to preclude the use of Horizontal "Slick Water" Hydraulic Fracturing for oil and/or gas drilling on any land, tenement, or real property owned, controlled, managed, and/or leased by Plain Township;

WHEREAS, interest has recently developed in natural gas and/or oil exploration in the area as it relates to the Marcellus and Utica Shale regions of Ohio;

WHEREAS, various oil and gas companies, including companies based in Ohio, as well as outside of Ohio, have approached landowners, including Plain Township, as to acquiring mineral rights for oil and/or gas exploration utilizing a process known in the industry as Horizontal "Slick Water" Hydraulic Fracturing;

WHEREAS, Horizontal "Slick Water" Hydraulic Fracturing, commonly referred to as fracing or fracking ("Fracking"), is the non-natural fracturing of the shale, through the use of a mixture of water, sand and chemical additives injected at a very high pressure to the injection site, which is then kept open by use of a proppant, such as sand, to allow for the extraction of natural gas;

WHEREAS, the Plain Township Board of Trustees, after consideration of the information provided at open public meetings, as well as the review of literature and other information contained in the public domain, recognizes that Fracking is currently a controversial method of oil and gas exploration, which continues to present concerns as to the undue risk of explosion, harm to the water table, and other environmental concerns;

WHEREAS, all formal actions of this Board of Trustees relating to the enactment of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law, including Section 121.22, of the Ohio Revised Code.

NOW THEREFORE BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that there be no Fracking on public lands in Plain Township. The Plain Township Board of Trustees, in accordance with its responsibilities to manage, control, and protect the property of Plain Township, hereby adopt this Resolution to specifically preclude the entering into any agreement, contract, and/or lease which allows a party to conduct oil and/or gas exploration, drilling, and/or pumping by means of Fracking on land, tenements, and/or real property owned, controlled, managed, and/or leased by Plain Township.

NOW THEREFORE BE IT FURTHER HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that there be no transfer of mineral rights of Plain Township owned property. The Board of Trustees further directs and ordains that no mineral rights of Plain Township shall be transferred, sold, or otherwise encumbered to any party for the purposes of allowing such party to explore, drill, and/or pump said property for oil and/or natural gas by means of Fracking.

Seconded by Leno

Vote: Mr. Leno Y; Mr. Giavasis Y; Mr. Haws N.

  
\_\_\_\_\_  
Law Director

7-12-11  
Date

Reviewed as to form  
pursuant to O.R.C. 504.15