

Montville Township Trustees
January 10, 2012

Present:

Trustee Jeff Brandon
Trustee Sally Albrecht
Fiscal Officer Mary Pawlowski
Chief Terry Grice
Zoning Inspector Judy Emrick
Roads Superintendent Dennis Clapper

Also Present:

Deryl Albrecht, Resident
Carolyn Boyce, Resident
Kevin Blake, Resident
Mark Mangan, Medina Resident
Melissa Athens, Medina Resident
Katherine Jones, Sharon Twp. Resident
Sandra Bilek, Medina Resident
Bethany Dentler, Medina Resident
Sue Eekewicz, Medina Resident
Glenn Wojciak, The Post

Trustee Brandon opened the meeting of the Montville Township Trustees, which came to order at 7:41 p.m. The Pledge of Allegiance was recited. Trustee Brandon stated that the meeting is being recorded for transcription purposes only.

PUBLIC RECOGNITION:

Resident Carolyn Boyce said that she is surrounded by existing gas wells, one of them being right behind her home in a neighbor's yard. She is very concerned about the safety and health of her drinking water for the future. She noted that there has been well contamination in Pennsylvania, out West, and even right here in Medina County. When fracking operations come to Medina County and begin drilling, it is Miss Boyce's belief that existing wells will be among the first to be drilled. Miss Boyce asked the Trustees to consider passing a resolution to ban fracking on township owned property such as the parks and the land this building is on. She feels that this would be a first step in protecting the overall community.

Miss Boyce asked the Trustees if they have asked ODNR to inform them of any new well permits. She also asked the Trustees if they have done any research on fracking and what their concerns and issues are.

Trustee Brandon commented that this issue is relatively new for this Board. He said that he is planning to attend the class being offered at the Columbus OTA winter conference, which will be held February 8-9-10. He expects to receive useful information from that class. Also, Trustee Brandon is aware of a Medina County resident Board which was formed to study the issue and he has not yet heard the results found by that committee. Trustee Brandon is aware of the environmental concerns and would like to do whatever the Board could to protect the wells and protect our infrastructure from the heavy truck traffic which comes with fracking.

Fiscal Officer Pawlowski said that the OTA conference is not open to the public. Trustee Albrecht commented that she is also interested in this subject at the OTA conference. Trustee Albrecht's relative is a nurse in Pennsylvania and she had brought to her attention some alarming research that she read during her graduate studies. She is planning to attend the OTA session on fracking and will be happy to share whatever new information she receives.

Zoning Inspector Emrick said that she is not yet aware of any zoning requests for fracking for any of the gas wells in Montville. She also said that we have not yet asked ODNR to inform us of any new well permits that have been granted.

Sandra Bilek, a Medina Township resident, said that she is involved in the group that the county has put together. The second meeting for the group is scheduled tomorrow at 8:30 a.m. She expects to hear reports from the various departments that were set up at the first meeting. Mrs. Bilek gave a presentation to the Trustees, touching on highlights from the packet of information provided to the Trustees. She updated the Trustees on what has happened since she last spoke with the Trustees at their October 25, 2011, meeting. Mrs. Bilek recommended checking their website, which is kept updated on whatever is happening.

Mrs. Bilek had provided the permit notification process to the Trustees. She feels that it is important for the Trustees to pass a resolution because they will be notified when it is planned to put in an injection well. There is only a small period of time to make an objection if the injection well will be put in a flood zone or some other undesired area. Mrs. Bilek also recommended the Trustees request to be notified of the expedited permits.

Mrs. Bilek reported on her knowledge of where various local public officials stand on this issue. Officials in Richland County are asking for a special fund to be set up funded by either townships or residents to fight the injection wells. One quote Mrs. Bilek found compelling was that seven dozen 40-foot chemical tank cars are dumped into one injection well each week. In another document, Mrs. Bilek had read that some township officials in Pennsylvania are concerned about the roads being destroyed by the trucks coming from injection wells and not being fixed by the gas and oil companies as promised. They took matters into their own hands and cut down trees to block the roads so the trucks could not go through.

Other documents Mrs. Bilek provided included a report on geologists linking the earthquake in Youngstown to the injection wells; various faith communities throughout the country coming together to spread awareness of horizontal hydraulic fracturing; water contamination in Wyoming where the Federal EPA has found and confirmed fracking fluids in wells; a document explaining deficiencies in Ohio's oil and gas rules. She is concerned with ODOT's plan to turn everything over to ODNR, who is totally funded by the gas and oil industry.

Kathy Jones, resident of Sharon Township, provided pamphlets which were developed to educate Medina County citizens about horizontal hydraulic fracturing. She said that two permits have been granted and fracking is already happening in Lodi, York, Hinckley, Sharon and Medina Townships have already made resolutions banning fracking on township owned property. She said that it is legal for township Trustees to pass this type of resolution. Mrs. Jones had a copy of Medina Township's and Plain Township's (Stark County) resolutions for the Trustees to see how they had written theirs. Mrs. Jones also provided the Trustees a document showing U.S. doctors urging a fracking moratorium until health studies are conducted. Mrs. Jones said that the medical community is finding that children are affected much more than adults by the chemicals in drinking water.

Zoning Inspector Emrick asked how fracking can be done on township property without permission from the township to enter on the township property. Mrs. Jones said that Ohio has extremely lenient fracking laws. Mrs. Bilek said that Senate Bill 165 was passed and took away township zoning rights to zone out cell phone towers and hydro-

fracking. Mrs. Jones added that the only thing that townships can do currently is Township Trustees can ban horizontal hydraulic fracturing on township property.

Granger Township resident Mark Mangan shared his experience when two gas wells were drilled in Alardale Park in September 2008. When that happened, his well went dry. He showed the Board a gallon milk jug with a sample of his water, which was salt water and had gray particles of cement floating in it. There was also so much natural gas in his water that Columbia Gas shut off the gas to his home, saying that his home was a bomb waiting to go off. Until he got an outside water source, Columbia Gas would not supply him with gas to heat his home. His new outside water source eventually froze up and Mr. Mangan was forced to use his well again. The family put into practice safety precautions, such as no candles, no open source ignitions, and a window had to be open and a fan on any time water was running. The family showered in this contaminated, smelly water. There was so much hydrogen sulphite in the water that it would set off alarms. They lived this way for 2-1/2 years. Finally, they took out a second mortgage and put in a cistern.

ODNR ruled that the Mangan family's well went dry from a drought. This of course can happen to shallow wells, but their well was 245 feet deep; his neighbor's is 204 feet deep and they are the deepest wells in the area. Although his home sits 30 feet above the road (and his neighbor with a shallow well sits below the road has no salt problem), ODNR said that the salt in his well was caused by road salt.

Mr. Mangan explained the three stages of drilling a gas well. He had copies of cement tickets showing the times the concrete was poured in the drill near his home. The drill log showed that the cement was poured before the hole was drilled, which is impossible. He showed how the cement could not ever set because drilling was done directly into an aqua fir. Consequently the cement could not prevent the gas from going into his well. Mr. Mangan said that ODNR maintains that everything was done correctly and has caused no problem to him. Mr. Mangan pleaded with the Trustees to protect their residents from a personal experience such as his.

Trustee Brandon had invited Bethany Dentler, Director of Medina County Economic Development, to the Trustees meeting. Mrs. Dentler shared an opportunity for Montville Township to participate in creating an incubator for new business start-ups that would create new jobs. They would like to put together a model that combines a physical incubator facility with a community venture capital fund. In this way, new businesses could spend more time developing their business rather than spending most of their time getting funding.

Mrs. Dentler and an economic development group are working on a plan to create this program in Medina County. They were approached by Ken Rosen, who is a business expert and has been working with them since July. They have an opportunity coming up in the next couple of months to possibly get funding for this venture capital program through the Ohio Third Frontier. They have some new money available that will be coming out through an RFP process. She thinks that the RFP will be issued sometime in the next month or so and will then have a short window of opportunity to respond to that. They are trying to fund a feasibility study that can be used to apply for Third Frontier funding and for other government grants. Their goal is to fund the feasibility study to provide their tenants with pre-seed funding, executive coaching in business development, access and education on how to get this next stage capital. They would like to have the income tax spawned out of this incubator shared amongst all of the committed partners in a JEDD-like structure.

A total of \$30,000 plus expenses not to exceed \$40,000 is currently committed towards the feasibility study. The economic development board is talking to private sector

partners and has requests in to the cities to commit \$3,000 each; they would like townships to be important contributors, as the townships would be most likely to be impacted and benefit from the economic development opportunities. Mrs. Dentler asked the Montville Trustees for a \$500 or more contribution as a commitment to participate. The money would go towards paying for the feasibility study. This will be to fund the business plan for the program, but it also gives that starting point to apply for grant funding.

Trustee Brandon would like to be more involved with the Economic Development office than we have in the past. He felt that this was an idea that we could all benefit from but would prefer to make a commitment decision when all three Trustees are present at the end of the month.

DEPARTMENT REPORTS:

APPROVAL OF MINUTES: Trustee Brandon made a motion approving the minutes for the following Trustees meetings: December 27 regular meeting; December 27 special meeting; and the January 2nd special meeting. Trustee Albrecht seconded the motion. The motion was passed, 2 ayes, 0 nays and 0 abstentions.

UTILITIES: Trustee Albrecht reported that the sewers project in Rustic Hills is progressing. She hopes to eventually get a progress report from the supervisor. She drove through the area and observed completion on Trails Lake, and Country Club and Ridgewood are being connected. Rustic Lake, Trail s End, Smith Road, Rustic Hills East and West, Valley View, Forest Hills, and Forest Lake have utility flags and some line valves, flushing stations and parts of the pumping system have been installed.

Trustee Albrecht reported receipt of a 2012 list of activities from the Medina County Solid Waste District. Trustee Albrecht thought that this list could be put on the township s web page. Mrs. Emrick said that we generally post this list on the bulletin board and under the glass on the east zoning office table and have some copies available for people to take. She said that it would not be a problem to add it to our web site.

Trustee Albrecht received a copy of a letter from the AT&T telephone communications facility to renegotiate. They would like to renegotiate our lease on the cell phone tower. They are offering \$140,000 to buy out the five year lease. AT&T would like an easement to have permanent access to the cell phone tower and never have to pay the township anything else, nor pay us when they install new equipment. Trustee Albrecht felt that it is not in the township s best interest to accept any money for the cell phone tower. She believes it is a valuable site and we would be wise to hold on to it, and maybe even raise our rent after the five year lease is up.

LST: Trustee Brandon reported the November, 2011, ambulance billing at \$16,405.99. There were 32 ambulance runs during the month. LST was slightly over the budgeted amount of \$14,262 for November by about 15%. For the eleven months through November 30, 2011, Montville Township was 22% below budget, making 377 total runs. Montville Township was at 9.7% of the entire LST program.

FIRE: Trustee Brandon reported that the fire contract with the City of Medina is nearly ready to be signed. The assistant county prosecutor had a couple more ideas and another draft is being finished. Trustee Brandon said that LST needs a state inspection on the site and the fire department is hoping to bring the fire truck out next week.

ZONING: Zoning Inspector Emrick requested, and **Trustee Brandon made a motion accepting the bond for Smith Brothers, Inc. in the amount of \$10,000 for hard surfacing and landscaping at their new location on Wooster Pike Road. Trustee Albrecht seconded the motion.** In discussion, Mrs. Emrick said that this is a one year bond drawn on Western Reserve Bank, and everything is found to be in order. **The motion was passed, 2 ayes, 0 nays and 0 abstentions.**

Mrs. Emrick said that her computer died last summer. When the information was transferred to the new computer, the program for public records management was not included. The public records management meeting was not held at the end of 2011, as is usually done annually. A new system is needed that is compatible with Windows in the new computer. Zoning Inspector Emrick requested, and **Trustee Albrecht made a motion authorizing the expenditure of \$1,200.00 to install new software for the public records management. This includes complete training for both Mrs. Emrick and Mr. Jeffers, preloading the Township schedules into the software program, and a one-year software maintenance agreement. Trustee Brandon seconded the motion. The motion was passed, 2 ayes, 0 nays and 0 abstentions.**

Mrs. Emrick gave the zoning report. Total new home starts for Montville Township is at 95 for the year 2011. The count is misleading; however. The Trails of Montville has units with up to five single family homes or apartments. We count each single family dwelling within the five dwelling unit, and the county counts it differently. Actual new home starts would be 45 to 50 new home starts, which still leads the county.

The requested letter to County Engineer Mike Salay regarding the speed limit on Wadsworth Road north of Ohio 162 has been sent as requested. Also, Mr. Jeffers is working on the USDA loan papers and has introduced himself to them to get the process started.

Trustee Albrecht asked Mrs. Emrick if she knew what is going on with the fish hatchery. Mrs. Emrick has been unsuccessful in contacting them. On their road tour, they saw the heavy equipment and pipes but no one answers the hatchery office. Mrs. Emrick will continue to check on it.

POLICE: Chief Grice reported meeting a second time with the police chief of Medina City and the police chief of Medina Township regarding sharing resources. Nothing is in any final stages at this time.

The dispatch center changeover to Emergi-tech is scheduled for three days of on-site training at the end of January. They will use our Safety Services training room for all three agencies. There will still be three days of on-site training in Columbus for Sgt. Neil.

Chief Grice said that the new vehicle garage is enclosed and roof shingles are on.

Total number of applicants for the police test is 71; this is considerably more than two years ago. The test is scheduled for Saturday, January 14th, at 9:00 a.m. The following Sunday, January 22nd, will be the physical agility test, and the first round of interviews will be held the week of January 23rd.

The sergeant's written test is scheduled for January 18th with oral interviews on January 16th. Four of our officers have decided to take the test. Chief Grice plans to have a recommendation for that position by the next Trustees meeting on January 24th.

Chief Grice requested, and **Trustee Brandon made a motion donating three VHS analog mobile vision cameras to the Lodi Police Department, and one VHS mobile vision camera to the Bayview Police Department. Trustee Albrecht seconded the motion. The motion was passed, 2 ayes, 0 nays and 0 abstentions.**

Chief Grice requested increasing the secretary/receptionist hours from the current 24 to 40 hours, probably being two part-time individuals. Until it is decided on how to fill the 40 hours, Sgt. Grice would like to allow the current secretary to work five days at 6 hours per day to give coverage on all five days. Fiscal Officer Pawlowski reminded Chief Grice that the maximum a part-time employee can work is 1500 hours. **Trustee Brandon made a motion staffing the reception area for the Safety Services Center with two part-time employees to cover a maximum total of 40 hours per week and wages to be determined at a later point. Trustee Albrecht seconded the motion. The motion was passed, 2 ayes, 0 nays and 0 abstentions.**

Chief Grice requested, and **Trustee Brandon made a motion adding an IP address for LST, increasing the Time Warner bill by \$25/month. Trustee Albrecht seconded the motion. The motion was passed, 2 ayes, 0 nays and 0 abstentions.**

Sgt. Grice said that we have received the first resident inquiry to use the community room in the new Safety Services Center. Discussion ensued about setting the charges for a security deposit and fee for use of the community room. **Trustee Albrecht made a motion setting the fees for renting the Safety Services community room at: \$0 for nonprofit organizations; \$150 for township residents; and \$300 for non-township residents. The refundable security deposit for residents and non-residents is set at \$200; a security deposit is not required for nonprofit organizations.** In discussion, Fiscal Officer Pawlowski suggested considering renting the downstairs of the Administration Building. It is handicap accessible. **Trustee Brandon seconded the motion. The motion was passed, 2 ayes, 0 nays and 0 abstentions.**

Fiscal Officer Pawlowski continued discussion about what to do with the space downstairs. She thought it would be nice to have it cleaned up and available for a locked-up area for the auditors, possibly at the end of April or early May so records don't have to be moved in and out each day.

Chief Grice is working on obtaining a skid car for the county juvenile traffic program. This is basically a hydraulic lift to simulate a spin. Brand new skid cars are \$60,000 and \$40,000 used. Chief Grice has approached Westfield and the Cleveland Clinic for assistance in this goal.

ROADS: Roads Superintendent Clapper gave the roads report (attached). Mr. Clapper said that a meeting is scheduled with the architects for Tuesday, January 17th, at 10:00 a.m. This is a public meeting and needs to be advertised. Trustee Albrecht asked to try and reschedule the meeting for later in the day so she could be available to attend. Mr. Clapper said that we will need to check with the architect about his availability. Trustee Albrecht will check with Trustee Bischof.

Mr. Clapper has been experiencing difficulty with salt delivery. He ordered on the 4th and is not yet delivered. ODOT was not aware of the problem. The trucking company said that the salt company has a hold on the pile and will not release it. ODOT may need to do something about it because they are not providing salt per the contract.

CEMETERY: Mr. Clapper said that there is no update with Fred Boreman and the cemetery work. He is not sure what the problem could be; Mr. Boreman works at his own pace. Mr. Clapper feels that we need to move forward because people are calling and wanting to know about the cemetery expansion. Trustee Albrecht would like to give Mr. Boreman a chance to respond. Mr. Clapper will give Trustee Albrecht his phone number.

PARKS: Mr. Clapper reported that some trees had fallen and some clean-up work has been done. Trash has been picked up at Whitetail Park.

ECONOMIC DEVELOPMENT: Trustee Brandon said that a new business that will be located on Route 3 just north of McDonalds is called Montville Tire Express. Fiscal Officer Pawlowski spoke with the owner, who is excited to be part of the community. He is being required to put in sidewalks and landscaping out front. He is working on a proposal to send to the JEDD board. The JEDD board plans to meet at that time and hopefully will help him with one of the projects he is required to do.

Fiscal Officer said that there is now money that could help Drug Mart, who has not yet broken ground; he may then like to join the JEDD as well. Mrs. Emrick said that the Zoning Commission has renewed their plan for an extra year because the construction has not yet started.

Trustee Brandon said that the City of Medina now has an economic development meeting once a month. They are early morning meetings, and the next one is scheduled for Tuesday, January 17th at a new restaurant in the city. Trustee Brandon will try to attend.

OTHER BUSINESS:

Fiscal Officer Pawlowski reviewed the December bank reconciliation and financial reports. Copies of December reports provided for each Trustee: Fund Status and Fund Summary; Appropriation Status; and Revenue Summary. The Fund Status report as of January 10 was provided to each Trustee.

Fiscal Officer Pawlowski reported \$6,625.41 interest earned on money invested in 2011. Mrs. Pawlowski said that it is very difficult to get a good rate on CDs right now on government money because they have to be secured.

Fiscal Officer Pawlowski requested, and **Trustee Brandon moved Resolution 11012.01 approving Supplemental Appropriations as presented. Trustee Albrecht seconded the Resolution. The Resolution was passed, 2 ayes, 0 nays and 0 abstentions.**

Trustee Albrecht made a motion paying BWC \$22,290.62 for 2012 coverage. Trustee Brandon seconded the motion. The motion was passed, 2 ayes, 0 nays and 0 abstentions.

Fiscal Officer Pawlowski requested inventory lists from all departments, which are due in January.

Trustee Brandon made a motion approving 2011 BC and PO s as presented and to pay bills totaling \$49,005.00. Trustee Albrecht seconded the motion. The motion was passed, 2 ayes, 0 nays and 0 abstentions.

Trustee Albrecht made a motion approving 2012 BC and PO s as presented and to pay bills totaling \$28,358.06. Trustee Brandon seconded the motion. The motion was passed, 2 ayes, 0 naves and 0 abstentions.

Fiscal Officer Pawlowski commented that she would very much like to see a resolution to stop fracking on Montville Township property. She can see it coming to the township and we should do something quickly. Zoning Inspector Emrick will call Sharon Township to request a copy of their approved resolution. She will also review the information provided this evening and write a resolution for the Trustees to review. She will email it to Trina as well; hopefully it can be approved at the next Trustees meeting.

Trustee Brandon asked where we stood on the driving policy. Mr. Clapper said that Trustee Albrecht had made a few edits and it is going to the prosecutor s office.

At 9:52 p.m. Trustee Brandon adjourned the meeting.

Respectfully submitted,

Elaine Klafczynski

Approved by:

Date

Attested:

Date: