

STOW CITY COUNCIL

PUBLIC IMPROVEMENTS COMMITTEE

Minutes of the Public Improvements Committee of Stow City Council held on Monday, January 7, 2013 at 7:48 p.m.

Committee Members Present: Pribonic, Rasor, Bednar and Lowdermilk

Committee Members Absent: None

Other Council Members Present: Costello, D'Antonio and Riehl

City Officials Present: Manager of Information Systems Germano, Director of Public Service Miller, Director of Budget and Management Earle, City Engineer McCleary and Deputy Clerk of Council Preebe

Press Representatives: Stow Sentry and Beacon Journal

Mr. Pribonic called the meeting to order.

APPROVAL OF MINUTES

MOTION:

Mr. Rasor moved and Mr. Pribonic seconded to approve the minutes of the Public Improvements Committee of December 10, 2012 as presented.

Yes votes: Pribonic, Rasor, Bednar and Lowdermilk

No votes: None. The motion carried.

DISCUSSION ON OIL/GAS WELL DRILLING

Mr. Pribonic said this was the continuation of what was going on up at the Church of New Hope. This was a discussion on oil and gas well drilling.

They had some residents that wanted to address Council.

Alice Marusiak
2859 Progress Park Drive

Mrs. Marusiak said she was here with regards to the gas well at the Church of New Hope.

As of Friday, January 4th, she spoke with Mr. Rausch the state inspector. He told her that PEP Drilling has not extracted gas yet. They were waiting for a permit from Dominion to tie in at the street. To her knowledge, they will be injecting a chemical gel containing up to 650 chemical and some were deadly when they extracted the gas.

The drilling company—PEP, Chesapeake and Beck Energy—have leased 230 acres in Stow. If they did not stop them before it was too late, they will end up like Broadview Heights where they had 92 vertical wells in a 13 square mile area. The homes near the gas wells have dropped nearly 50 percent in value. This will drastically affect their tax base and integrity of their city.

In Medina County, there was a lawsuit involving two water wells that have been contaminated by two vertical fracking wells. This was heavy industrial area in an area zoned for business. The state could override most local ordinances and a lease will discuss this.

What about the polluting emissions that will come from wells? Why didn't they have to get a permit to put that access road in? She has not gotten the answer to those questions.

Mr. Pribonic wanted to thank Ms. Hirsch and Mrs. Marusiak. They have been very vigilant working with their Law Director, Brian Reali, in pointing out different things. Unfortunately, both of their counsel could not be here this evening. One was ill and the other had another commitment.

Elyse Hirsch
2416 Echo Valley

Ms. Hirsch said that she has been doing a lot of digging on Summit County records basically searching by company and then she figured out that if she did not narrow it down to oil and gas leases, she found more oil and gas leases because they did something called an assignment. They had 110 acres that have been pretty much just past around since 1977 some of them. They were still active gas leases. They did not really have an expiration life on them. She looked and there were five companies. She now reached a total of 230 acres that were leased in Stow without wells that she knew of.

Her concern was going to be not even just the well here but the time they got to produce but the advent of more wells. It might look something like Broadview Heights. It did not take many acres. Vertical wells actually had more of a carbon footprint even the industry said this than the horizontal wells because in order to get the amount out that they wanted to produce, they had to do so many different wells to get that same level which was creating more holes, more drilling. The emissions were terrible. They have heard enough of the environmental concerns but she just wanted to clarify that there was a difference between the horizontal hydraulic slick water fracturing that came

with an unconventional well and the traditional well or conventional well. They had a couple in Stow.

She noticed that they had a city ordinance Chapter 1173 that was specifically for oil and gas wells. It was passed January 10, 2008. In Section 1173.01(b) stated: "...in accordance with, and as compliment to, Ohio R.C. Chapter 1509..." basically any driller coming in here was supposed to get a permit through the city. It had to be approved by Council and there had to be public hearings before a well could go in. She urged Council to enforce these regulations. They had them and they were passed in 2008 which was after H.B. 278 passed in 2004. The city passed this after that so she did not see how this would be against the regulation and it stated "in accordance with and compliment to". She did not see why would have a problem enforcing these and going after some of the penalties for it.

She had 14 pages here of all the different ordinances associated with this but pretty much from point A to B she did not see why they did not go back and do this and use it as a deterrent before another well came in. That way if people did want it, they had a public process that could determine whether or not or where it should be put. She did not know how Council felt about that but she would like to see that happen.

Mr. Pribonic said that he will follow through with Mr. Reali tomorrow and he will get the meeting notes as well as soon as they were done.

Floyd Gembaki
2027 Kingsdale Drive

Mr. Gembaki said he recently communicated and learned some things. The first one that he had a comment on in the way that they were going about this rather stealthfully—that was PEP Drilling and the Church of New Hope itself—that they were very good at working the system in their slyness and cunning in getting this to happen. This did not speak well for their honesty or integrity. Maybe they should keep that in mind in the future basically not to trust anything they say.

The second point that came to mind concerned the Church of New Hope itself. If they—he did not know where this stood—the usage of the property he assumed that it was originally designated to be a tax-exempt religious church. What proportion of the usage of that property was for church? His impression, if he was to summarize it, was it was a business. They advertised themselves as a day care operation. They had their services on Sunday mornings, Sunday evening, Wednesday evening but most of the time it was a day care business. He hated to say this but if need be they were not being very good neighbors in the way that they have gone about this. They haven't for years in the other activities that they have done. Although it might seem to be cumulative or vengeful, yes maybe. But their status as a tax exempt operation should be pursued.

Jack O'Toole
29 Baldwin Street
Hudson, OH

Mr. O'Toole said that he tested water for the Sierra Club. This was a huge, huge issue in Carroll County. It was becoming a huge issue in Portage County, Medina County. It was coming our way.

He did not know to what extent they discussed this or what their background was but he encouraged them to do some research. Each one of these wells required three to five million gallons of fresh water combined with sand and the chemical concoction that they do not disclose into our ground and what remained after the drilling had to be sequestered and go into injection wells. Four of those injection wells caused earthquakes on New Year's Eve over a year ago in the Youngstown area. That was a fact.

He did not know if they wanted to open the door to this kind of thing in this community in Summit County. It was a dicey business at best. Many, many states were placing moratoriums on the practice. There were certainly safer ways to do it—requiring less fresh water and not these poisonous chemicals that were being injected into the ground and then sequestered and put into injection wells for safe storage forever. That was what was seeping into ground water and wells in upstate New York and Pennsylvania. The water coming out of the taps now were flammable in some places.

If they have not seen gas land, take a look at it. Get on line at ohioepa.org There was a lot of information there. He would not take this lightly at all. Once the door was open, kiss it goodbye.

ADJOURNMENT:

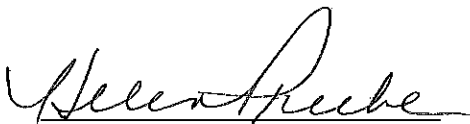
MOTION:

Mr. Lowdermilk moved and Mr. Rasor seconded to adjourn.

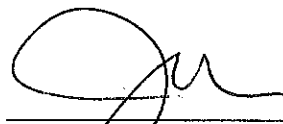
Yes votes: Pribonic, Rasor, Bednar and Lowdermilk

No votes: None. The motion carried.

The meeting of Public Improvements adjourned at 8:03 p.m.



Helen Preebe
Deputy Clerk of Council



John Pribonic
Committee Chairman