AGENDA

IN COUNCIL CHAMBERS @ 6:00 P.M.        Monday, March 4, 2013

Comments from the Public are welcomed at two different times during the course of the meeting: (1) Comments on items not on the Agenda will be heard under Citizens Concerns, and (2) Comments on all items listed on the Agenda will be heard during Council’s consideration of said item. A Sign-In sheet will be made available on the small table at the rear of the Council Chambers. Please write your name and the topic you wish to discuss.

CALL TO ORDER

ROLL CALL

EXECUTIVE SESSION: 6:00pm
For Purpose of Selection of a Replacement Council Member. Regular Council Meeting will follow this one-hour session.

ANNOUNCEMENTS
Welcome to Dan Robertson, Meter Reader
Public Hearing for Draft Zoning Code is Thursday, March 21, 7-9pm

REVIEW OF MINUTES
Minutes of February 19, 2013 Regular Council Meeting

REVIEW OF AGENDA
At this time, Council may add to the Agenda any other such matters as they may wish to discuss.

I. PETITIONS/COMMUNICATIONS
The Clerk will receive and file:
Vickie Hennessey, Joyce Morrissey, Savitha Krishna re: Mosquito Mitigation
Sandra Love re: Draft Zoning Code
Village Manager re: Fracking White Paper

On-line Only:
GCCHD re: Fundraiser
GCAOA re: Crafter’s Fair
YSAC Newsletter
GCOA re: Memory Loss

II. PUBLIC HEARINGS/LEGISLATION
Second Reading and Public Hearing of Ordinance 2013-07 Establishing an Arts Commission of Council and Declaring an Emergency
Reading of Ordinance 2013-08 Amending the Membership of the Community Access Panel
Reading of Resolution 2013-07 Authorizing a Master Service Agreement with Heinz Engineering

III. CITIZEN CONCERNS

IV. SPECIAL REPORTS
V. OLD BUSINESS
Water Sourcing Update

VI. NEW BUSINESS
Discussion of Security/Surveillance Camera Policy
Discussion of Changes in Library Commission Membership Requirements

VII. MANAGER’S REPORT

VIII. CLERK’S REPORT

IX. FUTURE AGENDA ITEMS
Ordinance 2013-04 Center for Business and Education ROW Acquisition (Antioch University Midwest)
Ordinance 2013-06 Permitting the Village Manager to Enter Into Financial Arrangement Retiring the Bryan Center Bond Debt Part II (3/18)
Resolution 2013-03 Approving a Contract for Pool Management Services (3/18)
Annual Report to Council: CAP (3/18)
Resolution Approving a Contract for Line Clearing
Water Sourcing Discussion
Discussion re: Water Rate Increase
Resolution 2013-04 Authorizing the Village Manager to Purchase 500 Replacement Water Meters
Annual Report to Council: Planning Commission (April)

X. EXECUTIVE SESSION
For Purpose of Discussion of Appointment of a New Council Member, and to Consider Employment Matters Pertaining to Public Employees, and for Purposes of Personnel—Annual Review.

XI. ADJOURNMENT
The next meeting of the Council of the Village of Yellow Springs will be held at 7:00 p.m. on Monday, March 18, 2013 in Council Chambers, John Bryan Community Center, 100 Dayton Street.

The Village of Yellow Springs is committed to providing reasonable accommodations for people with disabilities. The Council meeting is wheelchair accessible. Any person requiring a disability accommodation should contact the Village Clerk of Council’s Office at 767-9126 or via e-mail at clerk@ysor.com for more information.
CALL TO ORDER
Council President Hempfling called the meeting to order at 6:05pm.

ROLL CALL
Present were Council President Judith Hempfling, Council Vice President, Lori Askeland, Karen Wintrow, Rick Walkey and Gerald Simms.

EXECUTIVE SESSION
At 6:06pm, Wintrow MOVED and Simms SECONDED a MOTION TO GO INTO EXECUTIVE SESSION For Purpose of Selection of a Replacement Council Member (Interview of candidates). The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

At 7:01pm, Simms MOVED and Walkey SECONDED a MOTION TO COME OUT OF EXECUTIVE SESSION. The MOTION PASSED 5-0 ON A VOICE VOTE.

Following a five minute recess, Regular Council Meeting began at 7:07 pm. Present at that time were Village Manager Laura Curliss and YSPD Sergeant Nipper.

ANNOUNCEMENTS
Wintrow announced the Chamber of Commerce Annual Meeting from 6-8:30pm on Thursday, February 21.

Curliss announced that the next meeting of Planning Commission to discuss the draft zoning code will be held on Wednesday, February 27th from 7-9pm.

REVIEW OF THE MINUTES
Minutes of February 4, 2013 Regular Council Meeting. Walkey MOVED and Simms SECONDED a MOTION TO APPROVE THE MINUTES AS WRITTEN. The motion passed 5-0.

REVIEW OF THE AGENDA
There were no changes made.

PETITIONS & COMMUNICATIONS
Askeland reviewed the communications received.

The Clerk will receive and file:

Ohio EPA re: Public Notice
AMP Newsletter
Mayor’s Monthly Report
Vickie Hennessey re: Water Sourcing and Well Ordinance
Quarterly Treasurers Report (2)
Greene County Weather Spotter Training
Kathryn van der Heiden re: Water Sourcing

PUBLIC HEARINGS AND LEGISLATION
Second Reading and Public Hearing of Ordinance 2013-03 Center for Business and Education ROW Acquisition (Education Village). Wintrow MOVED and Walkey SECONDED a MOTION TO APPROVE.

Education Village is a joint economic development project between Community Resources, Miami Township Trustees and the Village. Acquisition of the right of way for roads is a prerequisite for many types of funding.

Jerry Sutton from Community Resources gave an overview of the project, which has been 15
years in the making. Sutton stated that the appraised value of the land in question is $9,500,000, and handed the Clerk a Letter of Transmittal to that effect. Sutton indicated that at a later date, perhaps the Village would take that amount into consideration in potential forgiveness of the initial loan from the Village of $300,000.

Hempfling OPENED THE PUBLIC HEARING. There were no comments from citizens.

Hempfling CLOSED THE PUBLIC HEARING and CALLED THE VOTE. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

**Reading of Ordinance 2013-05** Permitting the Village Manager to Enter Into Financial Arrangement Retiring the Bryan Center Bond Debt. Wintrow MOVED and Walkey SECONDED a MOTION TO APPROVE.

Curliss noted that this bond represents a refinancing of the $455,000 Bryan Center Debt. There are three different financing options, Curliss stated, but before one of those can be employed, the bond must be called which requires a 30-day notice.

Curliss stated that as of December, the bond was callable, and that to do so and reissue the debt the interest rate can be brought down significantly.

Hempfling OPENED THE PUBLIC HEARING.

Sue Abendroth opined that Council should opt for Manuscript Debt as the most lucrative option.

Curliss noted that Bond Council has to make the recommendation as to which manner of refinancing is available.

Hempfling CLOSED THE PUBLIC HEARING and CALLED THE VOTE. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

**Reading of Ordinance 2013-07** Establishing an Arts Commission of Council. Wintrow MOVED and Walkey SECONDED a MOTION TO APPROVE.

Wintrow commented that she had taken the language for the ordinance primarily from the Arts Policy document developed in collaboration with the Yellow Springs Arts Council (YSAC). She noted that her choice of a total of seven members was based upon the high level of interest in this Commission.

Hempfling objected to the status of the Village Manager as a voting member, suggesting that they not be required to attend, and that they be ex officio.

There followed a discussion regarding the frequency of meetings, whether meeting times and frequency should be laid out.

Wintrow stated that because decisions will involve use of public space, Village staff will have to be involved in the Commission.

Askeland agreed with Hempfling that the Village Manager be ex officio, but noted that then the number of citizens would need to be an even number, with the Council member making the voting number odd.

Villager Richard Lapedes commented that meetings should be on an as-needed basis, but that even with a regular schedule meetings should not need to occur more than bi-monthly.

Wintrow commented that it might be easier for the Clerk to assign a regular meeting date which could then be cancelled if needed.

There was general agreement from Council to this suggestion, especially given that there is a project now at hand requiring the input of the Commission.

Wintrow noted that Council needs to begin collecting names and letters of interest as soon as
possible.

Askeland MOVED to make the Village Manager an ex officio member of the Commission. Simms SECONDED the MOTION, which PASSED 5-0 ON A VOICE VOTE.

Hempfling CALLED THE VOTE, and the MOTION PASSED 5-0 ON A ROLL CALL VOTE.

Reading of Resolution 2013-05 Approving a Council Policy for Discretionary Funding of Projects in Concert with Non-Profit Organizations. Wintrow MOVED and Walkey SECONDED a MOTION TO APPROVE.

Curliss explained that resolution2013-05 adopts a policy to provide funding to projects proposed by eligible non-profit organizations. Projects should further the goals of Council or be of particular benefit to the life of the Village. She noted that Council is not obligated to fund any project, and that funding decisions will be based, in part, on whether the budget will allow funding for any particular project.

Wintrow asked that the policy require a reporting structure. Curliss stated that she will insert procedural and accountability language.

Walkey sought to reiterate that the policy is merely the formalization of a process that has been informally in place whereby qualified non-profit organizations are engaged to assist in meeting Council Goals.

Wintrow clarified that these are specific projects that are over and above the operational costs that local non-profits are required to support.

Hempfling noted that this is a standard practice in many communities.

Askeland stated that the policy gives Council a process for requests for funding which may come in over the course of a year, and enables Council to make evenly considered decisions.

Hempfling OPENED THE PUBLIC HEARING.

Richard Lapedes commented that Council is reaching out to non-profits for the achievement of goals. He asked how Council will coordinate with the local non-profits in terms of process, and suggested that Council reach out to those organizations for resources.

Sue Abendroth commented that times are lean, and incomes are stagnant. She opposed the measure strongly, stating that Council is giving taxpayer money for necessities to non-essential projects.

Hempfling characterized the debate as the “big government vs small government” issue.

Wintrow noted that one of the reasons the last levy passed had to do with the emphasis upon quality of life issues, some of which, she noted, are provided through collaboration with non-profit organizations.

Citizen Liz Hale, who is the Director of a non-profit, commented that the only purpose for a non-profit is to meet a stated community need. The farther from bureaucracy, she commented, the more efficiently funds are spent.

Curliss commented that non-profit organizations are not “private organizations”, but are public charities, and have received 501-c(3) status because they do the work of the public.

Hempfling CALLED THE VOTE, and the MOTION PASSED 5-0 ON A VOICE VOTE.

Reading of Resolution 2013-06 Authorizing Additional Funds for Purchase of a Bucket Truck. Simms MOVED and Walkey SECONDED a MOTION TO APPROVE.

During the budget process in the fall, Kelley Fox asked to include as a capital purchase a replacement Bucket Truck for the primary truck now being used by the Electric Department. The current
truck is a 1999 International, with a 50 ft Versalift aerial lift. The trade-in value is $22,500. Staff is in the process of considering whether the truck has any utility for non-electric work or whether to trade it.

There were two trucks on the “state bid”, the list of products that the State of Ohio has already bid on behalf of any governmental purchasing unit. The two choices were close in price (with aerial lift) – a Ford 750 ($192,705) and the IHC 4300 ($196,615). The IHC product costs slightly more, about $4,000, but can be serviced in Springfield versus Columbus for the Ford. The truck that this will be replacing is an IHC and Kelley Fox reports that it has performed well for the crew.

Fox recommends purchasing the IHC 4300 Chassis Cab and with aerial lift. Superintendent Fox budgeted $120,000 for the Bucket Truck in the 2013 budget and is requesting an additional amount of up to $76,615 in funds as a supplemental to complete the purchase this year.

Curliss fielded several questions from Council, responding that staff is still evaluating whether to repurpose, trade-in or sell the current vehicle.

Hempfling CALLED THE VOTE, and the MOTION PASSED 5-0 ON A VOICE VOTE.

CITIZEN CONCERNS

There were no Citizen Concerns.

SPECIAL REPORTS

Energy Board Annual Report. Jerry Papania, Energy Board Chair, presented the annual report.

Papania highlighted 2012 accomplishments, including completion of Phase II of the induction street light project, ongoing support for energy education in the school system, outreach to citizens and area businesses regarding AMP’s Efficiency Smart Program, and ongoing consultation with Village Staff and Council regarding the Village energy portfolio and the energy efficiency of Village properties.

Papania gave information regarding the savings provided by implementation of the above projects, as well as on reduction of CO2 pollutants.

Papania outlined plans for 2013, including ongoing support for Village staff, educational outreach, and a focus on net metering policy.

After thanking Papania for the excellent report, Askeland put out a call for volunteers to serve on the Energy Board, which is currently down in membership.

OLD BUSINESS

Water Sourcing Update. Curliss updated Council regarding work towards a water sourcing solution for the Village.

Curliss stated that LJB Engineering is currently completing a scope of work for preliminary engineering in order to obtain an engineer’s estimate of cost for extending a waterline from Dayton Street to the Clark County line, fixing the “Xenia Ave. bottleneck” waterline issue and completing a section of line on Livermore for increased fire flow to that street, Antioch College area. The scope will also include the extension of a waterline from the Springfield Airport to the Clark County line, work that will be paid for by the City of Springfield.

Staff will be meeting with representatives of the Ohio EPA to discuss requirements for the short-to-long term continued use of the Glen Helen wellfield, plant reconstruction requirements, any permits to discharge that may be needed depending upon the treatment options available, and other technical issues. Staff will also be engaging a consultant (RCAP) to do a study of the condition of the plant.

Curliss responded to a question from Hempfling, stating that a decision as to which grants to apply for from the OPWC will need to be made by the end of May.

NEW BUSINESS

Conceptual Arts Proposals:

Women’s Voices Out Loud (WVOL): Promoter Liz Hale presented information regarding WVOL,
stating that this annual event has occurred for the last 34 years, and has performance, written and visual
components. The latter normally consists of an art show which hangs in the Bryan Center for the month
of March. Hale asked that the show be permitted to hang in the Bryan Center hallway again this year, and
stated that WVOL would endeavor to be sensitive to employee concerns regarding potentially
controversial works.

Hempfling stated that the Village Manager had set aside rooms A and B for WVOL for the month
of March so that the show could hang during March. She noted that the problem is one of a lack of a jury
for the show, given that the Arts Commission is not yet up and running.

Askeland offered a suggestion for expanding the available space within A and B.

Hale commented that the show has been “loosely juried” in the past, and would be able to select
pieces that would not be controversial. She indicated that the group would be able to safely use the
hallway. Hale stated her understanding that the hallway is not a public forum, but commented that it has
been used as such in the past, and asked that Council reconsider their decision.

Walkey asked whether if A and B is the only forum for the exhibit, would other groups be held to
the same standard.

Askeland and Wintrow noted that the matter should not arise in the future, given that an Arts
Commission will be in place to make decisions.

Hale characterized the decision not to permit art to hang in the hallway as silencing a voice, and
stated that the group would be able to respond to concerns about particular pieces.

Hale characterized the show as benign in terms of representation, and stated that the group should
be able to assure the show is acceptable to all.

Askeland urged the group to assure that nothing with political content be hung near the
courtroom.

Simms received clarification that the Village Solicitor recommended against permitting the show
to hang in the hallway.

Askeland commented that the solicitor advised Village staff and Council against specifying what
could or could not hang, characterizing that as governmental interference in free speech.

Hale argued that the Village does have the right, and indeed the responsibility, to specify the
terms of the show as in, for example, “all landscapes”.

Lapedes commented regarding the ability to increase the wall space in A and B as a positive, and
commented that in the absence of an Arts Commission, perhaps a category could be selected, and only art
falling within that category could hang outside of A and B.

Simms expressed his preference that the show remain entirely within A and B.

Wintrow objected to the Village having any responsibility for setting up the room or providing
dividers.

Curliss stated that she had reserved the room for the WVOL show last May, and there should be
no conflict in terms of use of that space for the month of March.

Hale characterized A and B as not conducive to the hanging of artwork. Curliss commented that
Village staff could easily move the hooks from the hall to A and B and to hang the show.

Askeland MOVED to authorize landscapes only in the hallway gallery. Walkey SECONDED.
Hempfling AMENDED THE MOTION to include the condition AFTER CONSULTING WITH THE
SOLICITOR. Wintrow asked for greater clarification regarding the process, given that WVOL needs an
immediate answer.
Askeland asked that WVOL provide a posting at each end of the hall providing information about the exhibit, and asked that a contact be provided should there be any issue with a piece in the show. Walkey suggested that Council vote on the matter, given that they have in hand the advice from the solicitor.

Askeland clarified that Council was voting only on the MOTION TO AUTHORIZE LANDSCAPES-ONLY IN THE HALLWAY GALLERY. Hempfling CALLED THE VOTE, and the MOTION PASSED 3-2, with Simms and Wintrow voting against.

Yellow Springs Arts Council: Joanne Caputo described the proposal for the National Bronze Sculpture Symposium. The proposal seeks three public spaces for the sculptures selected as finalists.

Wintrow commented that the proposal is thoughtful and complete, with a strong project manager. She stated that as a test case, it sets the stage well for future proposals. While it is not possible at this early stage to approve specific spaces, Wintrow said, it is possible to vote up or down on the project as a whole.

Wintrow commented that selection and preparation of the locations will involve a heavy staff input.

Curliss commented that if Council votes in favor of the project there will be a negotiated agreement, including consideration of such aspects as insurance, time frame, maintenance, placement, utilities, etc.

Simms received clarification that the vote would be only for or against the project as a concept.

Wintrow noted that there is a role for the Arts Commission in the process, even though the symposium is a juried event. She noted the issue of site selection as a key role for the Commission.

Hempfling stated that there should be a role for the Commission in selecting pieces specifically relevant and resonant to the Village.

Wintrow commented that the Commission could keep records of sites used and the content and impact of each project so that a history is built.

Lapedes commented that the Commission can bring a local filter to the selection of pieces. He stated that the national jury may select more pieces than the Village is able to accommodate, and here again the Commission could play a role in narrowing the pieces to be shown.

Jerome Borchers commented that the Arts Commission does have a role as the body chosen by Council. He stated that because this is a test case, he would like to see the Commission involved.

Wintrow MOVED and Askeland SECONDED a MOTION TO ACCEPT THE PROPOSED CONCEPT.

Hempfling CALLED THE VOTE, and the MOTION PASSED 5-0 ON A VOICE VOTE.

Discussion re: Permitting One Non-Resident Member on Council Boards and Commissions when Space Permits. Askeland MOVED to bring legislation forward for all Boards and Commissions. Council then discussed the need to vet the Boards and Commissions before bringing legislation for each one.

Council called for legislation specific to Community Access Panel, and asked that CAP be permitted to have one non-resident member as they saw fit, and to make the Council representative a voting member.

MANAGER’S REPORT
Curliss reported on the following:

The Village’s work on making capital improvements to the Library will continue in 2013, with requests for bids going out this Spring. In 2012, HVAC system and the glass on the front of the building and the front doors were replaced. 2013 projects will include ADA compliant bathroom renovations and
improvements, roof replacement, roof drainage improvement, and south wall window restoration.

Curliss thanked Village residents for their assistance in responding a recent sump pump survey. The Village is preparing to assist residents in unhooking their sump systems from the sanitary sewer.

Joe Bates has been making improvements to the sanitary sewer lift station located just to the east of S.R. 68 on the north side of the Village. The Lift Station has new roof now and will be get new siding and glass block windows.

Curliss thanked Sarah Wildman for her help in writing the PDAQ application to MVRCP for assistance in funding infrastructure at the CBE, and noted that the Village is currently on the “recommended” list.

The Electric Department has issued its Bid Package for line clearance for section 4 of the Village (the north). This work will be done late spring and summer and will complete the line clearance activities for the entire Village.

CLERK’S REPORT
The Clerk reported that the 2012 Ordinances are in to American Legal Publishing for codification.

The Clerk reported also that the Ohio Historical Society has informed the Village that the State Auditor has approved the Village of Yellow Springs Records Retention Policy. This is the first update since 1974, and it brings records policy into line with current technology and more recent legal decisions regarding record retention.

STANDING REPORTS
Report from Representatives:

Rick Walkey       Environmental Commission
Lori Askeland    Planning/Bike Commission
Gerald Simms     Village Mediation Program
Gerald Simms     Human Relations Commission
Rick Walkey       Energy Board
Judith Hempfling  Community Resources
Karen Wintrow    Economic Sustainability Commission
Rick Walkey       Library Commission (Zopf and Eschliman)
Lori Askeland    Reg. Planning Commission-Greene County
Gerald Simms     Community Access Panel
Karen Wintrow    Chamber of Commerce
Karen Wintrow    Miami Valley Regional Planning Committee

Walkey reported a good meeting of the Library Commission at which the Village Manager and Architect Ted Donnell were present to engage in discussion about proposed and scheduled improvements.

Wintrow announced that MVRCP has selected Brian Martin to replace former Executive Director Don Spang. Wintrow noted that the new Executive Director has ties to Yellow Springs.

Simms stated that HRC finally has a full slate of members, and is engaged in review of the Charter to assure that their activities are meeting the needs of all members of the community.

Simms commented that now that CAP will be permitted to bring in a non-resident member, they will be able to achieve a quorum and move forward in approving Minutes and holding official meetings.

FUTURE AGENDA ITEMS
Ordinance 2013-04 Center for Business and Education ROW Acquisition (Antioch University Midwest)
Second Reading and Public Hearing of Ordinance 2013-07 Establishing an Arts Commission of Council and Declaring an Emergency
Reading of Ordinance 2013-08 Amending the Membership of the Community Access Panel
Nomination of New Member for HRC
Surveillance Cameras
Resolution 2013-03 Approving a Contract for Pool Management Services (3/18)
Annual Report to Council: CAP (March 18)
Annual Report to Council: Planning Commission (April)
Executive Session for Purpose of Conducting Interviews with Council Candidates
Utility Billing Changes
Discussion re: Water Rate Increase

EXECUTIVE SESSION
At 9:14 pm, Walkey MOVED and Simms SECONDED a MOTION TO GO INTO EXECUTIVE SESSION For the Purpose of Discussion of Personnel, Regarding Annual Review. The MOTION PASSED 5-0 ON A ROLL CALL VOTE.

All Council members were present, as was the Village Manager.

At 10:25 pm, Askeland MOVED and Walkey SECONDED a MOTION TO CLOSE EXECUTIVE SESSION. The MOTION PASSED 5-0 ON A VOICE VOTE.

ADJOURNMENT
At 10:26 pm, Walkey MOVED and Simms SECONDED a MOTION TO ADJOURN. The MOTION PASSED 5-0 on a VOICE VOTE.

Please note: These notes are not verbatim. A DVD copy of the minutes is available for viewing in the Clerk of Council’s office between 9 and 3 Monday through Friday.

__________________________________________  ______________________________
Judith Hempfling, President                  Attest: Judy Kintner, Clerk
MEMO

TO: COUNCIL

FR: VILLAGE MANAGER

RE: ORD. 2013-07 – Ordinance Establishing a Public Art Commission

DATE: 2.13.13

In early January, the Council adopted Resolution 2012-75 adopting a policy governing art displays or installations on public property or in the public right-of-ways. Part of that policy contemplated the creation of an Arts Commission to serve in an advisory capacity to the Council regarding Conceptual Art proposals by promoters of art, for advising at other stages of an arts display or installation on public property/ROWs.

This ordinance creates a Public Art Commission (PAC). The PAC will have seven members, including a member of Council and the Village Manager. The meetings of the PAC will be public meetings.
February 19, 2013

Proposal to establish a Public Arts Commission

Issue Statement:
The Village of Yellow Springs has a unique history of creative activity. Yellow Springs is a place people choose to live, visit and work because of the vitality of the arts scene and creative energy of the people. Art in public places can build on this energy by empowering artists to create works of art that communicate important human values, commemorate Yellow Springs’ history, enhance the environment and exemplify the welcoming nature of the community.

To advance this endeavor, Village Council has adopted a policy governing Arts in Public Places recommending the appointment of a Public Arts Commission to advise Council on the merits of any art proposed to be installed on public property or in public rights-of-way (“public places”).

Charge:
A Public Arts Commission will be formed to act as an advisory body to Council on the merits of any art, including short-term art exhibits or longer term installations, to be installed on public property or in public rights-of-way (“public places”). The Public Arts Commission’s primary role will be to review the art to ensure that it meets the Purpose Statement in the policy.

Activities:
The Arts Commission will review any Conceptual Proposal presented by the Village Manager for the purpose of making recommendations to Village Council regarding the merits of the proposed project. If the project is then approved by Village Council, the Public Art Commission will review more specific renderings and details for approved projects for the purpose of making recommendations on the final approval of a project specifically addressing whether a proposed art project meets the Purpose Statement and specifically how it does so.

If a Project Promoter does not have a person or group established to perform the jury function for a project, upon request of Council, the Public Art Commission will function as a jury regarding the artistic quality and merit of a proposed art project as well as determining whether the project meets the Purpose Statement.

The Public Art Commission will meet, as needed, when projects are presented to the Village for consideration. As this is a public body, meetings must be advertised in advance and the public is to be included in all meetings.

Composition of the Board:
The Public Art Commission will be composed of seven (7) persons including one member of Village Council and the Village Manager. Persons on this Commission will be appointed by Village Council and will have expertise in art, architecture, public lands management or construction.

The Commission shall have alternating term appointments of three years. With the initial appointments to the Commission, the majority will serve three year terms with the remainder two year terms.
VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2013-07

ESTABLISHING A PUBLIC ART COMMISSION FOR THE VILLAGE OF YELLOW SPRINGS and DECLARING AN EMERGENCY

Whereas, the Village of Yellow Springs has a unique history of creative activity and Yellow Springs is a place people choose to live, visit and work because of the vitality of the arts scene and creative energy of the people; and

Whereas, art in public places can build on this energy by empowering artists to create art that communicates important human values, commemorates Yellow Springs’ history, enhances the environment and exemplifies the welcoming nature of the community; and

Whereas, the Council for the Village of Yellow Springs adopted Resolution 2012-75 Implementing a Policy Governing Art in Public Spaces on January 7, 2013 which recommended the appointment of a Public Art Commission (PAC);

NOW, THEREFORE, THE COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO HEREBY ORDAINS THAT:

Section 1. A Public Art Commission is established to carry out the following tasks:

○ Review any Conceptual Proposal presented by the Village Manager for the purpose of making recommendations to Village Council regarding the merits of the proposed project.

○ Review more specific renderings and details for approved projects for the purpose of making recommendations on final approval of a project specifically addressing whether a proposed art project meets the Purpose Statement and specifically how it does so.

○ Serve as a jury regarding the artistic quality and merit of a proposed art project as well as determining whether the project meets the Purpose Statement upon the request of Council.

Section 2. The Public Art Commission will consist of seven members, including one Village Council Member. The Village Manager will serve as an ex officio member. The Council will appoint members to the Commission with a variety of skills and experience including art, architecture, public lands management or construction. The Commission members will serve a 3-year term. The initial terms will be staggered to provide membership stability.
Section 3. As an official body of Council, all meetings of the Public Art Commission must be advertised and open to the public. To be considered official, meetings must be attended by a quorum, determined to be a simple majority, of members. Official meeting minutes must be kept, approved and forwarded to the Clerk of Council for distribution and records retention.

Section 4. That in order to assure the Village can enact this legislation in time to seat the Commission in a timely manner, this Ordinance is hereby declared to be an emergency measure which shall take effect at the earliest period allowed by law.

______________________________
Judith Hempfling, Council President

Passed:

Attest: __________________________
Judy Kintner, Clerk of Council

ROLL CALL

Judith Hempfling ___  Lori Askeland ____  Karen Wintrow____
Rick Walkey ____  Gerald Simms____
VILLAGE OF YELLOW SPRINGS
ORDINANCE 2013-08

AMENDING CHAPTER 280.01 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF
YELLOW SPRINGS, OHIO AND DECLARING AN EMERGENCY

Whereas, the Village has codified in Chapter 280.01 of the Village Ordinances the laws relating to the
membership of Community Access Panel (CAP); and

Whereas, the Village acknowledges that the needs of the Community Access Panel require that expertise
be drawn from a variety of persons, and that CAP has regularly benefitted from dedicated volunteers who
are not residents of the Village;

NOW, THEREFORE, THE COUNCIL OF THE VILLAGE OF YELLOW SPRINGS, OHIO
HEREBY ORDAINS THAT:

Section 1. Existing Chapter 280.01 is hereby amended to read: The Community Access Panel shall
consist of five members to be appointed by Council, of which one can be an at-large member if there are
no qualified Village resident candidates, who shall serve without compensation for three-year terms. One
member of Council shall serve as a voting member of this Panel. In the event of the death or resignation
of any member, a successor shall be appointed by Council to serve for that person’s unexpired term. Three
members of the Panel shall constitute a quorum.

Section 2. This Ordinance is declared to be an emergency measure necessary for the immediate
preservation of the public peace, health, safety and welfare of this Village, to preserve the public interest
of the Village, and for the further reason that this Ordinance will enable Community Access Panel to
proceed in fulfilling their charge from Council.

________________________
Judith Hempfling, Council President

Passed:

Attest: ____________________________
Judy Kintner, Clerk of Council

ROLL CALL

Judith Hempfling ___    Lori Askeland ___    Karen Wintrow____
Rick Walkey ____    Gerald Simms___
MEMO

TO: COUNCIL

FR: VILLAGE MANAGER

RE: RESOLUTION 2013-07
Authorizing the Village Manager to Enter into an Agreement with
Michael Heintz, P.E. for Engineering and Surveying Services

DATE: March 1, 2013

Professional service providers work under a services agreement that sets an hourly or other rate
for services. For engineers, it is typically called a “Master Services” agreement and then task
orders are signed by the parties for specific projects or tasks performed.

Michael Heintz, P.E. and licensed surveyor has been working on various projects for the Village
since before I arrived. He is currently the city engineer of Urbana and will be engaged full-time
in his engineering business upon his retirement in the summer. He has been helpful on several
surveying projects, water and sewer line projects from the past. I would like to enter into a
Master Services Agreement with him for future services. He has also agreed to assist with
construction oversight on bigger projects if needed (e.g., the CBE roadway project would be an
example). The Master Services agreement is attached to your Resolution 2013-07 as Exhibit A.

Mike is currently working on the engineering for the Cemetery Street waterline improvement
and also on identifying and creating a map of all fire hydrants in the Village. The latter project
was recommended by our insurance carrier PEP.
Village of Yellow Springs, Ohio

RESOLUTION 2013-07

Authorizing the Village Manager to Enter into an Agreement with
Michael Heintz, P.E. for Engineering and Surveying Services

WHEREAS, the Village desires to obtain the services of Michael Heintz for general engineering, engineering review, and surveying services; and

WHEREAS, Michael Heintz, P.E. is a licensed engineer and surveyor in the State of Ohio and is otherwise qualified to perform civil engineering and surveying services; and

WHEREAS, a form of Agreement is attached hereto and incorporated herein as “Exhibit A” for the provision of said professional engineering and surveying services.

NOW, THEREFORE, be it resolved by the Council of the Village of Yellow Springs, Ohio that:

Section 1. The Village Manager is authorized to execute the Master Services Agreement with Michael Heintz, P.E., which is attached hereto as Exhibit A, or in substantially similar form as approved by the Village Solicitor.

Section 2. This Resolution shall go into effect at the earliest period allowed by law.

_______________________________
Judith Hempfling, Council President

Passed:

Attest: ____________________________
Judy Kintner, Clerk of Council

ROLL CALL

Judith Hempfling ___  Lori Askeland ___  Karen Wintrow____
Rick Walkey _____  Gerald Simms____
ENGINEERING AGREEMENT FOR GENERAL ENGINEERING SERVICES

This Engineering Agreement is by and between the Village of Yellow Springs, hereinafter referred to as the CLIENT, and Heintz Engineering, hereinafter referred to as the ENGINEER.

The ENGINEER agrees to perform general engineering services as authorized by the CLIENT. No services will be performed without CLIENT approval. A schedule for all services is to be established as mutually agreed upon by the CLIENT and the ENGINEER. All services are subject to Terms and Conditions found in this agreement.

Engineering services, as authorized by the CLIENT, will be performed by the ENGINEER at the rate of $90.00 per hour. Mileage is to be reimbursed to the ENGINEER at the rate of 90% of the current federal rate. Mileage is to include travel to and from Sidney and Yellow Springs, within the Village for engineering business, and to and from other locations as approved by the CLIENT. Travel time to and from Sidney and Yellow Springs and to and from other locations as approved by the CLIENT will be billed at $30.00 per hour. Design fees and Project Management fees for public works projects are not included in this agreement, but if needed, will be at a negotiated price and be included in a separate contract between the CLIENT and the ENGINEER.

Engineering services may include, but are not limited to, the following:

- Project Planning including budget estimates.
- Construction project observation.
- CAD revisions and as-built mapping.
- Interpretation of and modifications to engineering standards.
- Interpretation of and modifications to subdivision and zoning regulations.
- Plan review of subdivisions, developments, plats, etc.
- Topography.
- Boundary and right-of-way research.
- Easement research and mapping.
- Traffic Signal Warrants, Speed Studies, Pavement Markings, and Signage.

The CLIENT and the ENGINEER hereby agree upon and execute this agreement.

______________________________  __________________________
Village of Yellow Springs (CLIENT)  Date  Heintz Engineering (ENGINEER)  Date
Authorized Signature

Page 1 of 4
TERMS AND CONDITIONS

STANDARD OF CARE
Services provided by the ENGINEER will be performed in a manner consistent with that degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances. The ENGINEER makes no warranty, expressed or implied, concerning any report, data, operation, or document provided to the CLIENT by this agreement, or concerning the site or the presence of any hazardous substance thereon, and shall not be responsible for consequential or incidental damages sustained by any party in connection therewith.

LIMITATION OF LIABILITY
In recognition of the relative risks and benefits of the project to both the CLIENT and the ENGINEER, the risks have been allocated such that the CLIENT agrees, to the fullest extent permitted by law, to limit the liability of the ENGINEER for any and all claims, losses, costs, damages of any nature, or from any cause or causes, including attorney’s fees and costs, and expert witness fees and costs, so that the aggregate liability of the ENGINEER shall not exceed $20,000.00 or two-thirds of the ENGINEER’s total fee for services rendered on the project in which the liability occurred, whichever is less. The CLIENT further agrees, to the fullest extent permitted by law, to limit the liability of the ENGINEER to all construction contractors and subcontractors on a construction project for any and all claims, losses, costs, damages of any nature, or from any cause or causes, including attorney’s fees and costs, and expert witness fees and costs, so that the aggregate liability of the ENGINEER shall not exceed $20,000.00 or two-thirds of the ENGINEER’s total fee for services rendered on the project in which the liability occurred, whichever is less. Liability can include but is not limited to negligence, professional errors and omissions, strict liability, and/or breach of contract or warranty. It is intended that this limitation apply to any and all liability or cause of action however alleged or arising, unless otherwise prohibited by law.

ENVIRONMENTAL ISSUES
The CLIENT agrees to hold harmless and indemnify the ENGINEER for all claims arising from the encountering of asbestos or any hazardous material. It shall be the responsibility of the CLIENT to notify the appropriate federal, state, or local public agencies as required by law or otherwise, to disclose in a timely manner any information that may be necessary to prevent any danger to health and safety. The CLIENT shall be solely responsible for the containment, encapsulation, remediation, clean-up, transportation, and disposal of any hazardous substance detected.

RIGHT OF ACCESS
Free right of access shall be granted to the ENGINEER. Exploration equipment may unavoidably disturb, alter, or damage existing vegetation. The ENGINEER shall take reasonable precautions to limit damage, but shall not be liable for such damage. The ENGINEER will accept no responsibility to restore the site to its original conditions.

DESIGN WITHOUT CONSTRUCTION SERVICES
It is understood and agreed that the ENGINEER’s basic services under this agreement do not include project observation or review of the contractor’s performance. The CLIENT assumes all responsibility for all observation and supervision, and waives any claims against the ENGINEER that may arise. The ENGINEER assumes no responsibility for the adequacy of its design or specifications unless the ENGINEER is under contract with the CLIENT for construction observation. In no event shall the ENGINEER be responsible for any consequential damage arising from any act or omission of the ENGINEER under this agreement.

CONSTRUCTION OBSERVATION
Construction observation shall consist of visual observation of materials, equipment, and construction services for the purpose of ascertaining that the services provided are in substantial compliance with the contract documents. Such observation shall not be construed as relieving the parties under contract from their obligations and responsibilities under the contract documents. Observation shall not require the ENGINEER to assume responsibilities for the means and methods of construction. If construction observation is requested by the CLIENT, the ENGINEER shall visit the project at appropriate time intervals as mutually agreed upon to allow the ENGINEER to become generally familiar with the progress and quality of the contractor’s services and to determine if the work is proceeding in general compliance with the contract documents. The ENGINEER is not expected to make detailed inspections or to provide exhaustive or continuous project review. The ENGINEER does not guarantee the performance of, and shall have no responsibility for, the acts or omissions of any contractor, subcontractor, or supplier associated with the project.
**TERMS AND CONDITIONS (CONTINUED)**

**PROJECT SAFETY**
Neither the activities of the ENGINEER nor the presence of the ENGINEER on the construction site shall relieve the general contractor and any other entity from their responsibilities necessary for performing all portions of the services in accordance with the contract documents and any health or safety precautions required by any regulatory agency. The ENGINEER shall have no authority to exercise any control over any contractor, subcontractor, or other entity in connection with their services or any health or safety precautions. The CLIENT agrees that the general contractor is solely responsible for project safety and warrants that this intent shall be made evident in the CLIENT’s agreement with the general contractor. The CLIENT also agrees that the ENGINEER shall be indemnified and shall be insured under the general contractor’s general liability insurance policy.

**CONSTRUCTION COST AND TIME ESTIMATES**
The ENGINEER’s estimate for construction costs will be based solely upon his own experience and familiarity with the construction industry. The ENGINEER has no control over site conditions, weather, methods of construction, market conditions, etc. and therefore does not guarantee that the actual bids and construction costs may not vary from estimated costs.

**PERMITS AND APPROVALS**
The ENGINEER shall assist the CLIENT in applying for and obtaining permits and approvals typically required by law for projects in which the ENGINEER’S services are being utilized. Assistance in applying for permits by the ENGINEER does not guarantee approval of the permits by the regulatory agencies.

**OWNERSHIP OF INSTRUMENTS OF SERVICE**
The CLIENT acknowledges that all reports, plans, specifications, field data, notes, calculations, and other documents including electronic media prepared by the ENGINEER are instruments of professional service. However, the final plans and specifications prepared under this agreement shall become the property of the CLIENT upon completion of the services and payment in full to the ENGINEER. The CLIENT agrees to hold harmless and indemnify the ENGINEER against all claims arising out of any reuse of these documents without written authorization by the ENGINEER. The CLIENT shall retain copies of the services performed by the ENGINEER in CAD form only for information and use by the CLIENT for the specific purpose for which the ENGINEER was engaged. Said material shall not be used by the CLIENT, or transferred to another party, for use in other projects, additions, to the current project, or any other purpose for which the material was not strictly intended by the ENGINEER without the ENGINEER’s expressed written permission. Any unauthorized modification or reuse of the materials shall be at the CLIENT’s sole risk, and the CLIENT agrees to defend, indemnify, and hold the ENGINEER harmless from all claims arising out of the unauthorized modifications or use of these materials.

**PAYMENT FOR SERVICES**
The CLIENT will be invoiced monthly for services and expenses. Invoices will be due and payable within fifteen (15) days of receipt. Past due amounts shall be subject to a finance charge of one and one-half percent (1-1/2%) per month or eighteen percent (18%) per year on the outstanding balance. Attorney fees and other costs incurred in collecting past due amounts shall be paid by the CLIENT. The ENGINEER reserves the right to terminate his services for failure of the CLIENT to make payments in accordance with the terms of this agreement. No retainage of payment for services performed by the ENGINEER is to be held by the CLIENT. Payment of any invoice by the CLIENT to the ENGINEER shall be taken to mean that the CLIENT is satisfied with the services of the ENGINEER and is not aware of any deficiencies in those services.

**DELAYS**
The ENGINEER is not responsible for delays caused by factors beyond the ENGINEER’s reasonable control. Delays caused by strikes, lockouts, work slowdowns or stoppages, accidents, acts of God, unusual weather, failure of any governmental agency to act in a timely manner, failure of the CLIENT to furnish timely information and approve or disapprove the ENGINEER’S services promptly, etc. When such delays occur, the CLIENT agrees the ENGINEER is not responsible for damages, nor shall the ENGINEER be deemed in default of this agreement. In the event that the ENGINEER’S services are interrupted due to unusual or unanticipated causes beyond the ENGINEER’s control, the ENGINEER shall be compensated for any additional labor, equipment, or other costs associated with the delay. Any delay within the scope of this provision which cumulatively exceeds forty-five (45) days shall, at the opinion of either party, make this agreement subject to termination or renegotiation.
TERMS AND CONDITIONS (CONTINUED)

TERMINATION
Either the CLIENT or the ENGINEER may terminate this agreement. In the event termination becomes necessary, the party affecting the termination shall so notify the other party and termination shall become effective within seven calendar days after receipt of the termination notice. The CLIENT shall be obligated pursuant to the terms of the agreement for all services performed by the ENGINEER on the CLIENT's behalf. In the event of termination by the CLIENT, the ENGINEER may complete and be compensated for such analyses and records as are necessary to complete his files and may also complete and be compensated for a report on the services performed to the date of the termination notice.

DISPUTE RESOLUTION
All claims, disputes, and other matters in controversy between the CLIENT and the ENGINEER arising out of this agreement shall be submitted to mediation before and as a condition precedent to other remedies provided by law.

BETTERMENT
If, due to an error by the ENGINEER, any required item or component of the project is omitted from the ENGINEER's construction documents, the ENGINEER shall not be responsible for paying the cost to add such item or component to the extent that such item or component would have been otherwise necessary to the project or otherwise adds value or betterment to the project. In no event will the ENGINEER be responsible for any cost or expense that provides betterment, upgrade, or enhancement of the project.

ATTORNEY'S FEES
In the event of any litigation arising from or related to the services provided under this agreement, the prevailing party will be entitled to recovery of all reasonable costs incurred, including time recovery, court costs, attorney's fees, and other related expenses.

TIME BAR TO LEGAL ACTION
All legal actions by either party against the other arising out of or in any way connected with the services performed shall be barred and under no circumstances shall any such claim be initiated by either party after three (3) years have passed from the date on page one of the contract authorizing the engineering services to be performed. If the services of the ENGINEER are terminated earlier, the date terminating this agreement shall be used.

SEVERABILITY
If any provision of this agreement shall to any extent be found invalid, the remainder of this agreement shall not be affected and each provision of this agreement shall be valid and enforced to the fullest extent permitted by law.

AMENDMENT
This agreement may not be amended except in writing and executed by both the CLIENT and the ENGINEER. No alterations or modifications to these Terms and Conditions shall be effective unless affirmatively contained in the signed agreement.

SUCCESSORS AND ASSIGNS
The CLIENT and the ENGINEER binds himself to the other party of this agreement. Neither the CLIENT nor the ENGINEER will assign or transfer his interest in this agreement without the written consent of the other. Nothing herein shall be construed as creating any personal liability, nor shall it be construed as giving any rights or benefits to anyone other than the CLIENT and the ENGINEER.
MEMO

TO: COUNCIL

FR: VILLAGE MANAGER

RE: WATER SOURCING DISCUSSION - INFORMATION GATHERING

DATE: MARCH 1, 2013

Information gathering efforts continue regarding the consideration of the Village’s two primary options for sourcing water for the Village given the state of the 50-year old water plant.

*Staff will be meeting with Jeffrey Stark and Dan Cloyd with the Division of Groundwater of the Ohio Environmental Protection Agency (OEPA). March 8, 9 a.m., at the water plant. Some of our questions: What would we need to do to maintain our well fields in the event we sourced water from Springfield. 1.3 million gallons per day is the maximum production for our wellfield. 800,000 a day is the highest level of production for our current plant. Our average production per day is 450,000 gallons.

*The Rural Communities Assistance Program (RCAP) is under contract to do a study of the condition of the plant, primarily viewed through the rubric of energy efficiency of equipment and design.

*The Scope for the LJB Preliminary Engineering for a possible waterline to the Clark Co. line, Xenia Ave. Bottleneck and Waterline Improvement (8”) on Livermore is complete. Work is proceeding, to include a Right-of-Way study.

*April 5 – Water Plant Tours. The City of Springfield will host a tour of their public water plant at 10 a.m. on Friday, April 5. The Village of Yellow Springs will host a tour of its water plant at 1:30 p.m. on the same day. Directions and carpooling information will be forthcoming.

IMPORTANT DOCUMENTS – I will be attaching key documents for your files that will be useful throughout the process. For example, you have already received the 2011 LJB “Water Feasibility” study, which focused our review at this time on the most feasible options – a joint waterline project with Springfield or reconstruction of the water plant. Attached to this memo is the:

2012 Oakwood Water/Sewer Rate Study – Attached. Yellow Springs’s combined water/sewer rates rank 46th out of 66 municipalities ($112.80) for three months (the higher the rank the lower the rates). Springfield’s rates rank them 4th out of 66th ($60.15) from the top (most economical).
2012 WATER & SEWER RATE SURVEY

PREPARED BY
THE CITY OF OAKWOOD

April 4, 2012

Each year the city of Oakwood collects and compiles water and sanitary sewer rate information from jurisdictions in Southwest Ohio and presents the results in the form of comparative bar charts. Reporting governmental entities use this rate analysis in various ways.

Each participating jurisdiction is asked to calculate their effective water and sewer cost using a base consumption of 22,500 gallons (or 3,000 cubic feet) over a three-month period of time. Since reporting entities may bill on a monthly, bi-monthly or quarterly basis and have minimum consumption fees, multipliers, surcharges, etc., calculations must be done carefully to obtain an accurate presentation of the data. The city has developed a calculation worksheet to assist participants in determining their quarterly cost and to ensure data accuracy.

While we prefer to rely upon each respondent to provide accurate rate information, Oakwood staff carefully reviews all responses and takes actions where needed to identify data that appears to be incorrect or noticeably out of line with prior year data.

The methodology used in completing the survey is as follows:

1) A survey form is e-mailed to each participating entity in early February.
2) Data forms are collected until late February and entered into a tally sheet.
3) Second request letters are faxed in mid-February to entities that have not responded.
4) The tally sheet is completed once all responses are received.
5) The data for each entity is compared to the previous year. Any entity that reports a decrease in rates or an increase in excess of 10% is contacted for verification and recalculation, if necessary. Entities providing water and/or sewer service to multiple jurisdictions, such as the city of Dayton, Montgomery County and Greene County are contacted to verify the correct rate for the various jurisdictions being served.
6) The corrected survey information is compiled into bar charts.
7) Each responding entity and other interested parties are sent a summary of the survey results.

The 2012 survey reflects a collective rate increase compared to 2011, as follows:

Water: 3.77%
Sewer: 3.83%
Combined: 3.88%

Questions regarding the survey should be addressed to Theresa L. Rushlow, Utility Clerk, city of Oakwood, at (937) 298-0400.
**YEAR 2012 ANNUAL SURVEY WATER COST**

Rates are based on 22,500 gallons or 3,000 cubic feet of water in a three month period. Rates quoted are those in effect as of March 1, 2012.

Prepared by the city of Oakwood Finance Department

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<th>Jurisdiction</th>
<th>Cost</th>
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<td>Yellow Springs</td>
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<tr>
<td>Yellow Springs</td>
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**JURISDICTIONS**

MC - Montgomery County
GC - Greene County
At the most recent meeting of the Library Commission, we determined the easiest way for us to keep track of term beginnings and endings was to have them all take place in January. The current ordinance is silent on any actual dates however, so it may not be necessary to amend the language for this.

More importantly, it was decided that retaining willing and valuable members was primary, and that having term limit language in the ordinance complicated that. Our desire would be to have the ordinance state that there shall be no limit on the number of consecutive terms a member may serve.

It is a minor change, though we feel an important one, for the continued vitality of the Library Commission.

Rick Walkey
3/1/3013
VILLAGE MANAGER’S REPORT
FOR MARCH 4, 2013

PUBLIC WORKS/PUBLIC SAFETY

WATER SOURCING AND DELIVERY INFORMATION GATHERING – see separate memo to Council.

HYPER-REACH to replace Code Red– The police department will be moving to a new service for reaching the public during emergencies or other public safety situations. Hyper-Reach has more features. Landline phone numbers are already in the system and persons with landlines need take no action.

Mobile phone users will need to go online to register their numbers at www.hyper-reach.com/ohgreensignup.html. Registration is quick and confidential. Users have the option of receiving an audio message, text message or both along with an email alert. If a user moves, s/he will need to update their information on the same website.

Hyper-Reach will allow dispatch to send a recorded message to telephones in specific areas and alert residents to any emergency situations and critical actions that are needed. We can also initiate non-emergency messages for public safety or service situations of concern, e.g., need to reduce use of utilities (water, electric) for breaks, downed lines, other necessary reduction in service situations. The system will automatically notify of tornado warnings issued by the National Weather Service. Call Chief Pettiford if you have questions about the Hyper-Reach service.

WATER RECLAMATION FACILITY (WWTP) – Joe Bates reports that the plant has been working very well. We have a new phosphorus meter at the plant that is providing quicker data (same day) and will pay for itself over time because we do not send out samples for testing.

LIFT STATION – Joe Bates is making improvements in the physical plant and also the electrical service to Lift Station in order to run both pumps at the same time during peak flows.

STREET TREE REPLANTING – I will be meeting with Tree Committee members next week to talk about a “replanting plan” for street trees near places where we had to remove ash. Bob Moore, certified arborist, has given us a quote for delivery of balled and burlaped native trees (2” caliper) for replanting adjacent to sites where ash trees had to be removed. We will likely be planting a mix of native species in sizes ranging from 1 to 2” caliper (6-12 foot tall trees).

2013 LIBRARY IMPROVEMENTS – 2013 projects will include bathroom renovations and
improvements (including ADA compliance), roof replacement, roof drainage improvement, and south wall window restoration. Ted Donnell is working on a scope.

**SUMP PUMP/DOWNSPOUT DISCONNECT HELP IS AVAILABLE** – Property owners should contact Jason Hamby, Sewer Collection Superintendent, for advice about how and where to properly outlet sump pump discharge, downspouts or other clear water drains on your property. Call 767-3402 for assistance.

**NORTHERN GATEWAY.** $107,000 set aside for this project in the 2013 budget will remain in the general fund.

**ELECTRIC LINE CLEARANCE** – Bids due March 14, 2013. 10 a.m.

**GENERAL ADMINISTRATION/FINANCE**

**BRYAN CENTER GENERAL OBLIGATION BOND REFINANCING** - Legislation will be coming on March 18. This will save the Village about $50,000 in interest expenses.

**POOL MANAGEMENT** – Legislation will be coming on March 18. RFPs back on March 12.

**ANNUAL STATE AUDIT** – The State Auditor’s office personnel are here for three weeks, starting Feb. 25. They will be using the Arts & Crafts.

**PERSONNEL**

**RON UNDERKOEFLER.** Meter Reader for the Utility Billing Department, is retiring soon. His last day is February 28. He is retiring after 20 years of service. Per his wishes, we will not be having a gathering. His deep knowledge/expertise about the water and electric service metering in the Village will be missed. He has been training his replacement, Dan Robertson, for about a month. Dan will be coming to a meeting soon so that we can introduce him to you. We wish Dan all the best as well in taking over this important responsibility. The accurate metering of water, sewer and electric service is essential to the Village’s ability to fairly and timely bill for utility services.

**ANNOUNCEMENTS/OTHER**

**ZONING CODE UPDATE PROCESS** – THE NEXT MEETING OF PLANNING COMMISSION IS CURRENTLY SCHEDULED (TENTATIVELY) FOR MARCH 21, 2013 at 7 p.m. in Council Chambers to continue their review of the Zoning Code revisions. The next revision of the Zoning Code update will be available the Village website on or about March 5, 2013.

END OF REPORT
February 2013 Monthly Report
Submitted by Kelley Fox
Superintendent Electric/Water Distribution

- Met with Laura to discuss several work items.
- Removed a leaning tree overhanging the roadway in front of 317 W. N. College Street.
- Met with David Roche from Buyer’s Inspection Service to inspect the home at 1140 SR 343.
- Surveyed the water system after we received word that the high service pumps had run all night. Unable to locate any problems in the system.
- Gathered information and calculated the fault current for YS Brewery and faxed info to Greene County Building Inspection.
- Dismantled and removed old Street lights to the Scrap Yard.
- Spoke with a representative from SSI to discuss deduct metering software.
- Spoke with a Dayton Street resident complaining of standing water in her yard. This turned out to be coming from a neighbors sump pump.
- Attended the monthly Amp Safety training. (Personal Protective Equipment)
- Attended staff meeting.
- Began to clean up around the Public Works Facility.
- Completed the online BWC Accident Analysis Training.
- Called Nick Boutis at Glen Helen to discuss ash trees along bike path on Corry Street.
- Met with Laura to discuss some work items.
- Completed the bid packet for the 2013 Utility Tree Trimming and Line Clearing which will be section four (4), everything north of Dayton Street.
- Replaced the street light in front of the Emporium on Xenia Ave.
- Shielded the street light at the corner of High and Whiteman at residents request.
- Repaired the street light in front of 113 E. Davis Street.
- Located the water line on Cemetery Street per Mike Heintz.
- Re-sagged the electric service at 210 Gardendale Drive.
- Removed wire, light and pole in front of the Credit Union on Xenia Ave. This is part of the continued Streetscape project.
- Disconnected the temporary pole and energized the permanent electric service at 661 Thistle Creek Lane.
- Met with an engineer at the College to discuss preliminary drawings and plans for another electric feed to campus.
- Received a complaint of low water pressure at a Livermore Street address which turned out to be an internal problem.
- Disconnected the temporary pole and energized the permanent electric service at 340 Stewart Dr.
- Met with Denise, Joe and Jason to go through old maps and drawings.
- Located and marked the underground primary electric at the cell tower 4359 E. Enon Rd.
- Attended the records retention meeting with Laura and the attorneys.
- Called in to turn off power at Town Drug. This was at the request of Vectren Gas, due to a leak in the building.
- Removed a tree limb from the electric service at the rear of 119 W. C. College Street.
- Attended the quarterly Amp Safety meeting.
- Began to jockey trucks to Ehman’s Garage for the annual DOT inspections.
- Chris and Kelley attended the Amp safety sub-committee meeting in Columbus.
- Repaired a pedestrian crossing sign at Xenia Ave. and Corry Street near the BP station. This sign was damaged by a semi truck.
- Met with Ron U., Dan R. and Jim Ryder from Morris Bean Co. to look at the water meter setup there.
Street Work for February 2013

- Snow Removal (@16 tons salt used)
- Hauled additional 8 loads (72 tons) of salt
- Removed door to ventrac snow plow (replaced windows)
- Sanitary back-up at 325 W North College (crew called in after hours)
- Fixed gymnasium lights (bad ballasts)
- Weekly checking of sewers
- Started the disposal of debris pile at Sutton Farm
- Purchased new tools and safety equipment for Streets crew
- Fixed street sign (Corry/Hyde) hit by car
- Started the straightening of Village signs throughout town
- Measured streets and conditions for Asphalt Repaving this summer
- Cleaned trucks removal of salt residue
- Pressure jetted sanitary line (Shawnee/Spillan) – Cleaned roots
- Checked on possible sanitary back-up at Rice Road (okay, on homeowner)
- Filmed a sanitary lateral at 212 W. Whiteman (on homeowner)
- Pressure jetted sanitary main line from Dead end manhole to Phillips Street (on W. Whiteman)
- Filled potholes in alleyway behind curves (S high Street)
- Filled potholes in alleyway behind Library (Xenia Ave)
- Fixed Kahoe Street sign recently hit by car
- Installed new Yellow Springs sign at Young’s Jersey Dairy
- Installed new corporation sign at Dayton-Yellow
- Removed wooden post at 102 Dayton Street Parking Lot
- Met with Enoch Tree Care about the take down of 6 walnut trees on Library Alleyway
- Ordered new signs for Snow Emergency, Crosswalks and street names
- Physical count of manhole lids needed to complete I&I recommendations
- Removed debris from Library property / cleaned off parking lot
- Performed core sample at Library to confirm depth of clay soil
- Weekly check of sewers
- Met with Denise about the Village map procedures
- Removal of old wooden debris at Sutton Farm, more metal separation for recycling
- Compiled ash tree removal list and met with Enoch Tree Care and Arbor Care for the final cut-down of Village Ash Trees (not included are Ash on private property)
- Ordered 6 new sanitary lids to complete the “Very High” and “High” priority list from LJB’s I&I Study for the Village
- Removed (3) skate board ramps – Broken down with rotted wood
- Constructed new skateboard ramps
- Sanitary back-up between Omar and Vernay’s property – Unclogged blockage (no one affected)
- Spread salt with recent snow storm – 8 tons used
- Removed civil war memorabilia from chief’s office and re-mounted in police department hallway
- Filled (3) govdeal sheets for Ken Metz to surplus 2 Street trucks
- Purchased treated wood for the rebuild of skate ramps
- Hung 16 hooks, fishing line for recent Art show in room A&B
- Removed baby doll from gymnasium light
- Swept and mopped the gymnasium floor
- Pay roll completed, monitors new schedules
- Used 32 tons of salt for ice storm
- Closed HVAC hatch at Train Station – per Karen Wintrow’s request
- Signed agreement with John Lamont for 2013 Streetscape work
- Worked at Sutton Farm to clean-up debris and level off dirt area for future dumping
- Set-up and tear down of mayor’s court
- Performed yearly evaluations on 8 VYS employees – Streets/Monitors
- Installed a ONE WAY < sign in the Library parking lot and (2) DO NOT ENTER signs in the alleyway by Limestone to designate Library alleyway as ONE WAY (South to North)
3-4-13

To: Council

From: Judy Kintner

Re: Clerk’s Report

The last several weeks have been devoted to backtracking through 2009-2012 files, double-checking to assure that everything is in proper order. This is a periodic housekeeping exercise, and the last snowy days of the year seem a good time for it.

There have also been a number of meetings, which means packets, postings and minutes.

A hearty congratulations to Karen Wintrow who has graduated to an e-packet, fulfilling a small Clerk- dream!

Another reminder that there are openings on all of the Boards and Commissions at this time, with the exception of HRC. Please send a letter of interest to: clerk@yso.com.
Village of Yellow Springs
Zoning Amendment Procedure
Adoption of Draft Zoning Code 2013

The following outline has been adopted from the Village of Yellow Springs Zoning Code Section 1240.08 Amendments.

A. Processing of Amendment by Planning Commission
   1. **Public hearing**, the Planning Commission, before submitting its recommendation on a proposed amendment to Council shall hold at least one public hearing.
   2. **Newspaper notice** of public hearing shall be published at least ten days prior to the hearing in a newspaper of general circulation in the Village.
      a) In the matter of all rezonings, a map of the area affected and a summary of essential provisions shall be published in a newspaper of general circulation by the Planning Commission before their public hearing.

B. Processing of Amendment by Village Council
   1. **Public hearing**, before new or amended zoning provisions may be adopted, Council shall hold at least one public hearing.
   2. **Newspaper notice** of public hearing shall be published at least thirty days before the hearing in a newspaper of general circulation in the Village.
      a) In the matter of all rezonings, a map of the area affected and a summary of essential provisions shall be published in a newspaper of general circulation by Council before their public hearing.
   3. During the thirty days before the Council sponsored public hearing, the text of the proposed changes, and associated maps and reports from the Planning Commission, shall be open for inspection in the office of the Clerk of Council or is some officially designated location.

Note:
2012 WATER & SEWER RATE SURVEY

PREPARED BY
THE CITY OF OAKWOOD

April 4, 2012

Each year the city of Oakwood collects and compiles water and sanitary sewer rate information from jurisdictions in Southwest Ohio and presents the results in the form of comparative bar charts. Reporting governmental entities use this rate analysis in various ways.

Each participating jurisdiction is asked to calculate their effective water and sewer cost using a base consumption of 22,500 gallons (or 3,000 cubic feet) over a three-month period of time. Since reporting entities may bill on a monthly, bi-monthly or quarterly basis and have minimum consumption fees, multipliers, surcharges, etc., calculations must be done carefully to obtain an accurate presentation of the data. The city has developed a calculation worksheet to assist participants in determining their quarterly cost and to ensure data accuracy.

While we prefer to rely upon each respondent to provide accurate rate information, Oakwood staff carefully reviews all responses and takes actions where needed to identify data that appears to be incorrect or noticeably out of line with prior year data.

The methodology used in completing the survey is as follows:

1) A survey form is e-mailed to each participating entity in early February.
2) Data forms are collected until late February and entered into a tally sheet.
3) Second request letters are faxed in mid-February to entities that have not responded.
4) The tally sheet is completed once all responses are received.
5) The data for each entity is compared to the previous year. Any entity that reports a decrease in rates or an increase in excess of 10% is contacted for verification and recalculation, if necessary. Entities providing water and/or sewer service to multiple jurisdictions, such as the city of Dayton, Montgomery County and Greene County are contacted to verify the correct rate for the various jurisdictions being served.
6) The corrected survey information is compiled into bar charts.
7) Each responding entity and other interested parties are sent a summary of the survey results.

The 2012 survey reflects a collective rate increase compared to 2011, as follows:

- Water: 3.77%
- Sewer: 3.83%
- Combined: 3.88%

Questions regarding the survey should be addressed to Theresa L. Rushlow, Utility Clerk, city of Oakwood, at (937) 298-0400.
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**YEAR 2012 ANNUAL SURVEY WATER COST**

Rates are based on 22,500 gallons or 3,000 cubic feet of water in a three month period. Rates quoted are those in effect as of March 1, 2012.

Prepared by the city of Oakwood Finance Department

HIGH: $185.04
LOW: $ 54.71
MEAN: $103.54

66 JURISDICTIONS
Fracking facts: Hydraulic fracturing and its impact on water resources

Introduction

In recent years, there has been substantial public scrutiny of the process of hydraulic fracturing, commonly known as “fracking.” Citizens’ groups, environmental advocates, municipal leaders, and others have expressed concern that the process and activities associated with fracking could result in the contamination of water resources. Media has elevated these concerns in many national and local stories, but the facts and risks surrounding hydraulic fracturing are not widely understood. AWWA has produced this white paper in response to growing public awareness and concern about hydraulic fracturing and related activities. The paper provides water utilities with background, facts, and resources to help them understand and communicate fracking processes, risks, and regulations. Additionally, the paper considers both hydraulic fracturing itself and other components in the life cycle of oil and natural gas development that may present concerns to drinking water utilities. Although this document primarily discusses drinking water utility risks and concerns—and ways to mitigate them—it is important to remember that any policy decisions regarding energy development must take both risks and benefits into account. Although summarized briefly, the benefits of energy development—which can be substantial—are not discussed in detail in this paper.

What is hydraulic fracturing?

Hydraulic fracturing is a process used as a step in the development of many oil and natural gas wells. It involves the injection of a fracturing fluid (a mixture of mostly water and sand with some chemical additives) under pressure to create artificial fissures in subsurface oil and gas bearing–rocks. The fissures created by fracking allow oil and/or natural gas to flow more freely from the underground formation to a well. In many areas of the country, it would not be feasible to recover oil and natural gas without hydraulic fracturing.\(^1\)

The technology involved in fracturing has existed for decades.\(^2\) However, recent improvement in the technology—along with horizontal drilling—now allows for energy development in vast areas in many states. This increased development includes some areas where little development previously existed or where it had declined over time.\(^4\) These recent changes in hydraulic fracturing and drilling technologies have fueled a dramatic expansion in oil and natural gas production and have brought substantial visibility and controversy to the process in many parts of the country.

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3. Ibid. Page 27.

The development of an oil or gas well begins with siting, which involves determining exactly where a well will go, based on factors such as availability of mineral rights and restrictions on where “well pads” (on which the drilling rig will sit) can be located. Once siting has been decided and a well pad constructed, drilling begins. With the drilling, there is an iterative installation of casing (installing steel piping to isolate the wellbore from water aquifers and other non-target zones) and cementing (securing the casing in place with cement). Once the well has reached the targeted geologic formation, it may be “fracked” (or another well stimulation technique may be used) to increase the flow of oil or gas from the oil- or gas-rich formation. The majority of a well’s active life is in the production period, when oil and gas comes to the surface through the wellbore for processing and use. Wastewaters that require disposal or recycling are produced (described in more detail below) throughout the cycle. Once the well no longer produces enough oil or natural gas to be economically viable, it will be closed through a process called abandonment. Abandonment usually involves the use of cement designed to permanently isolate the production zone, drinking water aquifers, and the surface from one another.

Many concerns about hydraulic fracturing often incorrectly refer to other parts of the oil and gas development life cycle. From a strictly engineering standpoint, it is not appropriate to attribute to fracking any issue that is actually associated with other phases in the life cycle of an oil or gas well. Because other activities are often mistakenly associated with fracking in the media and elsewhere, there can be significant confusion on the entire subject. This in turn often leads to difficulty in communicating information about risks, benefits, scientific research, regulatory systems, and policies. This paper discusses both hydraulic fracturing and other stages of the oil and natural gas development cycle.

What are the risks of oil and natural gas development to drinking water?

Oil and gas development is an industrial activity, and like all industrial activities, it carries some degree of risk. AWWA believes these risks can be managed via prudent and reasonable protections implemented through a combination of state and federal regulations, best practices, and monitoring. A number of studies are currently under way to characterize and quantify risks associated with oil and gas activities, including fracking, well construction, the possibility of spills or accidents, and waste management issues. When completed, these studies will help fill knowledge gaps and inform future research. Given current knowledge, it is possible to qualitatively describe with a high degree of confidence the potential risks to drinking water supplies from oil and gas development activities, but it is not currently possible to quantify those risks with confidence.
Potential for groundwater contamination

A properly constructed and managed oil or natural gas well that complies with regulations and utilizes industry best practices is unlikely to directly cause groundwater contamination, although it cannot be said that such contamination is impossible. Although depths vary by the local geology, hydraulic fracturing generally takes place hundreds to thousands of feet below the deepest drinking water aquifer, and experts consider it unlikely that fissures stretching from the production zone into a drinking water aquifer could be accidentally created. There are several technological, regulatory, and procedural safeguards commonly practiced throughout the oil and natural gas industry that are specifically designed to prevent such contamination. These safeguards include proper surface casing, deep-well casing, well construction techniques, and cementing processes. They serve to prevent the escape of fracturing fluids, waste materials, or oil and natural gas into drinking water aquifers. An escape of fluids and gases into drinking water aquifers is possible, although it would generally require the simultaneous failure of multiple safeguards. If leaks do occur as the result of defects in these practices, it is possible to seal them. In some cases in which groundwater contamination has been linked to oil and gas development, the problem has been found to stem from a degradation of the well casing over time. Given technological advances, casing in modern wells is expected to be less likely to degrade. A study on this issue did not implicate the hydraulic fracturing process itself as a source of or contributor to contamination of drinking water aquifers, and the risks of this type of degradation can be reduced through monitoring and testing. A type of methane contamination known as “stray gas” has been observed in drilling water wells in a few cases where casing and cementing problems of oil and natural gas wells, the water wells themselves, or both, has resulted in migration of gas from zones close to the drilling aquifer. These zones are much closer to the surface than the areas where the fracking takes place, and if stray gas issues arise they can result in safety problems and even explosion hazards if not detected and remedied. Methane also exists naturally in some aquifers and is not automatically a sign of contamination.

Improper closure or abandonment of a well could also provide a pathway through which contamination could occur if production zones, drinking water aquifers, and the surface are not properly isolated from one another. Fortunately, regulation and best practice make improper abandonment unlikely at modern wells, even though there may be many old wells that were improperly abandoned.

Potential for surface water contamination

Oil and natural gas operations can cause surface water contamination through several potential pathways. Surface water is at risk from spills and accidents at and around well sites, from pipelines and storage facilities, through trucks delivering chemicals or removing wastes, and from improper or illegal disposal of wastes. These risks can be mitigated through prudent and simple measures such as the use of reputable disposal companies (reducing risks of improper or illegal disposal) and safety-conscious management. The issue of spills and accidents is not limited to wells utilizing hydraulic fracturing, but rather applies to all oil and gas development as well as many other industrial activities.

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7 Ibid.
9 Kell. 2011.
activities. Although most spills are small and are captured in containment facilities, some could have the potential to reach source waters. Accidents and spills are typically monitored by state agencies, and there are federal notification requirements for larger spills.

The use of horizontal drilling has reduced the number of well pads, and therefore the total surface land area affected, for a given amount of oil or gas produced. However, wells are being constructed in areas where there were few or no wells in the past. Although the effects related with stormwater runoff from well pads, service roads, pipelines, and other related infrastructure may be small for any given site, the total area of land involved could potentially give rise to changes in water quality because of runoff and soil erosion. These impacts are similar to other construction activities and can occur even in the complete absence of contamination directly related to the oil and gas activities.10

**Water quantity/Water use issues**

Drilling and fracturing of wells requires a substantial amount of water. The water required for hydraulic fracturing varies with the local geology, but typically totals from under a million to several million gallons for each fracturing “event.” Some wells are reported to have required as much as 13 million gallons.11 Generally, wells are fractured in several phases, each creating fissures along a different segment of the production zone. All the fracturing events at a given oil or gas well—the fracking phase of well development—generally require a few days to complete. At some later point in the production process, the developer may fracture the well again to further increase the level of oil or gas production.

In some areas, “frack water” is ultimately returned to the watershed, but in most cases it is not. Although this consumptive use may only represent a small percentage of water demand in water-rich areas of the country, in water-scarce areas and in times of drought, any added water use has the potential to divert needed supply away from water utilities. Intensity is another important consideration, as the need for water in the life cycle of a well tends to occur in short but intense bursts. These could temporarily put significant strain on water resources. The oil and gas industry is researching improved water recycling techniques as well as methods to use high-salinity water that public water systems wouldn’t usually use. These techniques are likely to reduce risks to water

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Oil and natural gas development is regulated through multiple state and federal environmental laws. 

Researchers are investigating a possibility that oil and gas activities can cause earthquakes. This issue is known as induced seismicity. Many experts believe that—to the extent there is risk associated with induced seismicity—waste disposal wells are a more likely cause than hydraulic fracturing. The National Academies of Science have determined, in fact, that induced seismicity from injection for waste disposal is likely to occur in some locations. However, the implications of this finding are not yet clear, as little actual impact has been identified from these events, which have generally been of very low magnitude. Research continues, including research into preventive measures that could decrease the incidence and severity of induced seismicity. See also Production and waste disposal, below.

Is hydraulic fracturing regulated?

Oil and natural gas development is regulated through multiple state and federal environmental laws. Given the complexity of the oil and gas processes involved, various facets fall under different regulatory structures. Historically, and at present, well siting, drilling, casing, cementing, and most other facets of oil and gas production are regulated primarily under state law by a combination of regulatory requirements and permitting processes. Certain regulatory frameworks are used in more than one state, and some of them are becoming more common across additional states. Programs such as the State Review of Oil & Natural Gas Environmental Regulations (STRONGER) review regulations across many states and make recommendations to enhance and update them as necessary. Given the range of differences among states, this paper does not attempt to describe the oil and gas regulations of each state. Rather, it identifies trends and common practices. Utilities are encouraged to become familiar with the laws and

Hydro fracking Details

Hydrofracking causes seismic-like activity, breaking up rock and opening many veins in the earth, thus releasing the gas.

Hydraulic fracturing involves the injection of more than 1 mil gal of water, sand, and chemicals at high pressure down and across horizontally drilled wells as far as 10,000 ft below the surface. The pressurized mixture causes the rock layer, in this case the Marcellus Shale, to crack. These fissures are held open by sand particles, so that natural gas from the shale can flow up the well.

Source: Al Granberg/ProPublica

The hydraulic fracturing process and some of the associated activities are depicted. The number of trucks and whether produced water is or is not stored in pits varies based on the company, geology, and state regulations.

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regulations of their states. Several reports are available that help with that task.\textsuperscript{16, 17}

It is important that regulators have sufficient resources to properly and fully implement regulatory and enforcement programs. As with any industry, oil and gas developers come with ranges of regulatory compliance and safety records. Some exhibit excellent environmental and safety backgrounds and can boast innovative programs that go beyond requirements; some just do what is required; and some have less desirable records. A well-funded and managed regulatory and enforcement program can identify any companies that may be “behind the curve” in environmental protection and safety and take corrective steps to prevent future problems.

The primary exception to state-centered regulation involves drilling that takes place on or below federal lands, where the federal government generally serves as the regulator. In some areas, federal agencies have agreements with state regulators to manage regulations on federal lands. Federal laws and regulations also do apply to certain facets of the oil and gas production cycle. In addition to the laws discussed below, for example, certain federal workplace health and safety laws and regulations apply to oil and gas production activities. Those are outside the scope of this paper.

Finally, a few facets of oil and gas development are specifically exempted from federal requirements that otherwise might have applied. For example, although industry best practices can reduce runoff and sedimentation,\textsuperscript{18} many oil and gas activities are exempt from the Clean Water Act’s National Pollutant Discharge Elimination System (NPDES) stormwater permits for uncontaminated runoff. Such permits do apply to many other construction activities.\textsuperscript{19} Some states regulate these activities more stringently than the federal government does.

Also exempted from federal regulation is the hydraulic fracturing step in oil or gas well development. Fracking was entirely unregulated under the Safe Drinking Water Act’s Underground Injection Control Program (UIC) until litigation and debate in the 1990s and early 2000s questioned whether the UIC program should apply. In the 2005 Energy Policy Act, Congress answered that question by modifying the definition of “underground injection” to specifically exclude hydraulic fracturing and certain associated activities from UIC regulation, unless diesel fuels are used as a portion of the fracturing fluids.\textsuperscript{20} In those situations, federal requirements relating to well casing, cementing, fracturing, and abandonment may be included under UIC permits administered through either USEPA regions or state primary agencies.


\textsuperscript{17} US Energy Department (U.S. DOE) and the Ground Water Protection Council (GWPC). 2009. \textit{State Oil and Natural Gas Regulations Designed to Protect Water Resources}. Available at http://www.gwpc.org/sites/default/files/state_oil_and_gas_regulations_designed_to_protect_water_resources_0.pdf.


\textsuperscript{20} SDWA § 1421(d) states that “the term ‘underground injection’ excludes ... the underground injection of fluids or propping agents (other than diesel fuels) pursuant to hydraulic fracturing operations related to oil, gas, or geothermal production activities.”
Site selection

Practical and regulatory factors limit where well pads can be placed and where drilling can occur, although such limits vary substantially by state and location. In order to drill, the oil and gas developer must own, lease, or be granted permission to use the mineral rights under a parcel of land. Acceptable well locations are limited by state regulations, which may include factors such as minimum setback distances from water bodies, zoning requirements, and similar restrictions.21

Water quality monitoring

In some states, oil and gas developers are required to take pre-drilling samples of drinking water sources close to the drilling site, and in other states they will be presumed to be responsible for any contamination that does occur if they have not taken samples of drinking water sources prior to development. In still other cases, developers sample around most or all sites prior to drilling as a matter of company policy. Whether it is required or voluntary, sampling is essential for establishing water quality baselines and allowing for pre- and post-development comparisons.22

Depending on where development is taking place, some utilities may want to conduct additional testing to assure their supplies are not affected. Determining what to test for depends on local water quality concerns and the development activities involved, though monitoring typically includes key indicators, such as total dissolved solids (TDS), methane, and benzene, and may include other appropriate analytes. Thorough monitoring is one key to detecting water quality changes early, should they occur, and forms the basis for any investigation into potential contamination.

Drilling, casing, and cementing

Drilling, casing, and cementing occur on an iterative basis to reach the production zone without allowing substances such as fracturing fluid, oil, natural gas, and produced water to contaminate drinking water aquifers. Generally, state regulations require that a “surface casing” be installed inside the wellbore from the surface to a point below the deepest drinking water aquifer, plus layers of casing that extend deeper. The gap between the casing and the edge of the wellbore must be filled with cement.23 The type, composition, thickness, and other properties of this casing and the cementing operation are typically specified in detail.24 Proper casing and cementing are key steps in protecting drinking water aquifers from contamination. Best practices that cover many of these steps have been developed by the American Petroleum Institute (API) and others.25

Fracturing and chemical disclosure

Once an oil or gas well has been drilled into the production zone, hydraulic fracturing may occur. Many but not all oil and natural gas wells are fracked. A fracturing fluid mixture is injected into the well at high pressures to create fissures in the production zone rocks. Although the composition of the fluid varies by developer and local geology, it is generally about 98% sand and water, with 2% or less of chemical additives.26 Although the percentage of chemicals is small, when millions of gallons of fracturing fluids are injected underground, the total volume of chemicals used at even a single well can be significant. The oil and gas industry reports that the addition of chemical additives to the fracturing fluid is necessary to inhibit the growth of microbes, control corrosion, reduce friction, and perform other functions.27

Increasingly, oil and gas developers are moving toward voluntary disclosure of the composition of fracturing fluids, and some states have implemented mandatory disclosure requirements.28 Many of

22 U.S. DOE and GWPC. 2009.
23 Ibid. Page 19.
24 Ibid. Pages 16-21.
these disclosure programs use an information repository known as FracFocus (www.FracFocus.org). It is a joint product of the Groundwater Protection Council and the Interstate Oil and Gas Compact Commission. Since its introduction in 2011, tens of thousands of wells have been registered with FracFocus. Recognizing the controversy involved in the use of trade secrets, some states have included requirements that emergency responders and public health officials have access to confidential information, including the composition of fracking fluids, in the event of an emergency.

**Production and waste disposal**

Production represents the portion of the oil and gas well life cycle during which oil and gas flow from underground formations to the surface for recovery. This stage usually continues for years, compared with a few weeks or months for building the well (including drilling, casing, and cementing) and a few days for fracking. State regulations and industry best practices are designed to allow for the capture of as much of the oil or gas resource as possible while minimizing the risk of spills, accidents, or blowouts (where the oil and/or natural gas escapes to the surface in an uncontrolled fashion). Oil and gas activities do generate waste, and waste disposal takes place throughout a well’s life cycle.

A portion of the water used for fracturing may flow back to the surface, and is called “flowback.” Water that originates in the production zone and comes to the surface along with oil and gas is called “formation water.” Together, these waters are called “produced water.” The chemical characteristics of produced water vary widely based on geologic conditions and other factors, but such water is often high in total dissolved solids (TDS) and may contain other undesirable constituents.

The disposal of oil and gas wastewaters may be regulated through federal standards. NPDES effluent standards under the Clean Water Act do apply when such wastewater is discharged to a surface water body. There is a zero discharge standard for direct discharge of oil and gas wastewater under the Clean Water Act, meaning that it may not be discharged to surface water without first being treated. Generally this treatment is performed at an industrial treatment facility. Sometimes—although increasingly rarely—wastewaters are directed to a publicly owned treatment work (POTW). Improper or insufficient treatment of these wastewaters can lead to increased levels of compounds of concern in surface water, which can in turn harm downstream drinking water supplies. For example, bromide from produced waters can increase precursors to brominated disinfection by-products in treated drinking water. USEPA has indicated it plans to develop a pretreatment effluent limitation guideline (ELG) for produced water from shale gas development.

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29 FracFocus Chemical Disclosure Registry. Available at http://www.fracfocus.org.
A substantial majority of oil and gas wastewaters are disposed of through underground injection via a waste disposal well. A waste disposal well is different from an oil or gas well in that it involves the purposeful, permanent disposal of wastes through one-way injection into deep rock formations. In contrast to waste disposal, hydraulic fracturing involves injection of limited quantities of fluid underground to facilitate later removal of oil and gas from the target formation. The United States hosts approximately 150,000 disposal wells that accept wastes from the oil and natural gas industry, and the underground injection of oil and gas wastewaters has been standard practice in parts of the country for decades. This practice, which is also used by several other industries under different well classes, is regulated under Class II of the UIC program. Regulation of Class II wells includes casing requirements, pressure monitoring, integrity testing, financial responsibility requirements, and a thorough permitting process. Many states administer both the NPDES and the UIC programs through state primacy. Where a state does not exercise primacy, the programs are administered by the USEPA region. Although thoroughly regulated, like all industrial processes, Class II wells are not immune from many of the risks described throughout this paper.

Abandonment

State laws describe the processes that must be followed when a well will no longer be used for oil and natural gas production and is to be closed, a step the oil and gas industry calls abandonment. Abandonment involves plugging the well with a solid barrier; generally cement is used at various depths to prevent the exchange of materials into and out of aquifers and to and from the surface. When production is suspended but expected to resume at a later date, some states allow wells to be “temporarily abandoned.” Different plugging and monitoring requirements apply to such temporary status.

Federal lands

When wells are located on or drilled below federally owned or managed land, additional requirements may apply from the federal agency responsible for managing that land. The agencies involved are generally the Department of the Interior’s Bureau of Land Management or the Department of Agriculture’s U.S. Forest Service. Requirements are laid out in lease agreements and in agency regulations and vary based on the agency and location of the federal lands. Many of these regulations and requirements parallel those common at the state level and in industry best practices. In some states, the federal agency utilizes agreements with state regulators under which the state manages the permitting process. Utilities wishing to know more about their states’ oil and natural gas regulatory programs should contact their respective oil and gas commission or the equivalent regulatory agency. For federal land, they can contact the federal agency managing the land. Resources comparing and contrasting regulations across states are beyond the scope of this white paper but are readily available.
What can water utilities do?

Water utilities may wish to closely examine oil and gas activities in their service areas and either monitor or take action as appropriate. Steps to manage risks associated with hydraulic fracturing and oil and natural gas development include:

- Conducting monitoring before and after hydraulic fracturing and other oil and natural gas development activities.
- Preparing spill and/or accident response plans.
- Developing strong relationships with regulators and policy makers.

In areas that have nearby oil and natural gas development, utilities can reach out to their state’s oil and natural gas regulator and local oil and natural gas developers to discuss current source water protection requirements and to recommend any additional steps that should be taken. Some states have permitting processes that involve stakeholders, such as potentially affected water utilities, and utilities can engage in those processes. Many oil and natural gas developers and regulators appear to be responsive to requests for information and receptive to advice brought to them by water professionals. Utilities can also conduct baseline monitoring of groundwaters and surface waters for contaminants of potential concern before the introduction of oil and natural gas operations in their area, and then monitor afterward for changes. It may be possible to collaborate with the oil and gas developers and regulators on monitoring plans and funding.

Utilities can think in advance about the possible negative environmental impacts from oil and natural gas development, including the risks from accidents and spills, and develop response plans should these impacts occur. For example, utilities could determine if there is a notification system in place to inform them of spills and accidents that could affect the quality of their source waters and train staff on relevant protocols and mitigation options. USEPA’s Spill Prevention, Control and Countermeasure (SPCC) Rule requires that most operations producing or storing oil or oil products create a response plan with a list of federal, state, and local authorities to be informed in case of a spill (40 CFR § 112.7). Utilities may check with these authorities to better understand communications channels in the case of a spill to determine if any additional procedures are necessary, and to prepare accordingly. As another example, utilities could study if and how produced waters are being disposed of in their area and make recommendations for safeguards to reduce any risks to drinking water supplies. Finally, drinking water utilities could benefit from maintaining strong relationships with regulators and state and local policy makers. Should a utility have concerns that aren’t sufficiently addressed through recommendations here, it can detail its concerns in a clear, factual manner and present them along with specific recommendations to regulators and policy makers.

Several parts of the country do not have commercially viable oil and natural gas resources and will not likely see oil and natural gas development activities. However, utilities in those areas may wish to be aware of technological trends or economic changes that could allow for oil and natural gas development in the future, and be prepared to answer customer questions.
What can water utilities tell their customers?

Water utilities with oil and natural gas operations in their service areas can provide clear and factual information to their customers, either proactively or upon request. Utilities that could be affected by nearby oil and natural gas development—either because their resources could be affected or because customers see local media stories on the issue—can benefit by keeping customers updated on utility interactions with oil and gas developers and regulators. Customers may be interested to know that their utility is proactive on this matter, and communication builds trust between customers and their water provider. Utilities can also remind their customers that their drinking water is monitored frequently for compliance with strict federal standards, and that water quality information can be obtained both from the utility’s annual consumer confidence report and upon request.

Where can water utilities get more information?

Numerous organizations can provide more information about hydraulic fracturing and oil and gas development activities.

- AWWA maintains a resource page on hydraulic fracturing and related issues. AWWA will update this page with scientific and policy sources relevant to drinking water utilities as those become available.
- USEPA maintains a list of resources and describes past and present research and regulatory efforts.
- The latest scientific information regarding hydraulic fracturing and related issues can be obtained from USEPA’s hydraulic fracturing website, the U.S. Geological Survey (USGS), the U.S. Department of Energy, the National Academy of Sciences, universities, and scientific publications.
- Information about individual wells, including chemical disclosure, can be found for many (though not all) wells on the FracFocus Chemical Disclosure Registry at www.FracFocus.org. This is especially useful for wells drilled after mid-2011. Additional information may be available from the state oil and natural gas regulator, or the oil and natural gas developer itself.
- State oil and natural gas regulatory agencies, as well as trade associations and nonprofit organizations, have information about current and planned industry practices, historical and current trends of development, and other industry-specific information. These organizations include the Groundwater Protection Council (GWPC), the American Petroleum Institute (API), and the Independent Petroleum Association of America (IPAA).

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43 e.g., National Research Council. 2012.
Conclusion

It is important to acknowledge that oil and gas production, like any industrial activity, carries some risk. Although the risks associated with these activities are difficult to quantify, evidence points toward the known risks being manageable through prudent regulations and industry best practices. It is also important to remember that oil and gas development also offers tangible and significant benefits to society, and its risks should be balanced against those benefits. First, the expansion of oil and natural gas development has created substantial economic opportunities and employment in many areas. Second, natural gas is a cleaner burning fuel that produces much lower emissions of a multitude of pollutants than its alternatives, and natural gas carries a smaller "carbon footprint" than other common fossil fuels. Finally, the increased production of oil and natural gas both domestically and globally has led to lower energy prices and greater certainty over access to future energy supplies. In turn, that is associated with cost savings and other economic benefits to both water utilities and their customers. Both benefits and risks should be closely examined when considering oil and gas development issues.

This paper demonstrates that fracking is just one limited aspect of overall oil and gas development activities. At this time, AWWA is aware of no proven cases of groundwater contamination directly attributable to hydraulic fracturing. However, shale gas development has brought new or increased concerns about the potential for adverse effects in many areas. These concerns include the risk of accidents and spills, improper construction, improper waste disposal, and improper well abandonment. Ultimately many concerns are about the safety of drinking water and water resources.

With respect to the first set of concerns, there are safeguards in place to encourage responsible oil and natural gas development. Oil and gas development is a regulated activity that involves legal controls and well-established industry best practices. In addition, drinking water utilities monitor their source water supplies to ensure they are of the highest possible quality even before those waters are treated for human consumption. That being said, even the best regulatory structure cannot prevent all possible accidents in energy development; therefore careful planning and preparation is essential.

With respect to concerns over the safety of our drinking water, it is important to remind the public that drinking water delivered to customers is subject to comprehensive regulation to ensure its safety. Drinking water is treated and tested frequently to ensure it meets strict federal and state standards, and any violations that do occur must be corrected immediately. Customers must also be informed—immediately in the case of acute threats to health—if any violations of drinking water quality standards have occurred.

Although some policy decisions will be made on the state or national level, ultimately, many critical decisions regarding the protection of particular watersheds and aquifers will be made locally, by regulators, oil and gas developers, and water utilities. In making these decisions, the protection of drinking water must be a paramount concern. Consequently, individual water utilities would be served well by evaluating risks and advocating for appropriate source water protection measures based upon their analyses. An informed water utility can be a key voice in ensuring that energy production and safe water coexist peacefully in the years ahead.
AWWA position on oil and natural gas development, including hydraulic fracturing

- The protection of drinking water sources, supplies, and infrastructure must be a paramount consideration for all industrial activities, including oil and gas development using hydraulic fracturing.

- Regulation at the federal, state, and local levels should be designed and enforced to minimize all risks of oil and gas development to drinking water sources, supplies, and infrastructure. Regulators should use their authorities under federal and state law to reduce these risks to the greatest extent possible.

- Appropriate government agencies must be provided with sufficient resources to adequately implement permitting, regulatory, enforcement, and outreach programs. To the extent that these programs are funded by industry, they should be managed to ensure they are sustainable programs without conflicts of interest.

- Oil and gas wells must be appropriately designed, sited, constructed, operated, and closed using sound engineering techniques, following all applicable regulations and industry best practices.

- Oil and gas developers must have financially sound strategies in place to manage hazards, including the means to assume financial responsibility for cleaning up water supplies should contamination occur, even if such contamination occurs after the facility has been closed.

- Monitoring of pre-drilling water quality should establish baseline conditions, and periodic monitoring should assess any changes in water quality that might occur during oil or gas development, so as to detect problems and allow for corrective action as soon as possible.

- For the protection of public health, drinking water utilities must be informed immediately when spills, accidents, or any other issue has the potential to impact the quality or availability of source waters. Water utilities should be provided with complete information on chemicals accidentally released, regardless of trade secret status. Such information is necessary to determine treatment options and inform the public should drinking water ever be placed at risk.

- Having a secure energy future does not mean choosing between development and clean water. America can and should have both, provided that energy development is undertaken consistent with these policy principles.
Glossary

**Abandonment**—The phase of an oil or natural gas well in which production has ended and the well is permanently closed. Abandonment usually involves the creation of cement barriers (plugs) to isolate the production zone, each drinking water aquifer, and the surface.

**Casing**—The steel pipe used to separate the fluids and gas going up and down a well from drinking water aquifers and geologic areas other than the production zone. Typically, there are several layers of casing at and above the deepest drinking water aquifer.

**Cementing**—The process of securing the casing in place to the surrounding rock using cement, and securing inner layers of casing to outer layers.

**Flowback water**—Fracturing fluids that return to the surface through the wellbore after hydraulic fracturing is complete. Along with formation water, the mixture returning to the surface is known as produced water.

**Formation water**—The water naturally present in the production zone that comes to the surface through the wellbore. Along with flowback water, the mixture returning to the surface is known as produced water.

**Frack water**—The water that is used to create the fracturing fluid. The source could be drinking water, surface water, groundwater, or recycled produced water.

**Fracturing fluid**—A combination of water, sand, and chemical additives that is injected down the wellbore and into the production zone during hydraulic fracturing to create artificial fissures (fractures), which allow oil and natural gas to flow into the wellbore more easily.

**Horizontal drilling**—A technique that allows for drilling horizontally below the surface, to extend the wellbore into a larger area of the production zone. This also allows for multiple wells to be drilled from each well pad.

**Hydraulic fracturing**—A well stimulation technique that involves the injection of hydraulic fracturing fluid under pressure through the wellbore to create artificial fissures (fractures) that allow oil and natural gas to travel into the wellbore more efficiently.

**NPDES**—The National Pollutant Discharge Elimination System, part of the Clean Water Act regulating discharges of pollutants into surface water bodies, and administered either by USEPA or state primacy agencies.

**Produced water**—The combination of flowback and formation water that returns to the surface along with the oil and natural gas. Produced water can be disposed of through underground injection, industrial treatment prior to being returned to a surface water body, or through recycling and reuse on another fracturing operation.

**Production**—The stage of an oil or natural gas well when oil and/or natural gas is brought to the surface and captured.

**Production zone**—The geologic formation from which oil and natural gas is extracted. Although depths vary, this zone is generally several hundred to several thousand feet below the surface, and well below drinking water aquifers.

**Proppant**—A component of a hydraulic fracturing fluid mixture designed to hold open fractures after the fracturing process has been completed. Proppants are typically made of sand.

**UIC**—The Underground Injection Control program, part of the Safe Drinking Water Act, which regulates, among other types of injection wells, Class II Oil and Gas waste disposal wells.

**Wellbore**—The hole drilled into the ground for the purposes of oil and gas exploration. The interior of the wellbore is generally isolated from the surrounding environment through casing and cementing processes. The interior of the wellbore (inside of the casing) is where fracturing fluids are injected during fracturing and through which oil, natural gas, and produced water flow up during production.

**Well pad**—The physical location upon which a drill rig is located and from which the drill hole originates.

**Well stimulation**—Processes designed to increase the flow of oil and natural gas coming up the wellbore. Hydraulic fracturing is one example of a well stimulation technique.
Acknowledgments

This report was developed by the American Water Works Association under the direction of its Water Utility Council. The principal author of this white paper was AWWA Regulatory Analyst Adam T. Carpenter. AWWA gratefully acknowledges several individuals and groups, who provided invaluable feedback during the development of this paper. The views in this paper are not necessarily shared by all reviewers. They include:

Lynn Thorp, Clean Water Action
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The AWWA Source Water Protection and Water Resources Technical Advisory Workgroup
The AWWA Water Utility Council
The AWWA Public Affairs Council

www.awwa.org/fracturing
American Water Works Association

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Water and Hydraulic Fracturing
A White Paper From the American Water Works Association

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AWWA is the authoritative resource for knowledge, information, and advocacy to improve the quality and supply of water in North America and beyond. AWWA is the largest organization of water professionals in the world. AWWA advances public health, safety and welfare by uniting the efforts of the full spectrum of the entire water community. Through our collective strength we become better stewards of water for the greatest good of the people and the environment.
# Dayton Region Priority Development and Advocacy Committee

## 2012-2013 Project Recommendations

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<td>Rapid Manufacture of Advanced Composite Structures</td>
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<td>Trusted Autonomy</td>
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<td>UAS Test Complex Modeling and Simulation</td>
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<td>$1,300,000</td>
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<td><strong>Recommended Projects</strong></td>
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<tr>
<td>Acceleration of Sense and Avoid Program (ASAP)</td>
<td>Defense Research Associates, Inc.</td>
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<td>Energy Efficient and Rapid Manufacturing of Metal Parts for Critical DOD Needs</td>
<td>buyCASTINGS.com</td>
<td>$8,750,000</td>
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<td>Establishment of a Technology Testbed Center for Additive Manufacturing Needs</td>
<td>Spectral Energies, LLC</td>
<td>$3,000,000</td>
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<td>Laser Based Manufacturing &amp; Training</td>
<td>Mound Laser &amp; Photonics Center</td>
<td>$2,000,000</td>
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<td><strong>Reviewed Projects</strong></td>
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<td>Cyber Pros: Cybersecurity Protection System</td>
<td>Advanced Virtual Engine Test Cell, Inc. (AVETEC)</td>
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<td>Sustain and Grow the Assured Aerospace Fuels Research Facility</td>
<td>The Ohio Aerospace Institute</td>
<td>$6,000,000</td>
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<tr>
<td>UAS Payload Center of Excellence</td>
<td>Ohio Aerospace Institute</td>
<td>$5,000,000</td>
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# Economic Development

## Priority Projects

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<td>Dayton Aviation Heritage National Park - Wright Company Factory Site and Hawthorn Hill</td>
<td>City of Dayton &amp; National Aviation Heritage Alliance</td>
<td>$1,650,000</td>
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<td>Springfield UAS Hangar</td>
<td>City of Springfield, Ohio</td>
<td>$2,000,000</td>
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## Recommended Projects

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<tr>
<th>Project Description</th>
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<tr>
<td>Advanced Laser Manufacturing Commercialization</td>
<td>University of Dayton</td>
<td>$4,000,000</td>
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<tr>
<td>Airborne Sensor Operations Capability</td>
<td>Sumaria UAV Group</td>
<td>$4,500,000</td>
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<td>Airport Adjacent Logistics and Distribution Corridor - North Dixie Drive/CR 25A Sanitary Sewer Extension Project</td>
<td>City of Vandalia</td>
<td>$2,300,000</td>
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<tr>
<td>Broad Street Development Project -- Fairfield Sports Complex Entrance</td>
<td>City of Fairborn Parks &amp; Recreation Department</td>
<td>$478,486</td>
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<td>Direct Digital Manufacturing Center of Excellence</td>
<td>University of Dayton</td>
<td>$3,000,000</td>
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<td>Douglas Inn, Urbana Ohio</td>
<td>Miami Scioto Holdings LLC</td>
<td>$1,000,000</td>
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<td>Encapsulation of High R-Value Materials in Molded Foam Shapes for Commercially Viable Applications in the Construction Industry</td>
<td>C.A.L.S., Ltd.</td>
<td>$850,000</td>
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<tr>
<td>Extension of sanitary sewer &amp; water lines to the Greene County Lewis A. Jackson Airport.</td>
<td>Board of Commissioners</td>
<td>$2,500,000</td>
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<td>Hollow Park Bridge</td>
<td>City of Piqua</td>
<td>$5,000,000</td>
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<td>South Piqua Water Improvements</td>
<td>City of Piqua</td>
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<td>Springfield UAS Hangar</td>
<td>City of Springfield, Ohio</td>
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<td>TechConnection Infrastructure</td>
<td>City of Trotwood, Ohio</td>
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<td>Wright Brothers Flyer Monument</td>
<td>Wright Image Group (WIG), Inc. [a 501(c)(3) corporation]</td>
<td>$1,700,000</td>
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<td>Yellow Springs Connector Road Phase I</td>
<td>The Village of Yellow Springs</td>
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## Hospitals & Healthcare

### Recommended Projects

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<td>Community Mercy Health Partners</td>
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<td>Riverfront Development - Riverfront Master Plan, Great Miami River Enhancement Project, Miamisburg Riverfront Park, Treasure Island River Corridor Improvement</td>
<td>Montgomery County, The City of West Carrollton, City of Miamisburg, City of Troy</td>
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<td>Snyder Park Historic Green Bridge</td>
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<td>STEM Research Collaboratory</td>
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<td>To restore, preserve and give public use of a portion of Ohio’s historic Miami and Erie Canal through Dayton History’s Carillon History Park to Dayton, Ohio and national visitors.</td>
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<td>UD Arena - Geothermal Project</td>
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<td>UD Arena De-Watering Lift Stations</td>
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<td>FilmDayton Commission Programming</td>
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<td>Greene County expansion of Ohio Multi-Agency Communications System (MARCs)</td>
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Project Summaries in Alphabetical Order by Review Panel

Defense

1. Acceleration of Sense and Avoid Program (ASAP) ($3,000,000)
   Effort will collect critically needed on-board UAS SAA imagery processing, data recording, and post-processing to support the acceleration of development and fielding of a certified UAS Sense and Avoid System.

2. Air Force Human Performance Research ($3,000,000)
   *SAIC*
   The FY13 budget request contained ~ $ 86.6 million in PE 0602202F to establish technical feasibility and develop technology for protecting and enhancing human effectiveness for Air Force weapon systems and for operational readiness.

   The key recommendation of a recent report by the Air Force Chief Scientist, Technology Horizons: A Vision for Air Force Science & Technology During 2010-2030 is focusing investment in technologies that will lead to reduced Air Force operating costs. These include technologies to reduce manpower, energy, and sustainment costs. The Committee applauds Air Force efforts to direct science and technology investment to areas with the potential of a high rate of return on investment and improved cost efficiencies for future Air Force spending.

   Therefore, we are requesting a $20.0 million increase in FY14 PE0602202F to support manpower, personnel and training (MPT), Remotely Piloted Aircraft (RPA), and autonomous vehicle and cyber interfaces, and technologies to augment human performance in support of the Technology Horizons recommendations.

3. Cyber Pros: Cybersecurity Protection System ($295,000)
   *Advanced Virtual Engine Test Cell, Inc. (AVETEC)*
   This proposal responds to the critical national defense need for a highly skilled cybersecurity workforce capable of protecting federal and private sector computer infra-structure. Avetec, a non-profit research organization and Clark State Community College, both located in Springfield, Ohio, have developed a strong and unique working partnership to develop training and workforce development to prepare post 9/11 returning veterans, dislocated workers, and community college students to work in the growing cybersecurity field at Wright-Patterson, for defense contractors, and for the many information technology related companies in the Dayton/Springfield region.

4. Energy Efficient and Rapid Manufacturing of Metal Parts for Critical DOD Needs ($8,750,000)
   *buyCASTINGS.com*
   With the numerous helicopter turbine engine and transmission components in need of repair the Army is specifically interested in demonstrating the capabilities of solid free-form fabrication methods (SFF). buyCASTINGS.com, Inc. recognizes the Army’s future requirements for
lighter weight, lower cost, new material, and more reliable structures/repairs. We are proposing to use Direct Digital Manufacturing (DDM) technology, a new DDM powder material, and post processing techniques for Tri-Service component applications.

5. Establishment of a Technology Testbed Center for Additive Manufacturing Needs ($3,000,000)
Spectral Energies, LLC
The mission of this initiative is the enablement of US industrial competitiveness in the next wave of manufacturing technology, Additive Manufacturing. This wave does not evolve from the muscle-intensive heavy engineering of the last century. Rather, its progress depends on the innovation brought about by agile minds skilled in the latest advances in materials science, precision laser and electron beam energy deposition, systems engineering and fast topological 3D computational mapping, and an environmental network that moves this technology quickly to its pervasive adoption in the marketplace.

6. Laser Based Manufacturing & Training ($2,000,000)
Mound Laser & Photonics
Mound Laser & Photonics Center, in conjunction with Wright State University, will install the next generation of laser based manufacturing through the purchase of one (1) ultra-fast micro-machining laser and one (1) additive manufacturing system. These lasers represent the latest in laser technology and meet the expressed need of the Department of Defense for laser material processing. MLPC and WSU will be training and demonstrating laser applications for defense and medical commercial applications.

7. Rapid Manufacture of Advanced Composite Structures ($10,000,000)
University of Dayton Research Institute
UDRI and industry partners ATK, Cytec, and MAG have developed/identified several emerging technologies which have the potential to revolutionize the advanced composites industry. We intend to apply the concepts of Direct Digital Additive Manufacturing to advanced composites. The project hinges on three core technologies: 1) Rapid preforming of prepreg (MAG) or dry fiber (LayStich) through the automation of prepreg tow or fiber placement on a flat layer by layer basis – hence tool-less preforming. 2) Agile tooling will be used to form the flat preform into its final 3-dimensional shape. The final component contour will be based on tooling tiles which are printed by means of Additive Manufacturing. The Agile tools will have the ability to switch-over to new parts within a manufacturing cell in less than one hour. 3) Integrated Computational Models will be used for optimized preforming, manufacturing, and certification. This technology will support aerospace and industrial composite applications and is optimal for low rate production projects that are critical for product innovation. This project is consistent with the goals of the NNMI.

8. Sustain and Grow the Assured Aerospace Fuels Research Facility ($6,000,000)
The Ohio Aerospace Institute
The Assured Aerospace Fuels Research Facility (AAFRF), located at Wright Patterson Air Force Base, is a national research asset; however, it is in danger of closing due to budget pressures. Many in the aviation industry believe the AAFRF must be sustained so that it is available for additional government and commercial development and testing of alternative aviation fuels. OAI, in collaboration with CAAFI, AFRL, Battelle, UDRI, and WBI will seek public/private
partnerships in alternative fuels research and development where the use of the AAFRAF is beneficial for testing leading to certification and deployment of alternative fuels that meet military and commercial specifications – targeting renewable fuels, at significant volumes, and at competitive pricing. Funding would be utilized to keep the AAFRF viable and for OAI and its partners to provide seed money for OAI-led collaborative projects with Ohio and other states under CAAFI’s alternative fuels initiatives.

9. Trusted Autonomy ($20,000,000)
   University of Dayton Research Institute
Unmanned air systems (UAS) have added a tremendous number of new capabilities to the warfighter by moving the balance of human interaction from areas such as flight control to areas such as data gathering, analysis and decision making. While UAS have allowed human's to focus on more critical tasks, the pervasive use of UAS have multiplied human interaction with less critical tasks such as navigation and flight control. Clearly, these systems cannot reach their potential if the required level of human interaction increases. Autonomous technologies can solve this problem, but only after it is clearly understood when such technologies may be trusted to perform those functions currently reserved for humans. It is widely agreed that such functions such as takeoff and landing may be better left to the control of autonomous technologies, but there is no agreement on how far beyond these rudimentary functions, autonomous technologies may be trusted to act on behalf of humans. Further, the vulnerability of these technologies is not known. What is known is that unmanned vehicles need to be able to function in imperfect conditions, such as lost radio link. UDRI and its team members will conduct research that will define the levels of acceptable trust of autonomous systems, evaluate the suitability of autonomous technologies and evaluate vulnerabilities. The Dayton Region's restricted air space identified for testing UAS will be a key asset for the success of this program.

10. UAS Payload Center of Excellence ($5,000,000)
    Ohio Aerospace Institute
A UAS Payload Center of Excellence (UAS PCOE) would provide a focal point for research, integration, testing, and demonstration, and deployment of emerging UAS Payload technology (ISR, communications relay, weapons, cargo pod, robotics). In short, Ohio will become the national leader in UAS Payload technology, rapidly advancing the state-of-the-art. The UAS PCOE will maximize collaboration between WPAFB, industry, the UAS testbed, and universities, invigorating the economy with business growth and relocation to Ohio, high-tech jobs, and an increase military, commercial, and civil use of UAS.

11. UAS Test Complex Modeling and Simulation ($1,300,000)
    Defense Research Associates
The proposed project would coalesce existing modeling and simulation capabilities in the Dayton Region currently being applied to Air Force programs and allow these capabilities to serve as a basis/underpinning for modeling and simulation to support the Dayton UAS Test Complex. This effort would solidify our capability to do full end-to-end RDT&E of UAS supported by proven research, development, test and evaluation simulation tools. The program would be built by assembling a coalition of mod/sim leaders from the local community and having them participate in the definition, specifications, and creation of this capability.
Economic Development

1. Advanced Laser Manufacturing Commercialization ($4,000,000)
   University of Dayton
   UD and spinoff, Optinicus, will transition DoD high-energy laser weapon technology into the advanced laser manufacturing area. New capabilities will be developed by merging advanced DoD adaptive optics systems and high-power fiber array technologies - with advanced material engineering and robotics. This will result in new industry-grade intelligent laser manufacturing tools and technologies being commercialized. The initiative also includes training a new workforce.

2. Airborne Sensor Operations Capability ($4,500,000)
   Sumaria UAV Group
   Use of airborne sensors to provide information supplementing law enforcement, fire protection, safety and environmental activities will expand dramatically in the next few years. Funding is sought now to design, develop and test the equipment and applications to provide an automation-assisted operational capability that includes the airborne data collection, command and control, data processing and distribution elements. The objective is to enable cost-effective operations supporting sensor information collection and distribution for emergency responders. The resulting capability would enable a services-based capability to benefit multiple local, regional and state agencies. Completion of this capability will posture Dayton and potentially other Ohio businesses in a leadership role in the UAV market space. Affordable use of these capabilities is the goal. Intra- and inter-state customers will fund job growth and will bring multiple high tech jobs to Dayton and other participating area. Rollout and expansion to Ohio metropolitan areas and to other states will follow and would further expand the number of local and regional jobs.

3. Airport Adjacent Logistics and Distribution Corridor - North Dixie Drive/CR 25A Sanitary Sewer Extension Project ($2,300,000)
   City of Vandalia
   The joint project between the cities of Vandalia and Tipp City will extend a sanitary sewer line West along Old Springfield Road, North along Dixie Drive/CR 25A and West along Lightner Road to service the businesses situated along these roads. The installation of this utility will increase the value of the properties in the planning area and pave the way for future economic development adjacent to the Dayton International Airport.

4. Broad Street Development Project -- Fairfield Sports Complex Entrance ($478,486)
   City of Fairborn Parks & Recreation Department
   As of October 9, 2012 the Ohio Department of Transportation and Wright-Pat Air Force Base constructed permanent barriers (base fencing), that close off portions of St. Rt. 444, also known as Broad Street within Fairborn City Limits; thus creating blockage preventing continuous east-west access to businesses along this main thoroughfare. To aid business retention and economic development along the eastern portion of this new blocked artery, the City of Fairborn Parks and Recreation Department is requesting assisting funds to construct a new Fairfield Sports Complex entrance -- this entrance will bring traffic flow back to this now blocked business area, thus assisting with economic sustainability and future development. This project is shovel ready. Currently all traffic flow to the sports complex is not adjacent to the business district. By
bringing the entrance to the center of the business district, nearly 10 months of outdoor sport leagues and weekend tournaments will funnel directly to this economically distressed region.

5. Dayton Aviation Heritage National Park - Wright Company Factory Site and Hawthorn Hill ($1,650,000)
City of Dayton & National Aviation Heritage Alliance

In 2009 Congress added the Wright Company Factory site and Hawthorn Hill to the Dayton Aviation Heritage National Historical Park. A multi-phase project is underway for the two sites to be prepared for preservation and reuse. The funding request will address a significant milestone in preparing the Wright Airplane Company site for occupation by the National Park Service in 2016 and to assist the City of Dayton and a private developer to redevelop the 60-acre brownfield site that includes the historically significant factory. The funds will also aid in accomplishing the planning work necessary to guide the ongoing repairs at Hawthorn Hill.

6. Direct Digital Manufacturing Center of Excellence ($3,000,000)
University of Dayton

DDM enables 3-D physical parts to be created directly from CAD or other data files. Applications include medical, tooling, prototype & model evaluation, UAVs, and many others. DDM enables customization of parts and novel designs not feasible with traditional methods. Limitations of DDM include a scarcity of optimal materials and a lack of formalized processes. The initiative seeks to address these needs. Educational goals include developing courses for technicians and engineers and working with Sinclair CC and Wright State on workforce development curricula and undergraduate/graduate coursework.

7. Douglas Inn, Urbana Ohio ($1,000,000)
Miami Scioto Holdings LLC

Miami Scioto Holdings, LLC (MSH), is seeking funding for renovation of the Douglas Inn, a 29 room “boutique style” hotel located in downtown Urbana, Ohio. Both the Douglas Inn and the Historic Downtown District in which it resides are listed on the National Register of Historic Places. The Hotel plans to become a member of the Historic Hotels of America program of the National Trust for Historic Preservation. Historic Hotels of America (HHA) identifies quality hotels that have faithfully maintained their historic integrity, architecture and ambiance. These hotels are promoted nationally and internationally to those who prefer historic settings for their leisure and business travel. MSH has secured both State of Ohio and Federal Historic Restoration tax credits and is currently pursuing New Market Tax Credits (NMTC) to assist with financing the project.

8. Encapsulation of High R-Value Materials in Molded Foam Shapes for Commercially Viable Applications in the Construction Industry ($850,000)
C.A.L.S., Ltd.

Leveraging its proprietary foam technology, CALS proposes to develop a new architectural siding panel product that combines both high insulation properties with the visual and performance requirements desired in residential and commercial construction. CALS projects this improved siding product will have an R-value of 15-20, which is a 400-500% improvement over current materials (existing foam siding products at R value of 4 as the comparison
9. **Extension of sanitary sewer & water lines to the Greene County Lewis A. Jackson Airport ($2,500,000)**

*Greene Board of Commissioners*

The project involves the installation of sanitary-sewer and water lines along with acquisition of any necessary permanent and temporary construction easements to service an area of the county that is currently dependent upon wells and septic systems. It will service approximately 1050 + or – acres including the Lewis A. Jackson Airport additional business, commercial, and residential property.

10. **Hollow Park Bridge ($5,000,000)**

*City of Piqua*

The proposed project will install a bridge and make necessary road improvements to a currently undeveloped tract of land approximately 60 acres located at the intersection of Interstate 75 and US Route 36. Developers for the project have stated that they need a bridge to go over a small hollow that is currently the home to a city park. Under the development plan, the park will remain and the northern portion of the property will be opened up for development.

11. **South Piqua Water Improvements ($490,000)**

*City of Piqua*

The Sherry Industrial Park Water Loop portion of the project will include installation of 2600 linear feet of water line from Main Street in Piqua to Gordon Street going through the Sherry Industrial Park. Additionally, the Sherry Industrial Park Water Loop will allow for additional development to occur within the industrial park.

12. **Springfield Downtown Parking Facility ($3,000,000)**

*City of Springfield, Ohio*

Springfield’s downtown parking facility is comprised of four levels, 485 parking stalls and three 5,000 square foot ground level spaces for retail and commercial use. The energy efficient design includes “green” features. The site has exceptional accessibility to current transit routes, great proximity to downtown, access to two college campuses, and good linkage to other proposed development. The City of Springfield will own and operate the proposed parking facility.

13. **Springfield UAS Hangar ($2,000,000)**

*City of Springfield, Ohio*

The Unmanned Aerial Systems (UAS) hangar complex is comprised of one main hangar with office space and four smaller “box” hangars. The 20,000 square foot main hangar accommodates larger UAV’s while the four 2,000 square foot box hangars meet the needs of companies with small UAS’s. The hangar complex will be located within the Springfield airport, which currently has a wide-range of facilities necessary to support the UAS industry.

14. **TechConnection Infrastructure ($800,000)**

*City of Trotwood, Ohio*

The TechConnection Technology Project is an infrastructure project that will install approximately 1500 linear feet of roadway. This new roadway will open over 42 acres of development land that will be marketed for medical technology development and prototype manufacturing.
15. **Wright Brothers Flyer Monument ($1,700,000)**

*Wright Image Group, Inc.*
The project is to construct a 250 foot tall monument, an inspiring aerodynamic-shaped pedestal adorned on top by a 144 foot wingspan replica of the 1905 Wright Flyer, the world’s first practical airplane, memorializing the Wright Brothers’ achievement and the birth of the worldwide aviation industry. It will be located on the southwest corner of the intersection of Interstate-70/75, rising out of a reflecting pool and anchored by multiple cables from the pedestal to the edges of the pool that lend an appearance of graceful motion to the monument. It will be fully lighted at night and visible for up to two miles in all directions.

16. **Yellow Springs Connector Road Phase I ($570,854)**

*The Village of Yellow Springs*
This project will create roadway access in conjunction with utility installation for the commerce park in Yellow Springs known as the Center for Business and Education (CBE). This first phase of roadway construction will create an entrance into the CBE from Dayton Street, providing access to the 35.227 developable acres. Further, it will connect Antioch University Midwest (AUM) to Dayton-Yellow Springs Road making it easier and safer for students to access the university.

**Hospitals & Healthcare**

1. **Life & Health Science Center ($5,000,000)**

*Sinclair Community College*
To accommodate the growing need and market demand, Sinclair Community College will build a new Health Science and Medical Building on the downtown Dayton Campus. This project will involve demolition of current office space and construction of a state-of-the-art laboratory building.

2. **Urban Revitalization & Economic Development in Springfield, Ohio ($2,500,000)**

*Community Mercy Health Partners*
In July 2004, Mercy Medical Center of Western Ohio and The Community Hospital merged to become Community-Mercy Health Partners (CMHP) and announced plans to construct a $235 million healthcare campus in Springfield's urban core. Mercy Medical Center became Springfield Regional Medical Center (SRMC) – Fountain Boulevard as a result of the merger. After the new medical center opened in November 2011, all healthcare services were moved to the downtown location, leaving the SRMC - Fountain facilities and land vacant. In order to assist with the redevelopment of the existing SRMC – Fountain complex, Community Mercy Health Partners requests support for remediation planning, site preparation, and demolition of structures on the current Fountain Boulevard site.
Quality of Life

1. Assessment and Certification Center ($1,600,000)
Clark State Community College
The Center will provide these services: 1. College readiness testing throughout area high schools to better prepare students for college completion; 2. Assess adults for academic strengths and needs for workforce placement, retraining and advancement; 3. Provide the only local certified testing center for an extensive variety of credentialing.

2. Building Independence – Community Services Campus and Regional Operations Center ($3,000,000)
Goodwill Easter Seals Miami Valley
The goal of the Building Independence project is to create facilities to bring opportunity to people with disabilities and other disadvantaging circumstances, assisting them in their quest for greater independence. In addition, this project will respect the environment and keep operating costs low by attaining LEED certification, and will demonstrate how the accessibility needs of all people can be accommodated by achieving one of the first certifications in Universal Design. The project will transform two economically depressed areas of Dayton into community assets, will create 400 new jobs within GESMV over the next five years, and will assist over 1,000 people each year to obtain employment with other community employers. Securing adequate space in Dayton ultimately increases our capacity to serve people across our 23-county territory in West Central Ohio.

3. Courseview Campus Expansion ($450,000)
Sinclair Community College
Sinclair Community College will be expanding the Courseview Campus, located in Warren County, to meet the demands of enrollment and program offerings. After acquiring more than 30 additional acres adjacent to the existing campus, Sinclair will be retrofitting two existing buildings to allow for the addition of twelve (12) instructional spaces, with a heavy emphasis on laboratories in the new building and one (1) dedicated space for the Workforce Development group. This expansion will accommodate 1000 more students and require an additional 45 full-time teaching positions. This project requests funds to purchase the necessary equipment and educational resources for this retrofit.

4. FilmDayton Commission Programming ($95,000)
Film Dayton, Inc.
FilmDayton emerged out of the DaytonCREATE initiative to strengthen our region by building on creative assets. FilmDayton promotes the Miami Valley to attract out of state filmmakers, supports local filmmakers, and deepens creative satisfaction within the region through arts and educational programming. Our commission program is an outreach/advocacy strategy that will actively recruit filmmakers to the region to utilize the resources of area cast/crew/infrastructure.

5. Hobson Freedom Park- Phase 2 ($1,790,500)
Greene County Parks & Trails Department
Project scope: To facilitate necessary amenities and infrastructure improvements to complete full ramp up of a 90 acre park in Greene County. These improvements are critical to position Hobson Freedom Park as a major player in the ongoing attraction of new tournaments to the
region that bring in excess of 500 teams per event, tens of thousands of spectators, and infuse millions of dollars in the region’s economy.

6. Miami County Heritage Tourism ($400,000)

Miami County Department of Development

This project will be a multipronged approach to enhance Heritage Tourism and in turn, economic development for all of Miami County, focusing on the assets, history and importance of the Miami-Erie Canal corridor and the bikeway system. Advertising will be done along I-75 with billboards and ODOT wayfarer signage. Brochures, maps, website, kiosks, print ads, etc. will be developed to promote and market the project. Signage will be installed in our communities to capitalize on the variety of assets along and adjacent to the Miami-Erie Canal (downtowns, bikeway, historic areas, the Great Miami River, Canal Locks, open spaces, parks, etc.)

7. NeighborCare ($500,000)

Rebuilding Together Dayton

Rebuilding Together Dayton (RTD) is the local affiliate of the national non-profit organization Rebuilding Together. RTD provides home repairs for low-income homeowners, primarily the elderly and disabled. NeighborCare is the year round component of the organization, assisting homeowners throughout Montgomery County with repairs such as replacing water heaters and repairing leaking roofs and modifications such as wheelchair ramps and grab bars at no cost to the homeowner.

8. To restore, preserve and give public use of a portion of Ohio's historic Miami and Erie Canal through Dayton History’s Carillon History Park to Dayton, Ohio and national visitors. ($500,000)

Dayton History

The restoration of a half-mile section of the Miami and Erie Canal, its Office of the Superintendent and its hand-hewn limestone canal locks and doors will create a working replica of this mid-19th century “electric mule team” drawn canal boat system to be preserved and enjoyed by Ohio and other national visitors. The “electric mule team” component, which we intend to incorporate, was introduced to canals in the 1890s, would make this preservation/edutainment project the only one of its kind in the entire United States.

9. Riverfront Development - Riverfront Master Plan, Great Miami River Enhancement Project, Miamisburg Riverfront Park, Treasure Island River Corridor Improvement ($11,258,000)

Montgomery County, the City of West Carrollton, City of Miamisburg, City of Troy, Ohio

These projects provide riverfront development, environmental restoration, and infrastructure improvement along the region’s river corridors.

- Riverfront Master Plan – To assess the potential for the Army Corps of Engineers to assist the development along Dayton’s riverfront.
- Great Miami River Enhancement Project - This project provides an enhancement to the Great Miami River at the South Montgomery Low Dam in the City of West Carrollton by addressing safety concerns, increasing environmental and riparian care, and installs a whitewater kayak course.
• Miamisburg Riverfront Park Plan – The park will utilize the river, regional recreation trail and greenspace for a destination venue. The city owns the land and has invested $110,000 creating a transition venue hosting events and for casual use.

• Treasure Island River Corridor Improvement Project – This project includes the restoration of an art deco facility creating a recreational destination with local and regional economic benefits

10. Russ Nature Reserve Project ($2,392,000)
Greene County Park District
To construct a complimentary freestanding Nature Center as a “go to” facility in Greene County for nature oriented activities and programs. The facility would provide families environmental education options and serve as venue for schools to provide environmental science instruction.

11. Snyder Park Historic Green Bridge ($4,000,000)
City of Springfield, Ohio
The historic green bridge connects Snyder Park’s primary road over Buck Creek to a large section of the park that contains the golf course, tennis courts, and youth sports fields. The bridge is the only access to this portion of the park. The Snyder Park Historic Bridge project would replace the existing “weight-restricted” bridge, which currently has a two-ton load limit and, therefore, is usable by one vehicle at a time. Closure of the bridge is imminent without funding.

12. STEM Research Collaboratory ($663,633)
Dayton Regional STEM Schools, Inc.
The Dayton STEM Research Collaboratory will be a research facility hosted at the Dayton Regional STEM School and staffed by researchers from local industry, AFRL, and higher education institutions. This lab will allow real-world R&D to be taking part while students are exposed to and participating in the project activities. Hands-on collaboration with real-world professionals will engage students in a path to local STEM employment fields.

13. UD Arena - Geothermal Project ($6,000,000)
University of Dayton
Provide air conditioning for the Arena using the groundwater that is pumped and diverted to protect the building from flooding. The Arena hosts a number of large events that have significant media visibility and economic impact. In addition, the Arena is designated as a Red Cross disaster shelter for public emergencies. It is the only campus building that can house the university’s 6,000 residential students in the event that their housing is unavailable. Air conditioning will provide a better environment for events/situations that occur during warm weather and will allow the facility to be available all year long.

14. UD Arena De-Watering Lift Stations ($5000,000)
University of Dayton
The Arena must continuously pump ground-water from to protect against internal flooding. When there are high water levels along the Miami River, the Arena must close its de-watering discharge pipes to prevent back-flow issues. Subsequently, the rental of temporary pumps is required to pump the groundwater over the levee to maintain de-watering efforts. Installing two permanent lift stations would eliminate the need for temporary equipment, improve the de-
watering process by insuring that the equipment is available, and ensure that the Arena is available for use in high water conditions.

15. Warrior Soccer Club Complex Expansion Project ($75,000)
Warrior Soccer Club
The Warrior Soccer Club (WSC) has been serving the youth of Dayton and many surrounding areas for more than 30 years. The current Warrior Complex already accommodates more than a 1,500 visitors at one time. With the expansion project at the Warrior Complex, it will accommodate more than 3,000, and with locals and visitors coming to this location, it will definitely bring a boost to local economy surrounding the complex.

Transportation

1. Colonel Glenn Highway Improvements ($870,000)
City of Fairborn
The portion of Colonel Glenn Highway being considered for improvements is from the western corporation limit of Fairborn (near University Boulevard and the City of Beavercreek) to the eastern corporation limit (at Old Yellow Springs Road and Bath Township). This portion is the main access to the Wright State University campus. Improvements will consist of the following work items: Milling the entire asphalt wearing surface to the existing concrete pavement; Repairing deteriorated concrete joints with new; Replace deteriorated concrete curb and gutter; Construct a berm on the south side of the road; Construct a Stress Absorbing Membrane Interlayer (SAMI) over the entire concrete pavement; Resurface entire pavement with 2” asphalt paving; Apply new thermoplastic striping; Re-grade drainage ditch on south side where necessary; Construct new connection sidewalk in the business areas for continuity.

2. I-675/Grange Hall Road Interchange Project ($500,000)
City of Beavercreek
The proposed I-675/Grange Hall Road Interchange project is the planning stages of the modification of the I-675/Grange Hall Road interchange to upgrade the interchange from a partial interchange to a full interchange. Work associated with this portion of the project includes a Conceptual Alternatives Study (CAS) and Interchange Modification Study (IMS), along with supplemental research and documents, for the planning portion of this modification. The upgrade for the interchange to a full interchange is needed because of congestion and the realigning of Wright-Patterson Air Force Base (WPAFB) gates for Area B in the vicinity of the interchange. This has changed the traffic pattern on local roadways causing more demands on adjacent interchanges that will be reduced with the implementation of this project.

3. I-675/Wilmington Pike Interchange ($6,000,000)
City of Centerville
This project provides interchange modifications to increase the capacity of Wilmington Pike and the existing I-675 ramps. Significant development of a hospital campus has occurred and will continue into the future. There is also a major retail, office, and residential development in the planning stages directly adjacent to the interchange. With current development underway and anticipated development plans, the transportation infrastructure will require expansion to protect the health, safety, and welfare of all users.
4. **Springfield Street Reconstruction ($6,480,000)**  
*City of Dayton, Ohio*  
This project involves the reconstruction of Springfield Street from First Street to Smithville Road. Work includes new roadway pavement, curbs, wider sidewalks, street lighting, landscaping and pedestrian amenities.

5. **US 35 Interchanges, Greene County/Beavercreek, OH ($12,000,000)**  
*City of Beavercreek*  
This project is for the purpose of providing the completion of the right-of-way acquisition phase for the project to eliminate the last remaining at grade intersections on US 35 between Dayton and West Virginia. The elimination of the intersections and the replacement with interchanges will improve air quality, decrease a major Miami Valley congestion point, improve safety, and provide access to the Dayton region for economic development.

**Government Services**

1. **City of Dayton – Compressed Natural Gas Vehicles ($2,400,000)**  
*City of Dayton*  
The City of Dayton utilizes forty-six (46) automated and rear-load refuse trucks to collect weekly trash, bi-weekly recycling and monthly bulk waste trash services. Currently all trucks used to perform trash services have diesel engines some of which have been in service since 1998. Replacing diesel engine, automated refuse trucks will present the City with opportunities to reduce diesel fuel emissions, promote a cleaner environment for the community and save on fuel costs. Additionally, it will provide access to other community organizations as well as possibilities to expand to the public.

2. **Greene County expansion of Ohio Multi-Agency Communications System ($4,000,000)**  
*Greene County Commissioners*  
This is a public safety communications project design to expand the State of Ohio Multi-Agency Communications System. This project was designed to meet federal guideline and P25 standards. Since the events of 9-11, a primary focus in the realm of public safety has been to improve interoperability communications among first responders. This project would give Greene County’s first responders a system with the ability to communicate not only within the borders of Greene County, but also in all 88 counties within Ohio. It will also give them the ability to communicate with all public safety agencies within the county, Ohio State Patrol and other various State agencies that are currently on the system.
January 23, 2013

TO: Greene County Senior Crafters

FROM: Karen Puterbaugh, Executive Director

SUBJECT: April 10th Senior Crafters Fair ~ Solicitation of Vendors

I am pleased to share that the Greene County Council on Aging will be hosting a Senior Crafters Fair on Wednesday, April 10th from 10am to 6pm at the Greene County Fairgrounds in Xenia. This event has been in the works for a number of years and we are thrilled it will soon become a reality.

The Senior Crafters Fair has several objectives. First, it is an opportunity for Greene County senior crafters (60+) to come together and make their creations available for sale. The Council will take charge of the promotion, which will include sharing information through newsletters, newspapers, radio, community bulletin boards, churches and other groups. Second, the Fair is an excellent way for the Council to promote the importance of creative expression and introduce those attending to resources such as classes and groups through the senior centers, library, etc. And third, the Fair is a fundraising activity for the Council. We will hold two auctions during the event - a silent auction with handcrafted items from our vendors and Council supporters and a live auction with a wonderful assortment of homemade baked goods and jams.

The day will also include two interactive demonstration activities, entertainment, and a basic assortment of packaged food items for sale. The promotional materials will be available in early March.

You are being sent this letter as either a known senior crafter or being affiliated with a senior crafting group at one of the senior centers. The Vendor Contract has been included, which is part of the required submission to be considered for a booth. The cost for a booth (10 x 10, with 8 foot table and 2 chairs) is $20 and booths are available to approved senior crafters and Greene County senior centers. Space is limited so interested individuals and centers are encouraged to submit your completed Vendor Contract and check as soon as possible. Part of the selection process will include ensuring we have a diverse group of booths, versus having many booths selling the same type of items.

The following is a list of acceptable categories for the craft items. For individual seniors, you can display and sell from one or two of the categories below. For senior centers, up to four categories can be selected. The application process also requires a photo for each category to be included with the Vendor Contract.

- Baskets
- Ceramics
- Decorative Painting/Decoupage
- Fiber/Fabric Art (eg. needlecrafts, tatting, crocheting, knitting, weaving, quilting)
- Garden Art
- “Green/Recycled Art”
- Glass Art
- Jewelry
- Metal Arts
- Mosaics
- Paper Art
- Gourd Art
- Photography
- Pottery
- Wood Art
- Soaps/Candles

If you have any questions, please don’t hesitate to call or e-mail (937-376-5486 or susan.finster@gccoa.org )

Supporting Greene County Seniors and Caregivers
MEMORY LOSS, DEMENTIA & ALZHEIMER’S DISEASE

We all experience memory loss at one time or another and many of us are fearful of what it might mean. Is it ‘normal’ memory loss or is it caused by dementia, such as Alzheimer’s disease?

Please join us as we answer your questions, address your concerns, discuss the types of dementia — including Alzheimer’s disease, and explore things to consider as a caregiver or someone wanting to learn more about memory loss and dementia.

Thursday, March 7th
6:30 pm ~ 8:30 pm
Xenia Community Center
1265 West Second Street, Xenia

Presenter:
Karen Puterbaugh

To register for this free program or for more information, please contact Pam Dorsten at 937-376-5486 or pam.d@gccoa.org

Presented by the Greene County Council on Aging
140-A Rogers Street
Xenia, Ohio 45385
937-376-5486 www.gccoa.org
News Release

For Immediate Release
February 21, 2013

Contact: Sara T. Pappa, Public Information Officer
937-374-5662/866-858-3588

Register Now for 4th annual “Spring Has Sprung” Healthy Families 5K Run/Walk, March 16th in Xenia

(XENIA, OH) The Greene County Healthy Lifestyles Coalition is holding the 4th annual “Spring Has Sprung” Healthy Families 5K Run/Walk on Saturday, March 16 at the Greene County Combined Health District in Xenia. This event will benefit the Greene County Healthy Lifestyles Coalition, part of the Greene County Combined Health District, whose mission is to provide and promote healthier lifestyle choices in Greene County. This event is designed to encourage healthy lifestyles in Greene County and bring families of all fitness levels together for a fun event, even for those who have never participated in a 5K event before.

Registration and check-in will begin at 7:30 a.m. at the Greene County Combined Health District in Xenia with the pet- and stroller-friendly run/walk beginning at 9:00 a.m. The course features a flat terrain in and around the Xenia area beginning and ending at GCCHD beside Greene Memorial Hospital. A Kids ½ Mile Fun Run for ages 5 and younger will also be featured beginning at 8:45 a.m. Afterwards, healthy refreshments will be provided and participants can visit with the various sponsors and vendors.

The cost for the 5K is just $15.00 per person by March 8, which includes an event t-shirt. After March 8, the cost is $20.00 per person (t-shirt NOT guaranteed). Teams of 10 or more are eligible to receive a discount. Interested groups should call Laurie at 937-374-5669 for more information. Medals will be awarded to the top 3 male/female in each of 12 age categories and a grand prize will be awarded for the top male/female overall.

You can register online at www.active.com or visit www.gcchd.org to print, complete and mail in or drop off your registration with your payment to the Greene County Combined Health District located at 360 Wilson Drive in Xenia.

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Partners for this event include WHIO-TV 7, Classic Country Radio WBZI, Wright State Orthopedics, New Balance-Dayton, Glawe Tent & Awning, Mini University, Cardiologists of Greene County LLC, XWARN, Old Fort Banking, The Greene County Dailies, Juice Plus+, Zeller Insurance, Greene County Parks & Trails, Trophy Sports Center, and KeySports.

For questions or further information about the 5K, please contact Laurie Fox, Development Coordinator, at 937-374-5669 or by email at lfox@gcchd.org.

Green County Combined Health District – Your center for public health services and health information in Greene County for over 90 years.

Healthy People…Healthy Communities
360 Wilson Drive
Xenia, OH 45385
937-374-5600 * 866-858-3588 * Fax 937-374-5675
www.gcchd.org

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YS Arts News

Water Library
A lecture by eco and water artist Basia Irland
FRIDAY, MARCH 1, 7:30 P.M.

Basia Irland is an author, poet, sculptor, installation artist, and activist who works internationally and nationally in the creation of water projects. She will present an overview of 30 years of water projects, which include rainwater harvesting, education on waterborne diseases, riparian seed collection and dissemination, and connecting people along rivers. Irland returns to the area to complete the third part of a nine-month, artist-in-residency between Antioch College and the University of Dayton that will explore the health of the waters in Glen Helen, native medicinal plants, and the making of medicinal bundles and a fantastic speckleberry.

GLEN HELEN AUDITORIUM
405 CORRY ST., GLEN HELEN, YELLOW SPRINGS, OH, 45387
FOR MORE INFORMATION CONTACT SIMONE EXCOFFON
597-7188/6463


Experience Saturday: Art for Change
The YSAC's first Experience Saturday of 2013 kicks off "Spring Into The Arts -- Experience Peace" with a Free Art Friday Movement talk & slide show led by Corrine Bayraktaroglu followed by music from The Curious Sound with Emma Woodruff. More details at facebook.com/events/452545914811626/.

Fiber & Fabric

March 15 to April 14
YSAC Community Gallery

From weaving on a loom to "painting" with fabric on a canvas to using a sewing machine to make a historical play come alive, Julia Cady, Deb Henderson and Luisa Owen are in love with Fiber & Fabric. Opening Reception with Runway Fashion Show on March 15 (6-9pm). More details at facebook.com/events/290943641028390/.

Spring Into The Arts -- Experience Peace
Spring Into the Arts highlights various events in the Village including The Crucible, Women's Voices Out Loud, Project Peace: Exploring Bullying through Art, YS Community Dance Concert, Wellness Workshops and more! Visit yellow-springs-experience.org for more details. Experience Peace...YS Style!

Hungarian Folk Artists

March 10 to March 16
John Bryan Community Pottery

Hungarian Folk Artists Vera and Ference Bogner are coming to The Pot Shop! They will be working at the studio and hosting a full-day workshop on March 16. During the week (evenings), the community is welcome to stop by the studio to see the artists at work on traditional Hungarian forms (donations appreciated). More details at communitypottery.com/news.html. Also, check out the exciting new selection of classes for children & adults at communitypottery.com/classes.html!

Creative Minds

Keep updated on the local arts scene at facebook.com/YellowSpringsArtsCouncil

The Yellow Springs Arts Blog satisfies those creative urges -- ysarts.blogspot.com

Get a flavor for life in the Village at facebook.com/YellowSpringsExperience

Check out the YSKP’s Kickstarter with lots of cool videos at kickstarter.com/projects/1441921426/bring-tucki-bailey-back-to-the-bayou-for-yskp

Highlighted Events

March 1-3 -- Ain't Misbehavin' directed by John Fleming, Central State, ysnews.com/news/2013/02/fleming-to-direct-fats-waller-musical-at-central-state

March 1 -- 8th Annual Print Show featuring several YS artists including Sherraid Scott, Dayton Society of Painters & Sculptors Gallery (48 High Street)

March 1 -- Love or Drugs & Grampy Bone, Peach's Bar & Grill, peachsgrill.com

March 1 -- Wine Tasting & Live Music with Wildwater, emporiumwines.com

March 2 -- YS Montessori School Life Is A Circus Fundraiser with live music by Pop Rocks, First Presbyterian Church (questions contact karlapry88@gmail.com)

March 3 -- Contra/Square Dance, Antioch College's South Gym, facebook.com/events/590489450981145/

March 8, 9, 15 & 16 -- YS Center Stage's The Crucible, First Presbyterian Church, facebook.com/events/600355009979024/

March 9 -- Experience Saturday: Art for Change, YSAC Community Gallery, facebook.com/events/452545914811626/

March 10 -- Artscape Opening Reception, Glen Helen Atrium Gallery, antiochcollege.org/glen_helen/art/atrium_gallery_exhibitions/

March 15 -- Fiber & Fabric Opening Reception, YSAC Community Gallery, facebook.com/events/504174469633732/
March 15 -- Awesome In The Middle Opening Reception featuring McKinney 8th grade student artwork, Village Artisans, http://www.shopvillageartisans.com/


March 23 -- Women's Voices Out Loud, John Bryan Community Center

March 24, "Project Peace: Confronting Bullying through Art" Student-Produced Artwork Unveiling & YSAC Permanent Collection Opening Reception, Antioch University Midwest, facebook.com/events/170352663113410/

March 29 & 30, YS Community Dance Concert, Antioch College's South Gym

**Calls to Artists**

National Bronze Sculpture Symposium...A YS Experience -- Deadline: April 1, callforentry.org/festivals_unique_info.php?ID=1283 (more event details at yellow-springs-experience.org)

would you, could you In A Frame 2013 Miniature Show (opens on June 14 Art Stroll) -- Deadline for submissions May 3, contact Sherryl at 937-767-2962 for details

MetroHealth System seeks original artwork of all media from Northeast Ohio artists -- Deadline: March 15, facebook.com/notes/springfield-museum-of-art-ohio/metrohealth-system-call-for-artists/10151733801228496

Brilliant Trash FUNdraiser -- K12 invites artists to repurpose, recycle & recreate junk from its hidden stash; art pieces due May 6 (contact via k12gallery.com)

Sound Transit's STart Program -- Deadline: April 1, 4culture.org/apply/index.aspx

Argo Cascades in Ann Arbor -- Deadline: March 5, www.a2gov.org/aapac

Visit ysarts council.org to learn more about the Yellow Springs Arts Council.

*Together, We Are YSAC • Connecting Art, Culture & Community*

We are grateful for our many members and supporters, including...

As a benefit of membership with the Yellow Springs Arts Council, all members may post notices about arts related events, opportunities and announcements. The YSAC supports artists and arts programs throughout the Yellow Springs community and
YS ARTS NEWS

2013 YSAC Members Show – “Art for Change”
through March 10
YSAC Community Gallery

Art sparks ideas, inspires individuals and creates vision...Art opens minds and touches hearts...Art changes our world. The 2013 Members Show – “Art for Change” – allows you to experience the diversity and breadth of our Yellow Springs artists. The Gallery is open from Wednesday to Sunday (1-4pm).

YS Artists Live-Work Space – Focus Group Sessions
Monday, February 25 (7pm) & Thursday, February 28 (noon)  
Spirited Goat Coffee House

Calling All Artists – Contribute your ideas about an Artists Live-Work Space in the Village at one of the focus groups happening next week! Free Coffee!

Ann Bain's “Wordfulness”
through February 28  
Village Artisans Cooperative

“Wordfulness” is a celebration of the artful use of words. “As an artist/calligrapher,” says Ann, “I am interested in the meanings that drive the words, as well as the clothes they wear. Color, form, historical associations and even whimsy come into play in my art...One size or shape does not necessarily fit all.” Most of the work is full of saturated color, “nice to see in the bleak midwinter.”

Glen Helen Association Members Art Exhibit
through February 27, 2013  
Glen Helen Atrium Gallery

The Seventh Annual Glen Helen Association Members Art Exhibit reflects a diverse range of eco-influenced artwork. Make sure to stop by the Vernet Ecological Center to appreciate the beauty the nature inspires. The Glen Atrium Gallery is open Monday-Friday (noon-4pm) and Saturday-Sunday (10am-4pm).
“Figures of Clay” by Beth Holyoke
through March 10, 2013
John Bryan Community Pottery

This new sculptural work from Beth Holyoke deals with fantastic, strange and humorous aspects of the (mostly) human figure. Many of the sculptures are realistic, some are not at all. The “Pot Shop” is open Saturday & Sunday (noon-4pm). Call 937-767-9022 for more details.

Antioch College Seeks Input on Wellness Center

Antioch College is revitalizing its historic campus. A key project in the facilities master plan is the health and wellness center, scheduled to open in Spring/Summer 2014. The center will serve both community and campus needs. The College is looking to refine and update its 2008 survey with current input from Yellow Springs residents during the planning phase. To participate in the survey, go to https://www.surveymonkey.com/s/Antiochwellness. Deadline has been extended for a few more days! Paper surveys are available at The Emporium and the President’s Office. Contact Dorothy Roosevelt (319-6235) for more information.

APPETITE: An American Pastime

Opening Reception – Saturday, March 16, 7-9pm
Herndon Gallery, South Hall, Antioch College

APPETITE: An American Pastime is a curatorial collaboration among Michael Casselli and participating artists Eric Dyer and Maggie Hoffman, Raul Vincent, Enriquez, Stefanie Koseff, and Kurt Miyazaki. Explore the
defining attributes of the American appetite and how they appear in the landscape of contemporary culture. Gallery hours are Tuesday to Saturday (1-4pm).

**CREATIVE MINDS**

Keep updated on the local arts scene at [facebook.com/YellowSpringsArtsCouncil](http://facebook.com/YellowSpringsArtsCouncil)

The Yellow Springs Arts Blog always provokes creative thinking -- [ysarts.blogspot.com](http://ysarts.blogspot.com/)

Get a flavor for life in the Village at [facebook.com/YellowSpringsExperience](http://facebook.com/YellowSpringsExperience)


**HIGHLIGHTED EVENTS**


Saturday, February 23, 7:30pm – Rock Island Plow Company, Clifton Opera House, call 937-767-2343 or visit [www.ripcomusic.com](http://www.ripcomusic.com) for more information.

Saturday, February 23, 1-3pm – Traditional Filipino Healing Arts Workshop with Virgil Mayor Apostol, YS Library, [yellowspringsohio.org/calendar/?p=11495](http://yellowspringsohio.org/calendar/?p=11495)

Sunday, February 24, 7:30pm – Vienna Piano Trio presented by Chamber Music Yellow Springs, First Presbyterian, [facebook.com/events/272048866224516/](http://facebook.com/events/272048866224516/)

Wednesday, February 27, 5:30pm, *Escape Fire: The Fight to Rescue American Healthcare* (Screening & Panel Discussion), Antioch University Midwest, [facebook.com/groups/yellowspringsarea/permalink/562528430431541/](http://facebook.com/groups/yellowspringsarea/permalink/562528430431541/)

Wednesday, February 27, 7pm – Annual Community/YSHS-McKinney/Alumni Band Concert, Yellow Springs High School

March 8, 9, 15 & 16 – YS Center Stage’s The Crucible, First Presbyterian Church, [facebook.com/YellowSpringsCenterStage](http://facebook.com/YellowSpringsCenterStage)

Saturday, March 9, 6-9pm – Experience Saturday: Art for Change, YSAC Community Gallery, [facebook.com/events/452545914811626/](http://facebook.com/events/452545914811626/)

March 9 to April 20 – Spring Into The Arts: Experience Peace – Women’s Voices Out Loud (March 23), YS Community Dance Concert (March 29 & 30) and Wellness Workshops (April), yellow-springs-experience.org

Friday, March 15, 6-9pm, “Fiber & Fabric” Opening Reception with Runway Fashion Show, YSAC Gallery, facebook.com/events/504174469633732/

Sunday, March 24, 2-4pm – “Project Peace: Confronting Bullying through Art” Unveiling & YSAC Permanent Collection Opening at Antioch University Midwest, facebook.com/events/170352663113410/


CALLS TO ARTISTS

National Bronze Sculpture Symposium…a YS Experience – Deadline: April 1, callforentry.org (more event details at yellow-springs-experience.org)

Greene County Council on Aging’s 2013 Senior Crafters Fair – Deadline: February 22 (see attached, deadline may be extended)

The Antioch School is seeking art donations for its May 23rd Comedy Show & Silent Auction; contact Beth Bridgeman at bethbridgeman@sbcglobal.net.

Brilliant Trash FUNdraiser – K12 invites artists to repurpose, recycle & recreate junk from its hidden stash; final drop-off date for art pieces is May 6. Contact us via www.k12gallery.com for more details about this exciting event!

Sixth Biennial Sculpture Exhibition Chattanooga, TN – Deadline: March 8, publicartchattanooga.com/PDFs/CallstoArtists/Sixth_Sculpture_Biennial_RFP.pdf

Moscow Arts Commission seeks designs for tree grates & manhole covers – Deadline March 18, ci.moscow.id.us/arts/Pages/public-art.aspx

Visit ysartscouncil.org to learn more about the Yellow Springs Arts Council.

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As a benefit of membership with the Yellow Springs Arts Council, all members may post notices about arts related events, opportunities and announcements. The YSAC supports artists and arts programs throughout the Yellow Springs community and beyond, but is not responsible for the content shared in this listing. If you would like to be removed from this list, please reply to this message with a written removal request. If you would like to post your arts-related notice, send it to art@ysarts council.org.