

LAW COMMITTEE MINUTES OF THE JUNE 14, 2016 MEETING

- Attendees: Richard Bardach, Bill Doering, Natalie Wolf, Elida Kamine, Peg Conway, Scot Lahrmer, Kevin Frank, Colin Driscoll, Jennifer Branch, Ed Hattenbach, Mary Rinsky, Tom Muething, Stacy Lefton, Merrie Stillpass and Ray Warren.
- A motion to approve the minutes of the May 09, 2015 law committee meeting was made by Natalie Wolf with a minor amendment and carried unanimously.
- A general discussion was entertained regarding the proposed natural gas pipeline by Village Solicitor Kevin Frank. At the present time, Duke Energy is planning on filing its application to proceed with the planned pipeline on June 23, 2016. Amberley is free to intervene in these proceedings, although intervention is not a requirement. There is a two-step process involved with the application – a public hearing followed by an adjudicatory process. If Amberley chooses to intervene, intervention is quasi-judicial in nature.
- If Amberley chooses to intervene, very specific concerns must be delineated. In addition to the obvious fire/explosion safety concerns, the following concerns were noted: the Village Hall and the police and fire station are located directly along the planned route, as is the 911 call tower; the planned route is densely populated with residential homes; diminution in all of the property values in the Village; destruction of old growth trees along the route which are a hallmark of the community.
- The City of Cincinnati appears ready to intervene and we will closely monitor how Cincinnati and other similarly situated communities choose to proceed. The City may be willing to organize a coalition of communities in opposing the pipeline.
- Elida Kamine advised that the City of Cincinnati may be willing to work cooperatively with several of the impacted communities to share the legal expense of intervention.
- Resident Jennifer Branch supported intervention.
- Resident Mary Rinsky supported intervention.
- Scott Lahrmer noted the expense involved in litigating this matter could be extraordinary.
- The committee agreed to meet again in approximately two weeks to further discuss how to proceed.