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FOR IMMEDIATE RELEASE

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Don't Drill the Hills, Inc. files lawsuit against City of Rochester Hills for Charter Violation

Don't Drill the Hills, Inc. (DDHI), is a non-profit, grassroots group of local citizens opposed to oil and gas drilling projects in their community. The group filed legal action today against the City of Rochester Hills for signing a lease for oil and gas exploration of City-owned park and cemetery properties. DDHI believes this violates the City's Charter, Michigan statute, and is a violation of public trust. The group seeks a declaratory ruling from the Court that the lease is void.

With the approval of Rochester Hills City Council, Mayor Bryan Barnett signed a lease with Jordan Development Company, LLC (Jordan) on January 15, 2013. The lease allows Jordan and West Bay Exploration Company to use horizontal drilling to explore for, extract, and sell oil/gas from Tienken Park, Nowicki Park and Stoney Creek Cemetery. Given the lease's swift passage, there are concerns the City did not perform proper investigatory due diligence.

At issue is a resident-driven 2011 City Charter Amendment. The amendment states that City-owned parks cannot be sold/leased or converted to a non-recreation or non-conservation use, *without approval* of the City's voters in an open election. The City Charter protects not just the surface of the park land in Rochester Hills, but the entire property, including its subsurface resources.

The lawsuit asserts that by signing a lease with Jordan, the Mayor and City Council:

- Violated the [City Charter \(Sec. 11.8\)](#).
- Violated [Michigan law \(MCL 117.5\(e\)\)](#) which requires voter approval for the sale of city parks and cemeteries designated as such in the City's Master Plan.
- Acted beyond the scope of their power, and took away the citizen's right to vote on the lease.

"We worked hard in a City-wide effort to amend the Charter in 2011 to protect our parks and ensure our beautiful city retains its residential character", said a DDHI Spokesperson Erin Howlett. "Rochester Hills voters saw the need for this added protection, initiated the Charter amendment, approved it overwhelmingly at the ballot box, and the City needs to honor it."

Since the city signed the lease, Jordan has targeted land owners and homeowner associations to lease their property's mineral rights. As local awareness has grown, residents have spoken out against horizontal drilling in dense residential areas with concerns over property rights, property values, environmental risks, tanker traffic, transparency in the process, and most importantly, the risks to the families that live in the *65 affected subdivisions* and attend the *8 schools* in the proposed drilling zone (along Tienken Road from Squirrel Road east to Stoney Creek High School).

The City's parks and natural resources need to be protected for future generations. This lawsuit strives to make that a reality. Jeannie Morris, DDHI Member notes: "Although the City proclaims its 'green' initiatives and environmental successes, the City's oil/gas lease is not in line with those values. We believe the Rochester Hills Council and Mayor Barnett have violated the City Charter, Michigan law, and the trust of residents."

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Don't Drill the Hills, Inc. is a non-partisan grassroots nonprofit corporation that is building awareness of the risks of horizontal drilling in high-density residential and K-12 School areas. Concerns include: property rights, property values, mortgage and insurance complications, as well as potential environmental and health risks.