

**GARFIELD COUNTY ENERGY ADVISORY BOARD (EAB) MEETING**

Thursday, April 2<sup>nd</sup>, 2009

Minutes (FINAL)

Location: Garfield County Health & Human Services Building in Rifle, Colorado

**CALL TO ORDER/INTRODUCTIONS**

Ms. Betsy Suerth called the meeting to order at 6:00pm. EAB members introduced themselves. EAB members in attendance:

Suerth, Betsy  
Black, Jon  
Braaten, Mike  
Jordan, Judy  
Mumma, Don  
Robinson, Leslie  
Hamilton, Theresa  
Savage, Joann  
Brynildson, Scott  
Gross, Michael  
Vazquez, Maria  
Simonson, Jeff  
Donato, Scot  
DeBerry, Michael  
Long, Sher  
Bankert, Wayne  
Clifton, Leland  
Padilla, Daniel  
Alvillar, Susan

**EAB Chair** – Town of Silt  
**EAB Vice Chair** – Antero Resources  
**EAB Secretary** – City of Rifle  
Garfield County  
Battlement Mesa Oil & Gas Committee  
Grand Valley Citizens Alliance (GVCA)  
Garfield School District RE-2  
Rulison/Taughenbaugh Mesa/Morrisania Mesa  
Mamm Creek/Hunter Mesa  
Silt Mesa/Peach Valley  
Parachute/Battlement Mesa  
Divide Creek/Dry Hollow  
Bill Barrett Corporation  
Chevron  
EnCana  
Laramie Energy II  
Maralex Resources  
OXY Oil & Gas Corporation  
Williams Production

- Betsy Suerth led a discussion regarding EAB meeting guidelines and ground rules.
- Judy Jordan explained the process of trying to contact three EAB citizen representative members who are no longer present at meetings and her recommendation to the BOCC to remove those members and replace the open seats with three new citizen representatives.

**MINUTES FROM PREVIOUS MEETING**

Betsy Suerth entertained a motion to approve minutes from the last meeting with a correction to the minutes under the Rulison/Taughenbaugh Mesa/Morrisania Mesa update to change the word “effectiveness” to “ineffectiveness”. Sher Long moved to accept the minutes with the change and Jon Black seconded. The board then voted in favor with one opposition.

**PUBLIC COMMENT**

- Michael Meskin asks if the Grass Mesa Homeowner’s Association has been added to the EAB.
- Marion Wells asked the EAB to advise the BOCC on the industry impacted county roads 215, 301 and 306. Marion said that mud needs to be cleaned of CR 309 at pad access locations like the one at the fire house. Marion made several statements on past issues. She feels the EAB is not following its by-laws.
- Nancy Limbach gave an update on the status of the incident that happened two years ago when an oversized vehicle took down a power line and sent 69,000 volts of electricity through their house which ruined their home. To this day nobody involved in this incident has taken any responsibility, their insurance company will not pay for damages and has dropped them and they have had no help paying a construction loan that

was used to fix all of the damage. They stopped coming to the EAB meetings due to lack of any kind of resolution for their problem with the energy industry.

- Joann Savage said it is the EAB who should make recommendations to the BOCC on issues like the Limbach's that cannot be resolved by the EAB.
- Leslie Robinson said maybe it is time to ask a representative from the CO State Patrol to come to the EAB to comment on why they don't police the county roads because the Garfield County Sheriff said it is not the County's jurisdiction to give tickets on county roads.
- Sandy Sakaris, a Rifle Creek resident, said she did not think that Marion Wells should have been removed from the EAB because she was a good representative.
- Judy Jordan said that Marion Wells was sitting in for Mike Mosby who was the official EAB member and Mike Mosby was removed due to lack of attendance, and since the BOCC appoints members, Marion or any other citizen can always go to the BOCC directly.

### **UNFINISHED BUSINESS**

- Betsy Suerth discussed the EAB resolution revisions and changes made from the previous months' discussion and asked for comments or further changes. Michael Gross made a motion to adjust item 14 in the revised resolution to accept and adopt the split of the Rulison/Taughenbaugh Mesa/Morrisania Mesa to have Taughenbaugh Mesa a new separate area, and to re-draw the boundary lines on the closest section lines without consideration of who lives on what side of the lines. Wayne Bankert seconded the motion. The board voted unanimously to approve and the motion carried.
- Members discussed the EAB citizen representative area map while viewing it on the screen. Michael Gross suggested the EAB re-assign the sub-committee to divide up the areas on the map again and re-draw the boundary lines on the section lines. Leslie Robinson made a motion to table the vote on the resolution action until the citizen representative map is finalized. Michael Gross seconded the motion. The board voted unanimously to approve and the motion carried. Betsy Suerth asked for volunteers to draw new boundary lines on the citizen representative map. Susan Alvillar, Leslie Robinson, Jeff Simonson and Joann Savage volunteered to meet prior to the next EAB meeting.
- Sher Long gave an update on the public comment spreadsheet regarding two issues brought up during the public comment period at the March 5 EAB meeting. 1. Linda Dixon said CR 306 has industry truck road damage and asked why nothing is being done to fix the road. Sher spoke with Jake Mall at GarCo Road & Bridge and he said the county is in the process of getting estimates on road repairs for CR 306 and as soon as they have this information they will contact EnCana, Williams, and Noble to discuss repairs. 2. Mary Ellen Denomy asked to have some follow up details on the trucking accident that just happened on Highway 13 in North Rifle. Sher said the truck was not an Encana truck, but it was an overturned tanker that leaked natural gas condensate liquid at the Railroad Avenue and Highway 13 bypass intersection the morning of March 5, 2009. Mike McKibbin, reporter for the Citizen Telegram, said he spoke with the CEO of the trucking company involved and he promised the spill would be cleaned up and they were meeting with CDPHE and CDOT about the clean up efforts. The name of the trucking company is thought to be Taylor Propane or TGP.

### **EAB MEMBER UPDATES**

**Town of Silt** – Betsy Suerth reported that they are on their third and final meeting for their comprehensive plan and that meeting will take place on April 23 at 7pm at the Silt Fire Station. They are open for bids for the last part of the bulk water station.

**City of Rifle** – Mike Braaten had nothing to report.

**Battlement Mesa Oil & Gas Committee** – Don Mumma had nothing to report.

**Grand Valley Citizens Alliance** – Leslie Robinson reported that last month GVCA went to Denver to speak with legislators in support of the COGCC new rules.

**Garfield School District RE-2** – Theresa Hamilton had nothing to report.

**Rulison/Taughenbaugh Mesa/Morrisania Mesa** – Joann Savage had nothing to report.

**Mamm Creek/Hunter Mesa** – Scott Brynildson would like any support possible for the Rifle Rendezvous on May 15-17 at the Garfield County Fairgrounds in Rifle.

**Silt Mesa/Peach Valley** – Michael Gross had nothing to report.

**Parachute/Battlement Mesa** – Maria Vazquez had nothing to report.

**Divide Creek/Dry Hollow** – Jeff Simonson reported that there is a lot of mud being tracked onto CR 335 from well pads on Jolley Mesa. The road between CR 311 east towards Frontier Paving is in bad shape.

**Antero Resources** – Jon Black apologized to Nancy Limbach for the McPherson A-3 incident. He reported no new activity and no drilling rigs and they are working on CDP's. There was an incident reported in the Post Independent about a fire at an Antero well location where a contract pumper was hospitalized for 24 hours and the cause is thought to be from static electricity. Jon read a report written by Cliff Hutchinson in February 2009 about why fracking fluid is not part of the safe drinking water act.

**Bill Barrett Corporation** – Scot Donato reported that they are operating one rig in the northeast area south of Silt and doing completion on one well.

**Chevron** – Michael DeBerry reported that they had no injuries or environmental events since last EAB meeting. They have 2 rigs in DeBeque and will reduce to 1 rig by end of month. They are doing infrastructure projects like gathering systems until the 3<sup>rd</sup> quarter and then slowing down. They have other activity in Rio Blanco County.

**Encana** – Sher Long reported that they have 3 rigs south of I-70 and 1 on the north side, they may go down to zero on the north side but back by year's end. They will average 5 rigs in the Piceance area for 2009. They have 1 rig in the Divide Creek area with a rig move scheduled for the 2<sup>nd</sup> week in May, 1 rig in Mamm Creek, and 1 rig in Grass Mesa. They will complete the Grass Mesa year round drilling in December of 2010 and they will be back to 2 rigs in Grass Mesa this summer. Fracing is going on in Grass Mesa and scheduled to finish by April 7 with no fracing on weekends.

**Laramie Energy II** – Wayne Bankert reported that they have 1 rig running in Beaver Creek area and plan to keep it running for the rest of the year.

**Maralex Resources** – Leland Clifton said they have no new activity and they are not doing any drilling.

**OXY** – Daniel Padilla reported that they are still in their operation and production phase with no drilling or completion work and operating their lease north of DeBeque.

**Williams Production** – Susan Alvillar reported that they have 8 rigs in Garfield County and 1 rig in Rio Blanco County and plan to run 9 rigs for the rest of 2009. They had three unsafe driving incidents reported and all three drivers have been dismissed.

**Garfield County Oil & Gas** – Judy Jordan had nothing new to report, but commented that the statement that frac fluids have never been found to have contaminated drinking water is misleading because, for example, GarCo didn't have water samples in their studies analyzed for frac fluid components because those components were unknown. A lab can only report concentrations of constituents that have targeted for analysis, if found, but if they don't know what to look for, they can't find it. (Scot Donato and Wayne Bankert responded that they would be willing to share MSDSs for frac fluid components).

## **SUGGESTIONS FOR FUTURE AGENDA ITEMS**

- Fred Jarman, the GarCo Building & Planning Director will discuss the new B&P regulations at the May 7 EAB meeting.
- Have the County hire a mediator for conflict resolution to speak at the June EAB meeting.

## **PUBLIC COMMENTS**

- Joyce Wizer asked if an MSDS carries all the information about frac fluid. Susan Alvillar answered that a frac crew's trailer contains all the MSDSs pertaining to frac fluids, which are different from drilling fluids. The drilling crew keeps their own MSDSs, which are also available at their (Williams) office. Regarding the citizen representative map, the EAB should recognize that Oil & Gas impacts extend beyond the immediate areas where drilling occurs. Board members responded that they understood and noted that citizens outside citizen representative areas can always go to EAB meetings and make public comments as well.
- Joanne Allen, a Battlement Mesa resident, asked where do people like the Limbach's go to get help and where can citizens in similar situations go for help.
- Marion Wells asked if Michael Meskin with the Grass Mesa Homeowner's Assoc. is going to be seated. Marion asked on behalf of Linda Dixon for any information on the proposed pipeline from Wallace Creek to Collbran. Marion asked on behalf of Mary Ellen Denomy if speeding was an issue in the March 5 truck rollover accident in North Rifle.

## **ADJOURN**

Betsy Suerth adjourned at 8:38pm.

## **MOTIONS PASSED AT THIS MEETING**

- Michael Gross made a motion to adjust item 14 in the revised resolution to accept and adopt the split of the Rulison/Taughenbaugh Mesa/Morrisania Mesa to have Taughenbaugh Mesa a new separate area, and to re-draw the boundary lines on the closest section lines without consideration of who lives on what side of the lines. Wayne Bankert seconded the motion. The board voted unanimously to approve and the motion carried.
- Leslie Robinson made a motion to table the vote on the resolution action until the citizen representative map is finalized. Michael Gross seconded the motion. The board voted unanimously to approve and the motion carried.

*Prepared by Wendy Swan, Garfield County Oil and Gas Administrative Assistant*

*Approved by the Energy Advisory Board on*

*Date*

*Mike Braaten, Secretary of the Board*