

Chairman Shriver opened up the meeting for comments from the public.

Connie Kinnen who owns property next to fire department wished to inform the audience there would be a meeting in the Annex for the Del Norte and South Fork fire departments about distribution of funds. Ms. Kinnen felt it was critical that people support the fire department.

John Bricker, business owner lived here for 40 years. Indemnity, bonds are forfeited if someone walks off the job. Financial assurance is what Mr. Monsson talked about. The County should be able to re-coup loses if something goes bad replied Mr. Bricker Mr. Monsson explained preemption in that no county law can preempt a state law and that no state law can preempt a federal law. The County might need to have some local control. Mr. Monsson informed the audience that the state has so few inspectors we might need to fund one or cross train to get someone certified as other counties are doing. Mr. Bricker asked why Mr. Monsson had rewrote the Surface Owners Bill of Rights and Mr. Monsson replied he was stating the new intent of the law.

Steve Reznik, referred to page 6, 4.5.2 and page 9, 6.1.4 in that they both had mentioned surface ownership. Mr. Reznik also questioned page 25, 8.6.2 well pads and wondered why that had not been struck out generally. Mr. Monsson replied it could be deleted. On page 28, 8.7.5.13 Mr. Reznik asked if he could claim that it was economically unfeasible for him to bury utility lines. Mr. Monsson replied he would have to prove that and the Board would have to approve his request depending on circumstances. Mr. Reznik questioned page 28, 8.7.6.1 d. and the ¼ mile restriction. Mr. Monsson corrected and took the 600 foot limit out. On page 41, 8.9.5 why the change from shall to may. Mr. Monsson replied that they should leave it up to the Board for a final decision or discretion.

Susan Constance inquired where the County land use defines zoning; certain things require a conditional use process and some things are prohibits. There should be exclusions to zoning and allowing the intrusion on peoples' property by commercial use. Commissioner Bricker explained that Rio Grande County is zoned and there are regulations in place. Mr. Monsson interjected that O & G wells are put there by nature and there is no way to know where the wells are.

Bobby Willschau, would request the Board check the infringement on person property when you go to making zoning changes for commercial and residential properties.

Rick Aswell on page 32 wondered if the list of elements to be sampled for in the water was complete enough and questioned water disposal. Mr. Aswell questioned on page 18, 7.3 surface owners' rights versus mineral owners right.

Marlene Mashburn page 30, 8.8.1.4 environmentally safe fracking fluids should be available. Mr. Monsson replied the COGCC would overrule Rio Grande County in trying to tell the driller to use something else.

Katherine O'Connor replied regarding water issues that our aquifer is different here and it needs to be protected. We might have to challenge the idea that the COGCC regulates what is allowed. Mr. Monsson assured her that in talking to the COGCC that they will case through the Conejos Formation.

Susan Constance, Del Norte inquired why the inspectors could not be local and that the O & G operator could subsidize local government.

Nemoni Colville lives 7 miles west of Del Norte and asked the Boards if they had seen the National Geographic that showed the impact of O & G exploration. Ms. Colville reminded the Boards that the aquifer is a valuable resource to Rio Grande County and cannot be endangered.

Jan Haswell, 8.8.1.2 same as Ms. Colville in that the aquifer is valuable and needs to be protected. There was a version on the website that had some strike outs and wondered why the computer version had not been corrected.

Susan Constance advised the Boards that with all the technical improvements made is it possible that food grade materials be required. Food grade materials are still gels and that can be changed at State level not local. Ms. Constance thought the County should set up an Oil & Gas office to regulate all the new development.

Ms. Vanderpool does not disagree but with only one well going right now it is something to consider later.

Mr. Freeman went over the points discussed in this public meeting and where changes should be made and discussed them with

Mr. Monsson. Mr. Monsson will change the draft to remove the Surface Owners bill of rights and adopt the Notice of Landowners Rights and make the recommended changes.

Commissioner Davie moved to approve the changes to Article XII pending approval of the final draft from Mr. Monsson. Commissioner Bricker seconded the motion; the motion carried.

The meeting was adjourned at 4:30 p.m.

Attest:

Karla L. Shriver
Chairman of the Board

Linda Slade
Clerk of the Board