

Minutes of the Oil and Gas Advisory Committee
City of Aurora, Colorado
March 20, 2019

Meeting was called to order at 4:00 p.m.

The following were present:

Susan McClain, Committee Member, Chairwoman, Citizen
Josh Reddell, Committee Member, Vice-Chairman, Citizen
Polly Page, Committee Member, Citizen
Brad Pierce, Committee Member, Citizen
Jim Rogers, Committee Member, Industry
Maxwell Blair, Committee Member, Industry
Philip Holmes, Committee Member, Industry
Marc Cooper, Committee Member, Surface Owner
Chad Polak, Committee Member, Surface Owner
Christine McKenney, City of Aurora Attorney
Stephen Rodriguez, Local Government Designee, City of Aurora Planning and Development Services
Sarah Wieder, City of Aurora Planning and Development Services
Barbara Shafer, City of Aurora, City Clerk's Office
Steve Ruger, City of Aurora, City Clerk's Office
Juliana Berry, City of Aurora Planning and Development Services
Tanner Axt, City of Aurora Planning and Development Services
David Schnabel, Axis Exploration
Kathy Steerman, Axis Exploration
Patty Vaira, Axis Exploration
Pam Kingery, Axis Exploration
Isuri Lawson, Extraction
Ken Knox, Extraction
Dennis Snow, Extraction
Matthew Eyser, Extraction
Ghislaine Bruner, Extraction
Kevin Williams, Elevation Midstream
Aurora, Ogg, Citizen of Aurora
Tyler Shetterly, Citizen of Aurora
Edith Henke, Citizen of Aurora
Susan Chapel, City of Aurora Planning and Development Services

1. Chairwoman McClain called the meeting to order at 4:04 p.m. There was a quorum.
2. Chairwoman McClain introduced herself and asked those present to introduce themselves.
3. November 1, 2018 Meeting Minutes
A motion was made by Polly Page and seconded by Jim Rogers to approve the November 1, 2018 meeting minutes as submitted. Motion passed unanimously.

Minutes of the Oil and Gas Advisory Committee
City of Aurora, Colorado
March 20, 2019

January 16, 2019 Meeting Minutes

A motion was made by Polly Page and seconded by Jim Rogers to approve the January 16, 2019 meeting minutes as submitted. Motion passed unanimously.

4. Sarah Wieder, gave an update on current Oil and Gas Permit applications:

Application Approvals

- Reserve North (Phases Two and Three) was administratively approved by the Director of Planning February 13, 2019. This application is generally located at the Southwest Corner of 26th Avenue and Hudson Road. Four wells are proposed in phase two and four wells are proposed in phase three, one well was approved in phase one.
- Cottonwood Creek North was administratively approved by the Director of Planning February 13, 2019. This application is generally located at the Southeast Corner of Jewell Avenue and Hayesmount Road. Seven wells are proposed in one phase.
- Yellow (Phases One and Two) was administratively approved by the Director of Planning February 13, 2019. This application is generally located south of 38th Avenue between Watkins Road and Imboden Road. Four wells are proposed in phase one and four wells are proposed in phase two.

There has been one new application since the January 16, 2019 meeting:

- Bijou South (Phases One and Two) generally located at the Northeast Corner of 38th Avenue and Powhaton Road. One well proposed in phase one and seven wells proposed in phase two. Applicant needs to submit a 2nd submission.

Updates on Other Applications:

- Eastern Hills South generally located at the Northwest Corner of Powhaton Road and Mississippi Avenue. Eight wells are proposed in one phase. Pending administrative decision once outstanding issues are resolved.
- Lone Tree South generally located at the Northwest Corner of Hayesmount Road and Mississippi Avenue. Six wells are proposed in one phase. Pending administrative decision once outstanding issues are resolved.
- Rush North generally located on Powhaton Road approximately one-half mile south of Jewell Avenue. Eight wells are proposed on one phase. Pending Planning Commission public hearing for a conditional use once unresolved issues are resolved.
- Grande North generally located at the Southeast Corner of Powhaton Road and Mississippi Avenue. Four wells are proposed in phase one and four wells are proposed in phase two. Pending administrative decision once outstanding issues are resolved.
- Lone Tree North (Phase Two) generally located at the Southwest Corner of Alameda Avenue and Hayesmount Road. Nine wells are proposed in phase two, one well was approved in phase one. Pending administrative decision once outstanding issues are resolved.

Minutes of the Oil and Gas Advisory Committee
City of Aurora, Colorado
March 20, 2019

- Eastern Hills (Phase Two) generally located at the Southwest Corner of Powhaton Road and Alameda Avenue. Seven wells are proposed in phase two, two wells were approved in phase one. Pending administrative decision once outstanding issues are resolved.
- Grande South (Phase Two) generally located at the Northeast Corner of Powhaton Road and Jewell Avenue. Sevens wells are proposed in phase two, one well was approved on phase one. Pending administrative decision once outstanding issues are resolved.
- Rush South (Phase Two) located on Powhaton Road approximately one-half mile south of Jewell Avenue. Seven wells are proposed in phase two, two wells were approved in phase one Pending Planning Commission public hearing for a conditional use once unresolved issues are resolved.

5. Public Comment Period
None.

6. Barbara Shafer, City Clerk Analyst, City of Aurora City Clerk's Office, gave a presentation regarding Boards and Commissions Requirements, Openings, Interviews and Selection Process. Ms. Shafer thanked the Committee for their participation and service. She also introduced Steve Ruger, City Clerk, who began with the city in January.

Jim Rogers clarified the process that was performed for the last openings. Ms. Shafer stated that there were hiccups last year in the appointment process. She believes that the next appointments will be easier.

Stephen Rodriguez asked if any deadlines have been established for applying for the committee. Ms. Shafer stated that there are no hard deadlines for applications. She explained that if there is a vacancy for a certain position on the Committee and there are enough applicants to interview for it, then the Committee may proceed with interviews and make a recommendation to City Council. Having an appointment made by City Council takes at least a month, so deadlines can be set by the Committee so that interviews and recommendations can be made in a timely manner.

Chairwoman McClain asked if a deadline was set, how would applicants who applied after the deadline be notified. Ms. Shafer answered that she notifies all applicants on the status of their application and their applications remain active up to one year. Brad Pierce asked how the selection process starts. Ms. Shafer explained that the process begins with the Committee notifying her that there are vacancies. She forwards all applications to the liaison, who is Stephen Rodriguez for this committee. If he sees that there are enough candidates to interview then the process of collecting applications can stop and interviews scheduled. Philip Holmes proposed that applications be accepted for a thirty-day period and then interviews be scheduled.

Mr. Rodriguez asked how to know if an application is still active or not. Ms. Shafer answered that staff can contact her regarding any current applications on file.

Maxwell Blair made a motion that current applicants be contacted notifying them of the current vacancies to see if they are still interested in serving on the Committee and that a notice be put on the website stating the Committee is seeking applications until a certain date. The notice should include the needed qualifications for the vacancies.

Minutes of the Oil and Gas Advisory Committee
City of Aurora, Colorado
March 20, 2019

Brad Pierce noted that the deadline for receiving applications for the current vacancies needs to be backed up to perhaps May 1st since the Committee only meets quarterly and if the deadline goes much further than that interviews will not take place until July and the appointments will not be made until nearly September. He also stated that the website needs to be updated; Bruce Rau is still listed as a member. The application also needs to be edited to reflect which vacancy an applicant is applying for; citizen, surface owner or industry. Chairwoman McClain stated that the appointment expiration dates should also be listed on the website so that those who may be interested in an appointment can anticipate when openings may occur.

Jim Rogers mentioned that there are some appointments that will expire during the summer, his being one of them and that any applications submitted need to be considered for those upcoming vacancies.

Mr. Blair amended the motion to include the upcoming vacancies and the edits needed to the website and the application for appointment. The motion was seconded by Mr. Rogers. The motion passed unanimously.

Josh Reddell noted that if the City Council makes the requirements for applicants to live in the impacted areas that will also limit the number of citizen applicants who can be interviewed.

Mr. Pierce asked if there were requirements of how many needed to be interviewed for the vacancies. Ms. Shafer stated there is not a set number for interviews. Mr. Pierce asked if applications can be culled down to just who they would like to interview and not interview every applicant. Ms. Shafer explained that in the Oil and Gas Committee bylaws it states that all applicants will be interviewed. Mr. Pierce suggested that the bylaws be amended. Ms. McClain stated that should be an item of discussion on the next meeting's agenda. She also noted that with the new legislation going through regarding oil and gas there may be other changes that need to be made to the bylaws. Mr. Rogers noted that in order for the bylaws to be amended there must be a quorum and suggested that a sub-committee be formed to come with suggestions for changes to the bylaws. Ms. McClain agreed.

A motion was made by Mr. Rogers and seconded by Mr. Pierce that a sub-committee of three be formed to review the bylaws and make suggestions for the changes to be made. Motion passed unanimously. Mr. Rogers, Mr. Reddell and Mr. Polak will serve on the sub-committee.

Mr. Ruger, City Clerk, stated that the Clerk's Office is looking for better ways to communicate what boards, commissions and committees are working on and concerns they have to City Council. He will be working on standardized rules and procedures for each entity to follow. This would include standardized minutes. With this standardization there will be consistency and will make it easier for elected officials and the public to have a better understanding of what the boards and commissions are doing. He also reminded the Committee about Open Meetings Laws and that members need to be mindful of them when

Minutes of the Oil and Gas Advisory Committee
City of Aurora, Colorado
March 20, 2019

communicating via email. He also noted that items that are not on the agenda should not be discussed but should be placed on a future agenda. Mr. Blair suggested that the agenda should have an item for Committee members to make suggestions for future agendas. Mr. Ruger recommended doing what Council does, which is to have an item on the agenda for comments by members at the end of the meeting for those suggestions.

A general discussion ensued regarding procedures for changes to bylaws, Open Meeting Laws and the appropriateness of Executive Sessions.

The Committee thanked Ms. Shafer for her service, time and dedication to the Committee.

7. Operator Agreement and Best Practices Discussion

Christine McKinney, Assistant City Attorney, stated that negotiations have been taking place with city staff and Axis Exploration for Operator Agreements. The operator has come to the city stating that they are willing to adopt Best Management Practices.

David Schnabel, Axis Exploration, gave a presentation on how Axis operates. Matthew Eysler, Extraction, also gave a presentation on the Best Management Practices for mid-stream operations.

Ms. McKinney noted that Axis will be holding a public open house in May.

Ms. McClain stated that the next Oil and Gas Advisory Committee meeting will take place on Wednesday, May 15, 2019 in the Eagle Conference Room at 4:00 p.m.

8. Public Comment Period

Edith Henke, a resident of the Traditions neighborhood, asked if Axis had done any geological studies of the neighborhoods in the area; there are six subdivisions on expansive soils. She and others are concerned about the foundations their homes sit on. Mr. Schnabel answered that they are not aware of any homes that have been affected from expansive soils. He added there are studies being conducted regarding the effects of drilling. Ms. Henke voiced concerns regarding drilling taking place under the current resident's homes. Residents are feeling invaded by oil and gas drilling and have legitimate concerns for their homes and safety. She also voiced concerns regarding the truck traffic that will be brought to the area, especially on Gun Club Road.

Mr. Schnabel asked Ms. Henke to provide her contact information so that Axis can address her concerns. Mr. Rogers asked that the Committee be informed of the resolutions of the voiced concerns. Mr. Schnabel agreed to keep the Committee updated.

Mr. Pierce stated that Councilmember Johnston has been proposing an ordinance concerning a moratorium on oil and gas wells. He asked staff for the status of that ordinance. Ms. McKinney stated that it has not been placed on the Council agenda. Mr. Pierce requested that if and when that ordinance moves forward that the Oil and Gas Advisory Committee have the opportunity to review it. Many members concurred with the request.

Minutes of the Oil and Gas Advisory Committee
City of Aurora, Colorado
March 20, 2019

A motion was made by Mr. Blair and seconded by Ms. Page that a Committee member reach out to Councilwoman Johnston and request her consideration to consult with the Committee before bringing the ordinance to the full council and to remind her that the Committee is available for any recommendations needed. Ms. McClain volunteered to reach out. Motion passed unanimously.

Ms. McKinney mentioned that Operator Agreements are being worked on with several oil and gas drilling operators. If adopted, the agreements stipulate that any permits submitted by operators with agreements will not be subject to call up by City Council.

The meeting was formally adjourned at 5:30 p.m.

Minutes Approved



Susan McClain, Chairwoman