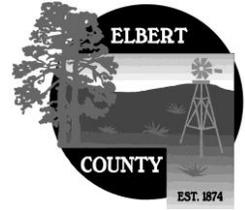




COUNTY OF ELBERT

COMMUNITY & DEVELOPMENT SERVICES DEPARTMENT

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MINUTES ELBERT COUNTY REGULAR PLANNING COMMISSION MEETING February 13, 2014

Note: These meeting minutes are only a summary of the meeting. Duplications of the audio recording are available, for a fee, by contacting Community & Development Services.

The regular Planning Commission Meeting was called to order at 7:00 p.m. by Chairman, Tom Beshore.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Commission members present: Tom Beshore, Ron Turner, Rick Brown, Tony Baker, Bob Ware, Daniel Rosales and Mark Smith.

Staff present: Kyle Fenner, Director; Curtis Carlson, Senior Planner; Carolyn Parkinson; Planner, Floodplains Manager; Faith Mehrer, Office Manager

STAFF REPORT ON BOARD OF COUNTY COMMISSIONERS ACTION(S):

A. The Board of County Commissioners approved Part II Section 27 of the Elbert County Zoning Regulations.

CONSENT CALENDAR:

COMMUNITY INPUT:

PUBLIC HEARINGS:

A. SU 13-0010 Prescott Ranches Exploratory Well – Special Use Permit Review:

- a. The exploratory well will be in a pasture of more than 4300 acres. Construction will last 30 to 120 days. Reclamation will begin once the Production phase is underway and continue until 70% of the vegetation is established. A road operations and maintenance agreement will be a condition of approval. The nearest residence is more than one mile from the proposed wellhead. A Storm water management permit application has been approved. The applicant foresees using water supplied by HVB Ventures, LLC. Any change in the water supply plan will be disclosed prior to recordation. Noise mitigation barriers will not be required due to the remote location of the site. Sound and lighting mitigation will be in accordance with COGCC regulations. All equipment will be painted with colors matched to and slightly darker than the landscape. The applicant must prove that the Colorado Division of Water Resources has approved a determination of non-Tributary Ground Water as a condition of approval. 22 referral agencies were invited to evaluate and comment on the application. 5 agencies responded with comments. All issues have been corrected or addressed to the agencies' satisfaction. Elbert County Community and Development Services Staff recommends approval of Prescott Ranches SU 13-0010 with 17 conditions of approval.**
- b. The Planning Commissioners discussed the cuttings pit with Bob Davis of Mustang Creek. Bob explained that there will be no mud pit.**
- c. The applicant agreed to do baseline water sampling on Horse creek and Dead Man Reservoir along with the well that is located within 1/2 mile of the project (in accordance with COGCC rule 609).**
- d. The applicant presented an educational video presentation.**
- e. Public Comment**
- f. Rick Brown made a motion to recommend approval of SU13-0010 Prescott Ranches Exploratory Well Special Use Permit subject to the following;**
 - 1. The Special use permit shall be amended in accordance with the amended conditions of approval presented by staff and dated Feb 12, 2014.**
 - 2. Those amended conditions of approval shall be revised as follows:**

- a. After the 1st sentence of paragraph 5, a sentence shall be inserted that states, " In addition, baseline and subsequent testing in accordance with the same COGCC standards shall be applied to Dead Man Reservoir and Horse Creek."
- b. After paragraph 6 a new paragraph 6,a shall be added, "Only fresh water may be applied to roads and other surfaces for dust mitigation."
- c. In paragraph 9 the words, "except for the disposal of drill cuttings" shall be added.

Bob Ware seconded the motion. The motion carried on a vote of 7 to 0.

PUBLIC COMMENTS:

- A. Chris Bailey presented a list of questions regarding the project;
 - a. What is the COGCC Permit number for the facility you are hauling water to?
 - b. Where will the operator haul flow back waste and cuttings to?
 - c. Why is approved form 2A blank for cuttings disposal and method?
 - d. Is there an application on file for non tributary water determination?
 - e. Where is the water supply documentation and what is the time frame for securing the water source?
 - f. Are you filing form 15 for a drilling pit and will the pit be lined?
 - g. What COGCC rule was used for berming requirements; rule 906,e,1 or 605,a,4?
 - h. Why is the approved form 2,a blank under "will oil based drilling fluid be used"?
 - i. Why is the approved form 2A blank regarding water well sampling required?
 - j. What materials will be used for construction of the well pad?
 - k. What is the UIC class 2 permit number?
 - l. What is the operator's definition of fresh water?

UNFINISHED BUSINESS:

NEW BUSINESS:

ANNOUNCEMENTS: Meeting adjourned at 9:00 PM.