



Board of Trustees Action Items

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For Immediate Release
August 14, 2012

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Erie Board of Trustees Action Items – August 14, 2012

Ballot Issue for New Police Station & Municipal Court Building Considered – During their August 28, 2012 meeting, the Town of Erie of Trustees will decide whether or not to ask voters to approve construction of a new police station and municipal court building. The proposed 17,000 square foot facility would replace the outdated workspace at Town Hall with a functional and secure facility necessary in maintaining the safety of our growing community. The proposed Ballot Issue as presented to the Board on August 14th reads as follows:

SHALL THE TOWN OF ERIE DEBT BE INCREASED BY NOT MORE THAN \$6,200,000, WITH A REPAYMENT COST OF NOT MORE THAN \$11,600,000, AND SHALL TOWN TAXES BE INCREASED NOT MORE THAN \$1,200,000 ANNUALLY TO REPAY SUCH DEBT, ALL FOR TOWN PUBLIC SAFETY PURPOSES, INCLUDING, BUT NOT LIMITED TO THE FOLLOWING:

- ACQUISITION, CONSTRUCTION, AND EQUIPPING OF A POLICE STATION AND MUNICIPAL COURT BUILDING AND ALL NECESSARY AND INCIDENTAL FACILITIES, EQUIPMENT AND COSTS,

AND SHALL THE MILL LEVY BE INCREASED IN ANY YEAR WITHOUT LIMITATION AS TO RATE AND AMOUNT SUFFICIENT TO PAY THE PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON SUCH DEBT OR ANY REFUNDING DEBT (OR TO CREATE A RESERVE FOR SUCH PAYMENT); SUCH DEBT TO BE EVIDENCED BY THE ISSUANCE OF GENERAL OBLIGATION BONDS OR OTHER MULTIPLE FISCAL YEAR FINANCIAL OBLIGATIONS, TO BE SOLD IN ONE SERIES OR MORE, FOR A PRICE ABOVE OR BELOW THE PRINCIPAL AMOUNT OF SUCH SERIES, ON TERMS AND CONDITIONS AND WITH SUCH MATURITIES AS PERMITTED BY LAW, INCLUDING PROVISIONS FOR REDEMPTION OF THE BONDS PRIOR TO MATURITY WITH OR WITHOUT PAYMENT OF THE PREMIUM OF NOT TO EXCEED THREE PERCENT; AND SHALL THE TOWN BE AUTHORIZED TO ISSUE DEBT TO REFUND THE DEBT AUTHORIZED IN THIS QUESTION, PROVIDED THAT AFTER THE ISSUANCE OF SUCH REFUNDING DEBT THE TOTAL OUTSTANDING PRINCIPAL AMOUNT OF ALL DEBT ISSUED PURSUANT TO THIS QUESTION

DOES NOT EXCEED THE MAXIMUM PRINCIPAL AMOUNT SET FORTH ABOVE, AND PROVIDED FURTHER THAT ALL DEBT ISSUED BY THE TOWN PURSUANT TO THIS QUESTION IS ISSUED ON TERMS THAT DO NOT EXCEED THE REPAYMENT COSTS AUTHORIZED IN THIS QUESTION; AND SHALL SUCH TAX REVENUES AND THE EARNINGS FROM THE INVESTMENT OF SUCH BOND PROCEEDS AND TAX REVENUES BE COLLECTED, RETAINED AND SPENT AS A VOTER APPROVED REVENUE CHANGE AND AN EXCEPTION TO THE LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW?

BACKGROUND: During the June 26, 2012 Board of Trustees meeting, the Board directed staff to craft language for a Tabor ballot issue for the construction of a new police station and municipal court building to be included on the ballot for the 2012 November General Election. Subsequently, staff worked with the Town's bond underwriters Stifel Nicolaus and bond counsel Sherman & Howard on the development of the proposed ballot language. The Town Clerk's Office has notified Boulder and Weld Counties of the Town's interest in participating in the General Election. Ballot content is due to the counties by September 7, 2012.

[Police and Municipal Court Building Information](#)

[Election and Voter Information](#)

Board Considers Terminating Oil & Gas Moratorium – The Board considered on First Reading, an ordinance terminating the temporary moratorium on the acceptance of land use applications related to oil & gas operations. The Board is scheduled to consider this matter on Second Reading during their August 28, 2012 meeting.

BACKGROUND: During a Special Meeting on Wednesday, March 7, 2012, the Board of Trustees approved an ordinance imposing a temporary (180 Days) moratorium on the acceptance, processing and approval of any land use applications related to mining and mineral extraction – including oil and gas development. The ordinance was imposed, in part, to allow staff time to enter into an agreement between the Town and oil and gas operators wherein the operators would voluntarily agree to comply with Town requirements which may exceed Colorado Oil and Gas Conservation Commission (COGCC) requirements.

The Town has been successful in negotiating a Memorandum of Understanding (MOU) with EnCana Oil & Gas (USA) Inc. and Anadarko Petroleum Corporation wherein the operators have agreed to address the Town's concerns regarding the health aspects, water quality and air quality impacts of the extraction of liquid and gaseous hydrocarbon resources and related activities within and surrounding the Town. The Best Management Practices (BMP) identified in the MOUs are intended to supplement and are in addition to COGCC rules and regulations. As a condition of the MOUs, the BMPs are to be included on all applications for permits to drill in Erie. The MOUs shall not be effective unless and until

such moratorium (including any extensions) expires or is terminated in its entirety. As part of the conditions of the MOUs, operators shall be required to:

- Maximize equipment and wellhead setbacks from occupied buildings and residences.
- Utilize steel-rim berms around tanks and separators instead of sand or soil berms.
- Utilize closed-loop systems for drilling and completion operations.
- Utilize a high-low pressure vessel and vapor recovery unit for new wells.
- Prohibit the use of hydraulic fracturing fluid products containing diesel, 2-Butoxyethanol (2-BE) or benzene.
- Continue their discussions to identify a water resource close to the wellsite location to be utilized in an effort to reduce truck traffic.

The Board is scheduled to consider resolutions authorizing the Town to enter into Memorandums of Understanding with EnCana and Anadarko at their August 28, 2012 meeting.

Upcoming Board of Trustees Meetings – The Board of Trustees will meet in Study Session on Tuesday, August 21, 2012 at 6:00 PM. The next regularly scheduled [Board of Trustees](#) meeting will be on Tuesday, August 28, 2012 at 6:30 pm. All meetings are held in the [Town Hall boardroom](#) located at 645 Holbrook Street in Erie.

More Information – Board of Trustees Action Items are brief summaries of some, but not all, agenda items and do not serve as the official meeting minutes. Select this link to view archived Board of Trustees meeting online via the Town's [On Demand Video](#) service. To request approved meeting minutes of Board of Trustees meetings, please contact the Town Clerk's Office at nparker@erieco.gov .

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