

COUNTY OF MORA  
BOARD OF COMMISSION  
WORK SESSION  
APRIL 19, 2016

**1. CALL TO ORDER**

Commissioner Garcia called the meeting to order at **1:13 p.m.**

**2. PLEDGE OF ALLEGIANCE AND SALUTE TO THE FLAG OF THE STATE OF NEW MEXICO**

All in attendance recited the Pledge of Allegiance and Saluted the Flag of the State of New Mexico.

**3. ROLL CALL**

Commissioner Paula A. Garcia	---	Present
Commissioner George A. Trujillo	---	Present
Commissioner Alfonso J. Griego	---	Present

**4. APPROVAL OF AGENDA**

Commissioner Trujillo **made a motion to approve the agenda.** Commissioner Griego **second the motion. All in favor. Motion carried.**

**5. INTRODUCTION OF GUESTS- COMMISSIONER PAULA GARCIA**

**A. BOB WESSELY**

Commissioner Garcia welcomed presenter, Bob Wessely. Commissioner Garcia discussed the purpose of the meeting and explained the time frame for creating the ordinance. She stated that this meeting is one of several Work Sessions that is used to gather findings to help support the creation of the Oil & Gas Ordinance for Mora County. She stated the next step is to hold public meetings to involve the community in the drafting phase of the ordinance with a goal of completing the ordinance around mid-summer and lastly to adopt a completed ordinance by the end of this year.

Presenter Bob Wessely was one of the individuals who worked on creating the San Miguel Oil & Gas Ordinance. He stated that the San Miguel ordinance took five to six years to complete and in late 2014 the ordinance was passed. As of today the ordinance has no law suits as well as no applications. Wessely presented a slide show on Considerations for a Regulatory Oil and Gas Ordinance in Mora County (see attachment).

During Bob Wessely's presentation he gave an overall explanation for a conceivable outcome for the ordinance for Mora County. In his presentation he summarizes the complex issues that the preparers of the ordinance will face. The County's authorized role is to protect the health,

welfare and safety of its citizens. Identify the scope of the regulatory problem for addressing a complex industry. Educate decision- makers on risks and impacts. Identify the kinds of risks that should be considered in the drafting process. Suggest the controls and adjustment mechanisms that are possible. Identify the need for careful review and refinement of the ordinance drafts. Assure the ordinance is well thought out and reflects county values. The ordinance must have a huge quantity of detail, try to plug all the loopholes, it is more important to do it right than to do it quickly, negative impacts should be minimized.

#### **B. NICOLAS LEDGER**

San Miguel County Commissioner, Nicolas Ledger introduced himself and discussed the process of compiling the information that was used to produce the San Miguel Oil & Gas Ordinance. Commissioner Ledger started his discussion by expressing the process being the most challenging and rewarding undertaking he has ever done and stated that he is really proud of the end result.

When it was discovered that there was interest in San Miguel County he looked in the records and found that there was nothing on oil and gas, so immediately San Miguel County put in place a Moratorium. The next step was to set up a task force. He found that involving a task force was an extremely emotional and complex process and after a year and a half the taskforce disband. Because of this it was decided that an expert was needed. Subsequently bringing in an expert made the process more cohesive.

He discovered during the process, those involved need to be as transparent and open as possible and remember that everyone involved will have an opinion. The limit of public hearings was also important to help reduce repetitive discussion. San Miguel County kept an open process and included the community. Industry was involved for a short period after which they stopped showing up close to the final draft.

#### **6. PRESENTATION**

Bob Wessely gave a presentation on the Considerations for a Regulatory Oil and Gas Ordinance in Mora County.

San Miguel Commissioner, Nicolas Ledger discussed his experience during the process of generating the San Miguel Oil & Gas ordinance.

#### **7. QUESTIONS**

The meeting was interactive and allowed for questions throughout the presentation.

Commissioner Garcia thanked the presenters for coming and sharing their experience's and opened for any questions.

Manager Ben Sanchez asked if we should anticipate any challenges to strict application fees.

Commissioner Ledger answered by saying yes, there will be challenges but the consultant feels that they are appropriate. The application fees in San Miguel are \$15 to \$25 thousand.

Commissioner Garcia had questions on the content of the ordinance. Commissioner Garcia asked how San Miguel County decided what location they will allow for drilling. Commissioner

Ledger stated that they made that decision based on zoning the area. He stated that all of West Las Vegas is off limits due to high development such as cultural sites, high population, recreational sites, National Forest sites and where the county gets its water. There was a huge emphasis on the water and how important it is to protect the water in San Miguel County.

Commissioner Garcia asked about initial permit fees and at what point do impact fees need to be paid. She also asked if the water monitoring wells are included and what happens if there is contamination detected. Commissioner Ledger stated that all fees can be included in the application fee as well as a cost reimbursement fees and it can be included in the ordinance so industry would have to pay for any upfront cost.

Commissioner Ledger shared his concerns on possible future changes that could take away County's ability to regulate oil and gas. If they ever got control of the senate, Counties would lose everything. He believes that it is going to come back and we need to be vigilant and make it harder to make these changes.

Commissioner Garcia asked about what went into the actual mechanics of drafting the ordinance. Commissioner Ledger stated that they identified a consultant who worked with the San Miguel County Attorney as well as County Commissioner's and Community activists. The County Consultant as well as the County Attorney really knew the law and really helped improve what was compiled in the ordinance. They stressed how important it was to include findings that support the decisions that were made to justify why they were put in the ordinance in the event of legal challenges.

It was advised not to start from scratch and seeking guidance from other existing oil and gas ordinances is the best way to go. San Miguel County worked off and improved the Santa Fe County Ordinance and has a huge amount of data to back up the material that was used in compiling the ordinance and they expressed that all of their data can be easily shared to help Mora County during the process of creating the Oil and Gas ordinance.

Bob suggested some documentaries- Split Estate, Gas Lands, and Rooted Lands.

**8. ADJOURN**

Commissioner Griego *made a motion to adjourn the meeting*. Commissioner Trujillo *second the motion*. *All in favor. Motion carried.*

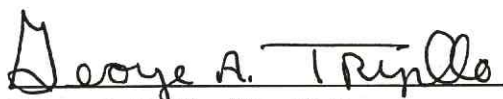
**Meeting adjourn at 3:15 PM.**



MORA COUNTY BOARD OF COMMISSIONS



Paula A. Garcia- Chair



George A. Trujillo- Vice-Chair



Alfonso J. Griego- Member

ATTEST:



Joanne E. Padilla-Salas- County Clerk

