

STATE OF TEXAS §
COUNTY OF DENTON §
TOWN OF BARTONVILLE §

The special called meeting of the Planning and Zoning Commission of the Town of Bartonville was held on March 24, 2011, at 7:15 p.m., in the Bartonville Town Hall. This was an OPEN MEETING, open to the public, subject to the open meeting laws of the State of Texas and, as required by law, was duly posted at on Friday, March 18, 2011, at 3:30 p.m. at Bartonville Town Hall giving notice of time, date, place, and agenda thereof.

Present:
Ralph Arment, Chairperson
Gloria McDonald, Vice Chairperson
Don Abernathy
Betty Medlock (arrived at 7:16 p.m.)
Jim Strange
Steve Harris, Alternate

Absent:
None

Also present: Kristi Gilbert, Town Secretary
Debbie Millican, Town Administrator
Dave Howell, Police Chief

This constituting a quorum, the following business took place:

Chairperson Arment called the meeting to order at 7:15 p.m.

Call to Order

The Commission conducted a public hearing to receive public comment on whether or not the Town of Bartonville should adopt an ordinance placing a moratorium on gas drilling permits, fracking permits, and/or the use of chemicals in the fracking process in accordance with the Texas Local Government Code.

**Public Hearing:
Moratorium**

Chairperson Arment announced that anyone wishing to speak must sign in and statements would be limited to three minutes per person. Chairperson Arment stated that the Commission would not be deliberating and would not be making a recommendation. Only public comments would be heard at the meeting.

Announcement

Chairperson Arment opened the public hearing at 7:17 p.m.

Open Hearing

Zoe Nance, 890 Noble Champions Way, stated that she had read the draft Environmental Protection Agency (EPA) study and it would be a retroactive study in Denton County and proactive in Bartonville and Flower Mound to study the implications of fracking on the water supply. Ms. Nance supplied the Commission with her review attached as Exhibit 1. Ms. Nance stated that she would recommend a moratorium until 2014, as the data from the EPA study was not expected to be published until 2014. Ms. Nance

In Favor

stated that she was suffering from ill health because of the chemicals used in the fracking process. She stated that, in 2014 the results will include the human health effects of the unknown chemicals. Ms. Nance stated that in almost all stages of fracking there is the possibility that the chemicals can be introduced into the water.

Michael Knoll, 104 Burghley Ct, stated that this was a big step and he commended the Town for taking the step. Mr. Knoll stated that he was in favor of the moratorium. He stated that studies all over the world are saying that fracking is dangerous and Benjamin Grumble, former assistant administrator for water at the EPA has said that the government went too far with fracking. Mr. Knoll stated that Bartonville made the short list for the EPA study and that we are in the core of Barnett Shale. He stated that gas infrastructure was being installed at an accelerated rate and with it comes compression facilities like Argyle Central and the compression facility on the south side of Town, all of which are connected through pipelines. Mr. Knoll stated that fugitive emissions are a real problem and wants the Town to say no until the EPA study can update rules and regulations at the federal and state level. Mr. Knoll stated that residents have been living in a gas lab for over six years and we know it's bad. Mr. Knoll stated that he never signed a consent form to be lab rats for the gas industry. He stated that it is all about greed and money.

Susan Knoll, 104 Burghley Ct, stated that she was a founding member of Argyle Bartonville Communities Alliance and that she sits among members with a common goal to do what's right by their neighbors. Ms. Knoll stated that you will not find a group with a purer heart. She stated the Alliance was founded so that voiced concerns could be heard and she feels that this has happened with this agenda item. Ms. Knoll stated that our environment and the health of our residents are paying the price for the gas drilling. Ms. Knoll stated that the alliance is not opposed to drilling, they are opposed to being poisoned and you cannot drill within a community without being poisoned. Ms. Knoll stated that the Alliance has provided the EPA with data from the Argyle and Bartonville area. Ms. Knoll stated that the Town may be small, but full of residents that are vocal. She stated that she strongly supports the moratorium.

Carter Ghrist, 1208 Saddlebrook Way, stated that dollars and cents makes everything go around. Mr. Ghrist stated that he was for the moratorium. He stated that he was unaware of certain things until today. He stated that he had his water well tested and there were no problems. He stated that the city can live

without the dollars, from what he's hearing and that he and his wife are concerned. Lynda Mathis, 172 Springfield Bend, Ms. Mathis stated that she was for the moratorium. She stated that she hates that the country has turned this area into an industrial zone and we should do anything we can do to slow down the process. She stated that she has not gotten sick, but have friends that have developed asthma, allergies and stomach issues. Ms. Mathis stated that we should slow the process down before going forward.

Roger Mathis, 172 Springfield Bend, Mr. Mathis stated that he was for the moratorium. He stated that he moved to the area from Houston. He stated that Houston is ugly and stinks, and that Bartonville is looking like Houston more and more each day. Mr. Mathis stated that he is for stopping drilling completely.

George & Kelly Dunham, Ms. Gilbert stated that an email had been received from the Dunham's in support of the moratorium and has been attached to the minutes (Exhibit 2).

Steve Addison, 568 Seals Rd, handed out articles regarding the reprocessing of frac water (Exhibit 3). The additional cost of reprocessing is approximately \$1.00 to \$1.50 more per barrel. Mr. Addison passed out a handout another handout on three different companies that have the ability to reprocess the water (Exhibit 4).

Opposed

Alan Seals, 568 Seals Rd , stated that he did not see a problem with banning drilling for two 90 day terms, however, he did not want fracing to be banned. He stated that he feels a fracing ban could be considered a taking.

Bob Manthei, XTO Energy, passed out two handouts (Exhibits 5 and 6). Mr. Manthei stated that horizontal drilling had been around since the 1930's and the industry has been fracing wells as long as they have been drilling them. Mr. Manthei stated that almost every well produced has had some form of fracing and the technology used today has been used since the 1940's. Mr. Manthei stated that there are over 4 million wells in United States and over 25% have been fraced. He stated that Texas currently has approximately 1.2 million wells, a good portion of which are injection wells. Mr. Manthei stated that the contamination that happens is because of the surface operation, not from the fracing. Mr. Manthei stated that the Ogallala Aquifer, the world's largest fresh water aquifer, has over 300,000 gas wells drilled through it over the last 50-60 years. He stated that there have been two studies done on the aquifer. One by the Colorado Oil and Gas Commission the studies found no impact from oil and gas activities. He said the contamination was from other surface

activity, such as the agricultural industry. Mr. Manthei stated that the United States Geological Survey did a study on the salinity of the water in the panhandle area that showed no impact from the gas industry. Mr. Manthei stated that one of the handouts indicates how aerobic septic systems and pesticides adversely affect the ground water.

Larry Hayes, 109 (978) Ridgewood Circle, stated that if you listen to opposition, their statements include “I don’t know”, “could be” and “maybe”. Mr. Hayes continued by saying that we can’t say drilling is bad so why stop something we don’t know about. Mr. Hayes stated that he would drink anybody’s well water for a year if that person would stand in their own garage with a car running for an hour. He stated that Flower Mound put up monitors and so far they have registered zero on the pollution. Mr. Hayes stated that we have no data to stop drilling.

David Fuller, 1000 S. Gibbons Rd, stated that he like the previous gentleman, opposed the moratorium, and didn’t see the reason for it. Mr. Fuller stated that he thinks the purpose of a moratorium is to find a remedy for the problem, but there is no problem. He stated that all the surrounding towns have gone through the same thing and have citizens that feel the water is polluted. Mr. Fuller stated that if there was some real proof then he would be for stopping it, but until we have evidence, he sees no reason for a moratorium. He stated that we have the EPA, the Railroad Commission and numerous other towns investigating it and no one has found anything anywhere. Mr. Fuller stated he sees no reason for a moratorium.

Vice Chairperson McDonald stated that, as a general law city, a moratorium could not be put into place until 2014 and asked for staff clarification. Town Secretary Kristi Gilbert stated that shewas correct and, with this type of moratorium, state law allows one 90 day moratorium with one 90 day extension for a total of 180 days. After which another moratorium on the same issue cannot be adopted for a period of two years. Ms. Gilbert stated that the purpose of the moratorium was to allow for time to make changes to the Town’s ordinances with regard to public health and safety to address any of the findings that caused the moratorium to be issued in the first place.

Chairperson Arment closed the public hearing to public comment and adjourned the meeting at 7:45 p.m.

**Questions and
Answers**

**Hearing Closed &
ADJOURNMENT**

APPROVED this the 6th day of April, 2011.

Approved:

(Seal)

Ralph Arment, Chairperson

Attest:

Kristi Gilbert, Town Secretary, TRMC, CMC