

I cannot be in attendance for the June 16th Town Council meeting at which a vote will be taken on the sale of the Town of Erie's mineral rights to SM Energy, augmenting and enabling the drilling of the Draco pad and fracking. These are my Council Member comments.

The issues have been many and complicated, some of which may well result in legal challenges to any approved contract. These include:

- Lack of transparency and clarity, and overuse of Executive Sessions to make decisions
- Failure to follow competitive bidding processes or policies on multi-million dollar contracts
- An interpretation that the Town charter's requirement that open space property not be sold without voter approval being overruled by an ordinance... the very scenario the charter fully intended to avoid.
- The lack of a Special Use Review for the drilling of open space properties.
- Potential conflicts of interest between negotiating parties

For the last six months, Erie Town Council has been negotiating behind closed doors for the sale of its mineral rights. A lot has been made, appropriately, of how TWO multi-million dollar contracts have come before Town Council without going through ANY type of competitive bidding process. One was already approved, the other will be voted on at the June 16th session.

Also for the last six months, residents have repeatedly been told by the mayor and council members that they wanted to hear from the community on whether or not to sell the Town's mineral rights. Residents were told their voice would be heard. They were told Council would listen. Resident voices were strong, consistent and plentiful. You came out in person both in council chambers and on the street, in emails, and in social media. The message has been clear. Residents are broadly and strongly opposed to the sale of the town's mineral rights. Not once has council heard a price at which these residents would compromise their position.

The mayor and others on council, have also said, "we want to get something out of the Draco pad."

Council Member positions on the sale have been visibly telegraphed through it all, mine included. If the contract is approved, one thing stands true: whose voice matters? That of residents, or that of council? That of the voter approved Town Charter, or an ordinance?

Dan Hoback
Council Member
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