

# The Bedford Citizen

THE NEWS YOU NEED TO GUIDE YOUR CITY

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## FEATURES

### [AUG 14 PERSON TO BE HEARD: JOYCE JOHNSON](#) Page 2

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### [PUBLIC HEARING ON TAX INCREASE](#) Page 4

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### [UPCOMING BEDFORD ACTIVITIES](#) Page 6

Upcoming Bedford Activities from Monday, Aug. 27 through Sunday, Sept. 2.

## OPINIONS AND EDITORIALS

### [EDITORIAL: THE NEXT STEP](#) Page 4

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## ABOUT THIS E-NEWS

The mission of this electronic newspaper (e-news) is to increase citizen awareness of current events and thereby increase their involvement in our government's decision-making process.

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## FEATURES

### AUG 14 PERSON TO BE HEARD: JOYCE JOHNSON

[Back to the top](#)

Ms. Johnson stated that she received her Oil, Gas and Mineral lease on July 31 and after reading it, began to wonder what kind of liability could accompany signing such a lease. She was opposed to changing Bedford's current ordinance which prohibits drilling in the City, and as she studied the question further, she said, she discovered more concerns.

She listed her concerns with regard to the lease she was presented on July 31:

- ◆ The lease appears to be giving the lessee (drilling company) surface rights
- ◆ The 200' setback contained in the lease is not adequate
- ◆ The lessor (land owner) must pay 80% of the cost of treatment of the oil
- ◆ Perpetual subsurface easements
- ◆ The lease does not specify who will be responsible for repairing damage caused by fire or explosion, land damage, or cleaning up toxic or radioactive spills.

Talking about her lease, Ms. Johnson said, "In the lease, the lessor is granting the use of the land. That doesn't say mineral rights. That says the land, on, over and through the land. The lease frequently uses the phrase, 'the leased premises.' There's a

long list of surface permits that includes pipelines and flow lines to be laid on the surface, or put under the surface ... "

Even though all of the language she mentioned is contained in her Oil, Gas and Mineral lease, it would appear that her concerns are answered by paragraph 12, which reads:

"Notwithstanding anything contained herein to the contrary, Lessee does not by virtue of this lease acquire any rights whatsoever to conduct any operations on the surface of the lease premises without first obtaining the prior written consent of Lessor, however, Lessee may recover oil, gas and associated hydrocarbons from the lease premises by directional or horizontal drilling, pooling, unitization or any other method provided in this lease."

During her talk, Ms. Johnson said the lessor must pay 80% of the cost of treatment of oil. However, under the lease, the lessor (land owner) receives 20% of the value and bears 20% of the cost, so if there are cost overruns, both the lessor and the lessee (drilling company) suffer in proportion to their participation.

By far the most serious concern she raises is one of liability for repairing damages and for the various forms of cleanup. Since the question of who is liable is not clearly and directly addressed in the lease, this is an open question.

She also listed her general concerns:

- ◆ Gas leaks can kill
- ◆ Gas explosions can kill

- ◆ Chesapeake's safety presentations to emergency personnel highlight the elevated safety risk
- ◆ Toxic and radioactive contamination
- ◆ Sink holes such as Nixa, MO
- ◆ Subsidence such as in CA.
- ◆ There is no "reckless endangerment" law.
- ◆ No law to force the fencing of mud pits and pumps.

We have already discussed the potential for explosions in the June 18 and Aug. 1 issues of *The Bedford Citizen*.

Ms. Johnson reported that Nixa, MO had a problem with sink holes and that they had made the news when a family's garage and a portion of their home fell into a sink hole. During follow-up, we found only one article on the subject: an article by SCI Engineering, Inc., which identifies the area around Nixa, MO as a limestone "karst". An area in which underground streams dissolve the limestone to create caverns that can result in sink holes. There was no indication of any relationship to oil or gas drilling. The article can be found at:

<http://www.sciengineering.com/pressreleases/Nixa%20sinkhole%20collapse%208-25.pdf>

Councilman Orean said, "Ms. Johnson, I'm not sure that I completely agree with all of your assessments of dangers that exist in mining for minerals as it relates to the issues that are before the citizens of Bedford, or may be before the citizens of Bedford in the future.

I do, however, agree with you with regard to everyone who is given the opportunity to

sign a mineral lease, whether it be a surface or subsurface mineral lease, needs to be very, very aware of what it is they're signing. I simply want to thank you for coming here tonight and speaking to this issue and giving us all some insights into some of the things that don't necessarily come to the forefront of our minds when we think of in terms of signing a surface or subsurface gas lease. Keep your mind open when you look at the potential lease document and understand what you are about to sign if you're given that opportunity, and if you don't understand what you're about to sign completely, seek professional help."

Councilman Whistler spoke, "Ms. Johnson, in the beginning of your presentation you talked about the fact that you were opposed to changing our ordinance and as I continued to listen to you, you were talking about the lease, so forth. One of the primary reasons that we're looking at changing the ordinance is that at this time I've had calls from citizens. We have citizens in the City of Bedford who have already signed the leases with one or more of the companies. Quite a few of them in fact. As it stands right now, based upon the content of what you have read to us, a drilling company can come in and literally do what they want to do. That's exactly what happened in Granbury. Our current ordinance says, "No Drilling." That's no protection for you. What we're attempting to do is change the ordinance so that we are able to put some items in place that will provide the kind of protection you're talking about."

When she asked about land damage and cleanup, Whistler replied, "You can be assured that we will be putting in our requirements that they have bonding for certain levels. Just like other cities have done."

Ms. Johnson said, "I'm asking right now for the City to give us a well-advertised, full disclosure, town meeting before any decisions are made about whether we even want this to happen because of the risks versus the costs."

## **PUBLIC HEARING ON TAX INCREASE**

[Back to the top](#)

The City of Bedford will hold two public hearings on a proposal to increase the total tax revenues from properties on the tax roll in the preceding tax year by 2.6 percent (percentage by which proposed tax rate exceeds lower of rollback rate or effective rate calculated under Chapter 26, Tax Code). Your individual taxes may increase at a greater rate, or even decrease, depending on the change in the taxable value of your property in relation to the change in taxable value of all other property and the tax rate that is adopted.

Both public hearings will take place at City Hall. The first will begin at 7 p.m. Aug. 28, and the second will begin at 7 p.m. Sept. 4.

For more information, go to [http://www.ci.bedford.tx.us/News/news\\_pdf/2007taxincrease.pdf](http://www.ci.bedford.tx.us/News/news_pdf/2007taxincrease.pdf).

## **OPINIONS AND EDITORIALS**

### **EDITORIAL: THE NEXT STEP**

By Stu Updike

[Back to the top](#)

Since I'm pretty much a card-carrying skeptic, I've got to wonder why Dale Property Services would create a lease that talks in great detail about the surface rights of the lessee and then, almost as an afterthought, adds paragraph 12, which says, "forget all of that surface stuff." Why not start with a clean piece of paper and write an Oil, Gas and Mineral lease for suburban residents that only talks about the things that need to be talked about and doesn't talk about the things that don't need to be talked about?

As Councilman Orea said in the last Council meeting, everyone who signs a lease needs to be, "very, very aware of what they are signing."

Some other questions arise when one reads the lease:

- ◆ Is \$10 dollars fair "consideration" for leasing your oil, gas and mineral rights for what could turn out to be your lifetime?
- ◆ Why should it be at the lessee's discretion what form he pays the lessor his royalty?
- ◆ Is 20% a fair royalty when it is remembered that the lessor is having to pay 20% of the cost of treating the oil?
- ◆ Is 10% a fair royalty for the minerals?



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## UPCOMING BEDFORD ACTIVITIES

### Monday, August 27 – Sunday, September 2

#### **ZoomText for the Low Vision and Legally Blind**

Library, FREE, 817.952.2370  
Sun, Aug. 26, 1-3 p.m.

#### **Public Hearing on Tax Increase**

City Hall, Open to Public, 817/952-2101  
Tues. Aug. 28, 7 p.m.

#### **City Council Meeting**

City Hall, Open to Public, 817/952-2101  
Tues. Aug. 28, 7 p.m.

#### **Library Advisory Board Meeting**

Library, Open to Public, 817/952-2332  
Wed. Aug. 29, 7 p.m.

Unless otherwise noted, find more information at these sites:

Bedford Public Library activities  
<http://www.eventkeeper.com/code/events.cfm?curOrg=BEDFORD>

Boys Ranch Activities Center activities  
[http://www.ci.bedford.tx.us/Departments/parks\\_recreation/recreation.htm](http://www.ci.bedford.tx.us/Departments/parks_recreation/recreation.htm)

Old Bedford School activities  
<http://www.oldbedfordschool.com/index.htm>

Senior Center activities  
[http://www.ci.bedford.tx.us/Departments/general\\_government/sc\\_calendar.htm](http://www.ci.bedford.tx.us/Departments/general_government/sc_calendar.htm)

### PERSONS TO BE HEARD DEADLINE

Anyone who intends to speak at next week's City Council Meeting as a "Person to Be Heard" must submit a written request no later than today at noon. The request must include the speaker's name, address and phone number as well as the topic of discussion. It may be emailed to the City Secretary at [sjennings@ci.bedford.tx.us](mailto:sjennings@ci.bedford.tx.us) or mailed to:

Bedford City Hall  
ATTN: City Secretary Shanae Jennings  
2000 Forest Ridge Dr.  
Bedford, TX 76021

## ABOUT THIS E-NEWS

### [Back to the top](#)

The mission of this electronic newspaper (e-news) is to increase citizen awareness of current events and thereby increase their involvement in our government's decision-making process. As a result, *The Bedford Citizen* will focus on providing Bedford's residents with the information they need in order to cast an informed vote. We also will include occasionally some helpful and entertaining information.

*The Bedford Citizen* is currently a volunteer effort which we expect to be circulated from friend to friend via email in its PDF format. If you find it helpful and informative, please feel free to pass it along to others.

During this introductory period, the subscriptions are free. This will allow us to gauge the demand and work out the bugs. Eventually, we plan to charge a fee for subscriptions. This will allow us to avoid the conflicts of interest that can arise from accepting paid advertising.

Initially, we plan to publish an issue every Monday, Wednesday, and Friday, subject to volunteer availability and the amount of news to report.

To subscribe, please send us an email at [Be.A.Citizen@earthlink.net](mailto:Be.A.Citizen@earthlink.net) Please include your name, address and email address.

*The Bedford Citizen* welcomes free of charge:

- ◆ News articles from any volunteer writers, provided we judge the articles are relevant to our readers and the facts can be substantiated

- ◆ Position papers from political incumbents and candidates provided these position papers clearly state that person's position and they do not attack any other party

Our policies are as follows:

- ◆ *The Bedford Citizen* does not share or sell its mailing list information.
- ◆ Paid advertising is not accepted.
- ◆ Except when identified as editorials, letters to the editor or opinion pieces, stories will contain only facts that can be verified. Writers should expect to be asked to provide documentation before articles are published.
- ◆ All submitted articles must deal with issues relevant to Bedford's residents and not exceed two pages, as published in this format.
- ◆ Only one letter to the editor or opinion piece will be accepted from a single household during any 30-day period.
- ◆ Public service announcements will be included as space allows.
- ◆ The staff of the Bedford Citizen will be the final judge.
- ◆ Submissions must be received at least 72 hours prior to publication.
- ◆ Submissions should be sent to [Be.A.Citizen@earthlink.net](mailto:Be.A.Citizen@earthlink.net) and must include the author's name, address, email address and phone number.