

**TOWN OF MEAD, COLORADO  
ORDINANCE NO. 862**

**AN ORDINANCE OF THE TOWN OF MEAD, COLORADO, GRANTING AN  
EXTENSION OF THE EXISTING FRANCHISE BETWEEN THE TOWN OF  
MEAD AND BLACK HILLS GAS DISTRIBUTION, LLC, D/B/A BLACK HILLS  
ENERGY, A DELAWARE LIMITED LIABILITY COMPANY, THROUGH JUNE  
29, 2018**

**WHEREAS**, Black Hills Gas Distribution, LLC D/B/A Black Hills Energy, a Delaware limited liability company, f/k/a SourceGas Distribution LLC received the 2005 Gas Franchise with the Town of Mead by assignment from Kinder Morgan, Inc., the original franchise holder, for the supply and distribution of natural gas, through March 29, 2017; and

**WHEREAS**, the term of the franchise agreement was thirteen years from the effective date of the franchise; and

**WHEREAS**, the present franchise agreement expired March 29, 2017 and was extended to March 29 2018 by Ordinance 854; and

**WHEREAS**, Black Hills Energy has continued to provide natural gas to its customers in the Town under the terms of the original franchise; and

**WHEREAS**, Black Hills Energy has proposed a new franchise agreement with the Town of Mead for a term of twenty-five years; and

**WHEREAS**, the Board of Trustees desires to enter negotiations for the new franchise, but is of the opinion that it will be necessary to extend the term of the existing franchise to June 29, 2018, to allow the Town to effectively negotiate the terms and conditions of the franchise;

**NOW THEREFORE, BE IT ORDAINED** by the Board of Trustees of the Town of Mead, Weld County, Colorado, that:

**Section 1.** The existing franchise between the Town of Mead and Black Hills Energy for the distribution and sale of natural gas within the Town of Mead is hereby extended to June 29, 2018.

**Section 2. Effective Date.** This Ordinance shall become effective as provided by law.

**Section 3. Severability.** If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, section, subsection, sentence, clause or phrase is declared invalid.

**Section 4. Repealer.** All ordinances or resolutions, or parts thereof, in conflict with this ordinance are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance nor revive any ordinance thereby.

**Section 5. Certification.** The Town Clerk shall certify to the passage of this ordinance and

make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

**INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED THIS 26<sup>th</sup> DAY OF March, 2018.**

**ATTEST:**

By Mary E. Strutt  
Mary E. Strutt, CMC, Town Clerk



**TOWN OF MEAD**

By Gary R. Shields  
Gary R. Shields, Mayor