

5-2-1- DRAINAGE AUTHORITY
MINUTES OF THE BOARD

March 28, 2007

Mesa County Courthouse Annex, Training Room A
Grand Junction, Colorado

Chairman Jim Doody called roll of the Board Members.

Board Members Present:

Dave Walker	Town of Palisade
Dave Karisny	City of Fruita
Richard Bowman	Grand Junction Drainage District
Steve Acquafresca	Mesa County Commissioner
Jim Doody, Chairman	City of Grand Junction

Also Present:

John Ballagh (Grand Junction Drainage District, Manager), **Vohnnie Pearson** (Town of Palisade, Planner), **Eric Mende** (Fruita City Engineer), **Julie Constan** (Mesa County Engineering), **Trent Prall** (Grand Junction City Engineer), **Mike Meininger** (Mesa County Engineering), **Greg Trainer** (City of Grand Junction Director of Utility & Street Systems).

Chairman Jim Doody opened the meeting at 3:10 p.m. He asked for a motion to adopt the agenda as is. Steve Acquafresca made the motion to adopt the agenda, Richard Bowman seconded, Chairman Doody polled the Board to accept the agenda.

The roll call vote results:	Contracting Party	Vote
	Grand Junction Drainage District	aye
	Mesa County	aye
	Grand Junction	aye
	Fruita	aye
	Palisade	aye

Minutes:

Chairman Jim Doody asked for a motion to approve the Minutes of February 28, 2007. Richard Bowman asked for revision of the minutes as follows:

On page 5 last paragraph, first sentence will read as: “*Note:* The idea of the contributing parties is that they would continue their review of...”

On page 6 3rd paragraph, Level 3 will be changed to 40 years, and Level 4 will be changed to 20 years.

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Dave Walker moved the Minutes for the February 28th Board Meeting be accepted as amended. Steve Acquafresca seconded the motion.

The roll call vote results:	Contracting Party	Vote
	Grand Junction Drainage District	aye
	Mesa County	aye
	Grand Junction	aye
	Fruita	aye
	Palisade	aye

Financial Report:

John Ballagh reviewed the February 2007 balance sheet, profit & loss statement, and the check register. All items were reported to be within budget.

Dave Karisny moved that the Financial Report be accepted as is, Richard Bowman seconded the motion, and Jim Doody polled the Board.

The roll call vote results:	Contracting Party	Vote
	Grand Junction Drainage District	aye
	Mesa County	aye
	Grand Junction	aye
	Fruita	aye
	Palisade	aye

Report on Presentations to Elected Officials:

The 5-2-1 Drainage Authority Business Plan was presented to the Mesa County Commissioner, the Fruita City Council, the Drainage District Board of Directors, and the Palisade Town Board. Summaries of the comments of those presentations were included in the board meeting packets.

- There were several members of the public present at the City of Fruita and Town of Palisade presentations.
- Each presentation focused on how the 5-2-1 Drainage Authority was formed, the steps taken to date, the type of services that can be provided by the 5-2-1 Drainage Authority, and how much the services will cost.
- The various costs associated with four different levels of service were introduced to each elected board.

Overall ideas that were expressed at each of the presentations included the following points.

- At least one person from each agency expressed concern that more work needs to be done to explain why monies can be collected as a utility fee.
- Elected officials voiced concern that not enough information was provided to explain what services will be received for the proposed service fee.
- A handout list of capital projects along with a description of the projects needs to be created.

The Fruita City Council was in overall support of the business plan.

- One Fruita councilman voiced apprehension about the timing of a new stormwater fee due to other fee and tax increases being considered in Fruita in the near future.
- Fruita staff and elected officials are aware that Fruita will be subject to NPDES Phase II Stormwater Regulations in the future.
- There were specific questions about the impact of salinity discharging into the Colorado River. The question was how NPDES will change as it goes forward regarding water quality. It was clarified that at present numerical limits have not been set for the receiving waters within the Grand Valley.
- The concern of stormwater off of the lands under Federal management such as below the Bookcliffs was raised. The boundaries of the 5-2-1 Drainage Authority were set to the rim of the Bookcliffs, the National Monument, and the Grand Mesa to be able to engage the Federal agencies.
- Would the 5-2-1 Drainage Authority try to receive federal grants and funding? The technical staff intends to seek Board support to apply for grants with the intent of success.

The GJDD board was in overall support of the business plan.

- At the GJDD presentation, the Board members became tongue tied over the Drainage District and the 5-2-1 Drainage Authority names. The suggestion was made to clarify the difference perhaps by changing the name of the 5-2-1 Drainage Authority to confirm that it is connected to stormwater.
- It was voiced that a more detailed presentation of the high priority projects might help personalize the presentation to individual property owners.

The Palisade Board was in overall support of the Business Plan.

- Palisade is concerned that their residents may wonder why they are involved since they are up-river, but Palisade's board feels they can explain why.

The 5-2-1 Drainage Authority Board accepted the report. The following comments from Board members and technical staff answered some questions and led to assignments for more information in other situations.

- Once a point source of pollution is identified, an NPDES permitted agency is hard pressed to ignore it and something must be done about it.
- The list of pollutants was questioned. It was identified that other states have controls for trash.
- Eventually the EPA may identify the nutrients and pesticides in return flow irrigation water as pollutants as they resolve the other currently identified pollutants. Similarly homeowners will see restrictions on lawn and flower garden

fertilizer and pesticide abuse. Homeowner processes are a part of the public education process.

- The schedule for implementing the utility fee was questioned. Change from January may be necessary if additional time is needed for public education on the utility fee and use of the revenues. Staff was directed to provide a more detailed schedule for presentations to civic groups and public meetings.
- The struggle to describe a storm water utility was examined. The analogy of a sewer system remains a good one. The user does not “receive” something for the periodic fee. Sewage is transported away to be treated at a different location. The backbone system must be large enough to accept growth. That front end cost is part of the utility. Similarly, stormwater is collected and transported away before it causes localized damage.
- The measure of use (how much service did this parcel “use”) is the task of the consultant to describe and support adequately to defend. The three tiered level fee for residential units applies.
- What is the consequence of a person not paying a fee? Staff was directed to find response to the question.
- The methods of billing were discussed with more information from the Treasurer requested.
- Staff reiterated the need for elected officials to be clear with the general public when issues come up. The Colorado Springs experience was described.

Action Item:

Purchasing stormwater training videos:

There are three stormwater DVD’s that Eileen List, with the City of Grand Junction, wants to purchase that could be an education tool. Each video is about 20 minutes long, and can be used at safety meetings for contractors, and used as compliance requirements if a violation occurs. Although they are trademarked, they can be used for educational purposes. They count as NPDES public education.

Dave Walker moved that the DVD’s be purchased at the discount price. Steve Acquafresca seconded the motion.

The roll call vote results:	Contracting Party	Vote
	Grand Junction Drainage District	aye
	Mesa County	aye
	Grand Junction	aye
	Fruita	aye
	Palisade	aye

Discussion Items:

Public Input Process:

Technical staff put together a paper with a recommendation based on Vohnnie’s experience in Florida. Another steering committee would mean a handful of people representing the public rather than the public itself being informed. Staff recommends

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that a public hearing format be utilized that invites the people to a public hearing but limit talks to 3 minutes if a lot of people are present. Advertisements would be distributed in a number of different media types to reach the most people possible. Perhaps holding neighborhood meetings all over the valley would be another way to reach more people. Use either a public meeting format, or meet individually with people and let them write down their comments for the record. In this way more people will feel free to comment without peer pressure.

The idea was brought up to begin with advertising in the news media before public meetings. Appointments could be set with the editorial board to hopefully receive their endorsement. A list of FAQs with the answers should be prepared in writing. The paper is in the business of analyzing and can analyze if information is provided. The public's comprehension level is better with reading. All involved entities must be able to answer the questions with all honesty. If you don't know, tell them so. The editorial staff will give you advice. You take it as they like to be the experts. Prepared FAQs gives them questions to ask and the answers allow you to bring them along with you. People read editorials. Go to editorials early in the process and lay out options we're explaining for guidance from the public. After this, the 5-2-1 Drainage Authority makes decisions and then gives feedback to the public.

Television stations do not have time for serious substance. They are used to 30 to 60 second blurbs. However, we will need to get them involved as well.

It was brought up that a decision needs to be made to present this to the public by September 2007, not 2008 because 2008 is an election year and this could become political. It is a short time for input, but a better move politically.

The Huffy bicycle level could be funded by contribution money from the contracting parties without public input. The utility can be formed between now and August 2007. Change of funding doesn't need to be appointed until January or February. It was proposed that we raise the visibility of the bicycle that addresses NPDES and administration only. Notice of intent for the 5-2-1 Drainage Authority to hold the NPDES permit for the whole valley needs to be published six months in advance. If it is in hand by March 10th, it will make it. If established, staff could be hired to take over NPDES. The funding with the five entities could be doubled which would yield only five bills the first year. Once the entity is in place to meet federal regulations, use the time after that to generate interest in the other levels. Create the utility and get it ramped up to give NPDES service to the valley. This is already happening.

The entity needs to be in place to handle stormwater when a flood happens. The question was raised as to how this can help, if there is not any funding available to fix problems when a flood event occurs. We can develop the structure, but still need to get a sense from the community where they are. If you have it in front of the public in 2007 and they are against it then, you will have to ask for support to setup the utility. Times are good

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right now. The public wants money to be used in a meaningful way that helps them. The Authority won't have money to clean up when the storm happens. How do you go back to get the funds necessary? The Authority would be there but handcuffed. It would have to go back to the individual members. This can be done now under NPDES, but don't want to. Crawling before walking is good. It's not always clear who is responsible. The 5-2-1 Drainage Authority could get sued over stormwater events if we defer a campaign until an event happens.

Are we adopting a utility fee and tabling it to go into effect any time? We can charge a fee as soon as the Enterprise Fund is in place. This is a new source not an existing one. From the tax payer's standpoint, money would be collected to do something versus collected and doing nothing. A permit process goal would be to have one authority handle the process instead of the individual entities.

How many staff are needed for the bicycle option? Five new staff to train and wean. Things are somewhat flush now. There is money available to put it together. Then it can be developed with permit and inspection fees. It was recommended to adopt Huffy bicycle and fund from general sources for the near term rather than from a new source. Then ramp up to other options over time as events happen.

Palisade and Fruita don't have a permit process.

The Board liked the idea of funding the Huffy bicycle and the big pipe project out of general funds. This could be a model so people know what you're talking about.

We are making good progress in understanding how this developed.

Read Ahead:

There were no read ahead items this month.

Meeting Calendar for the Future:

May 23 rd	November 28 th
June 27 th	December 26 th
July 25 th	January 23 rd 2008
August 22 nd	February 27 th 2008
September 26 th	March 26 th 2008
October 24 th	April 23 rd 2008

Adjourn:

There being no further business to come before the Board, Chairman Doody adjourned the meeting at 5:10 p.m.

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Jim Doody, Chairman