

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

November 28, 2007

Court House Annex, Training Room A
Grand Junction, Colorado

Chairman Jim Doody called roll of the Board Members.

Board Members Present:

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

Also Present:

Eileen List (Grand Junction Environmental Services Manager), **Eric Mende** (City of Fruita Engineer), **Nathan Boddy** (Town of Palisade Planner), **Julie Constan** (Mesa County Engineering), **John Ballagh** (Grand Junction Drainage District, Manager), **Trent Prall** (Assistant City Manager), **Yvonne Charlesworth** (5-2-1 Drainage Authority Recording Secretary), **Vohnnie Pearson** (Citizen), **Ron Stoneburner** (Citizen)

Chairman Jim Doody opened the meeting at 3:04 p.m. He opened the Public Hearing for citizen comments on the 2008 Budget. There being no comments or questions, the Public Hearing was closed and the regular meeting began.

Chairman Jim Doody asked for a motion to adopt the agenda. Steve Acquafresca made the motion. Dave Karisny seconded the motion. Chairman Doody polled the Board to accept the agenda.

Motion passed on voice vote.

Minutes:

Chairman Jim Doody asked for a motion to approve the Minutes of October 24, 2007. Concerning future revisions being sent to the board, Steve Acquafresca suggested that a footnote be placed noting which revision number is being sent out. After making 2 minor changes to the minutes, one on Page 2, 1st paragraph under Managers Meeting, 2nd sentence added the words "total contributions" to the end of the sentence; and one on page 4, 1st full paragraph, first sentence, struck the words "is reasonable to" and added the words "would at least (give) us".

Dave Walker made the motion to accept the minutes, Steve Acquafresca seconded the motion. Motion passed on voice vote.

Financial Report:

John Ballagh reviewed the October 2007 financials. The total amount of checks written is \$31,901.92. There is enough money in the bank to cover these checks leaving a balance of

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more than \$23,000. A good chunk of the remaining money will go to URS. Steve Acquafresca asked if we are satisfied with the quality of work URS is doing. John Ballagh replied we are very satisfied, and Julie Constan said they are showing good progress. John Ballagh stated URS will be asked to make a presentation to the Board in the future.

Dave Karisny asked if we will have to comply with audit regulations this year and submit an audit. John Ballagh stated we would have to have an audit because we ran over the maximum amount allowed for an exemption. There is money budgeted in 2008 for that procedure.

Jim Doody asked for a motion to accept the financials. Dave Karisny made the motion and Richard Bowman seconded it. Motion passed on voice vote.

Report:

Letter to CWCB:

John Ballagh advised that 2 checks have been written to purchase the drawings for the Bosley Wash project from Olsson, one from the Drainage District and one from the 5-2-1 DA. The reason the Drainage District is contributing is because they made two comments to Olsson that resulted in extra work. The Drainage District is paying for that work while the 5-2-1 DA will pay the balance of the overcharge. The 2 checks will be delivered to the CWCB to hand carry to Olsson in exchange for the drawings that will have the 5-2-1 logo on them, and the drawings showing they are final. Dave Walker made the comment that logos on the drawings from Olsson are important. John Ballagh stated that they are very important. John Ballagh stated we are hoping to have the drawings finished and purchased before the end of the year.

Douglas/Lewis Wash:

John Ballagh stated there will be 7 points covered by the URS study. We have only spent 19% of the budget to date and they are 100% done with the first 2 items which is 1/3 of the project, with only 1/5th being paid. John thinks it is the delay in billing that occurs from the work coming out of Denver and the billing coming out of Dallas, TX. Generally he concurs with them on Lewis Wash. URS has verbally identified 2 problems coming out of the Douglas Wash basin.

Letter of Commitment – 2 Trucks from the Drainage District:

The donation of 2 trucks to the 5-2-1 will not result in a reduction of contributions from the Drainage District. Julie Constan stated that the accrual for future replacement is in the 2008 budget. Dave Walker asked why the 5-2-1 DA would purchase vehicles rather than lease them. When they are leased, the maintenance is provided. A discussion of leasing versus buying took place.

Action Items:

There were no action items to be presented.

Discussion Items:

2008 Budget:

Steve Acquafresca requested that staff go over the budget memo.

- Julie Constan stated that General Contributions total a little over \$495,000.
- Staff worked on the 2007 carryover amount.
- There will be the donation of 2 trucks from the Drainage District.
- Construction Program Permit Fees are based on 2 field inspectors salaries.

Expenditures - proposed salaries are based on Mesa County staffing levels. Dave Walker questioned the \$800 permit fee amount being out of line with comparables. Julie stated it was based on our average construction site disturbing around 10 acres. Technical Staff was asked to provide a permit fee schedule.

Julie stated NPDES Phase II fees are built into item #4. Backup for the budget items is on the spread sheets in fine print. The salary levels assume 20% overhead. Steve Acquafresca asked if the income amount from permit fees falls short of the amount needed to fund 2 inspectors, would the shortfall come from contingency. Julie Constan stated they would. Eric Mende stated that the money in the Basin Master Plans budget could help cover that also. Dave Walker stated that if we have already entered into agreements for the basin studies, we won't know until the end of the year if there will be a shortfall, and the money for Basin Master Plans will already be spent. He suggested perhaps we could operate with 1 inspector until later in the year. Julie Constan stated that the transfer of 100 construction permits from the City, and the collection of permit fees plus any new permits issued should generate the income needed for covering 2 inspector's which would be needed based on the City's current work load. At this time, permits are only required in the urban area. That area is to be expanded to the 5-2-1 boundaries.

The proposed single NPDES Phase II Stormwater Permit will require the 5-2-1 DA have audit capacity of the illicit discharge and municipal operations programs of the contracting parties in line with the permit. The State will audit the 5-2-1 DA program. Under discussion item #5, legal action would fall back on contracting parties. There has been no precedence set in the legal system on whether or not an authority formed under Title 29 C.R.S. can successfully initiate court action.

In 2009 if there is only one person for the Manager/Engineer job, that person will be overwhelmed. One half of the Engineer's time could be funded by permit fees along with the 2 inspectors. If this happens, actual contributions will decrease slightly. Revenue will correspondingly increase with work load.

- Richard Bowman asked if there is an estimate of present staff time. Julie stated we are not tracking public education. SWMP review takes 4 hours with 4 hours of approval time to get the plan out the door. In-field inspections take 4 hours, with preparation time taking 4 hours.

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- Richard Bowman asked what about John's time. The Engineer/Manager will have to hit the ground running. Eileen List suggested that the 2 inspectors can help him. John Ballagh stated all positions learning curves are steep including consultants.
- Field time and management time is difficult and will become double time because of training. Present Technical Staff was asked if they will help. Julie Constan stated that Technical Staff will work with the Authority to be sure it is a success. It will take a lot of time the first year but will be less as time goes along.
- Eileen List suggested the inspection staff be pulled into the stormwater training. Julie Constan stated that Darlene had prepared a 12 page document on running the program so Authority staff could take over that function.
- Steve Acquafresca stated that the Manager/Engineer will need to be multi-skilled with experience under his belt.

Dave Walker stated it was his understanding that a rate would be implemented and that was the purpose of the study. Jim Doody stated that when he came on board 2 years ago, he thought the Board was headed in the direction of taking on and implementing a rate, or asking the people if they will consider a rate. Steve Acquafresca stated the Board should keep all options on the table. He thinks the 5-2-1 DA will be around for a long time. As need for services grow, the 5-2-1 will grow. Dave Karisny said it is a political process and discussions should be kept alive between budget cycles. Richard Bowman said we should be moving forward with a fee. When he came on the Board, the assumption was to set a fee. Dave Walker stated he is in favor of funding with a fee. What good is a rate study if a rate is not implemented? He would like to see something about it in the budget memo. Julie Constan stated she would add a paragraph to cover it. Steve Acquafresca said some Board members need to consider political implications and still realize the goal of the 5-2-1. He gives staff credit for going the extra mile to meet the needs of the 5-2-1. They work so well together, he is proud of them because of so much work contributed.

Jim Doody stated that the Board needs to figure out what their role is. They came in not knowing anything about the job but were still asked to make policy decisions. Dave Karisny stated it all blends in because things are being handled by the existing staff. This is the year we will get a better idea of what will be needed. Eric Mende said the Board asked staff to prove it and that is what will be done this next year to substantiate a fee. Jim Doody stated that the partners are in a position to fund the 5-2-1 from general funds now, but other times the funding won't be there.

Richard Bowman asked if we are going to go through 2008 without finishing the rate study. John Ballagh stated the ultimate goal is to finish the rate study. The last conversation was to stop the study and the 5-2-1 will tell AMEC when to move forward. Julie Constan said the issue left to resolve is the residential tiers. Staff explained that once the tier structure is confirmed by Board action, a database for billing each property must be developed. That task is budgeted in 2009.

Richard Bowman questioned the office space fees if the 5-2-1 moves into the County, City, or the Drainage District, wouldn't that be in-kind contribution? Julie Constan stated the office space would cost regardless where it is located so the cost is an actual budget item. She stated the Board is not making a decision by passing the budget.

Read Ahead:

Job Description – Authority Manager:

Richard Bowman stated that last month's minutes noted the Manager position will be 80% Engineer and 20% Manager, but a P.E. is not required. Julie stated the job description is based on Mesa County's format. Page 4 states the person will need to have a Colorado PE or the ability to obtain a Colorado P.E within one year. The job description needs tweaking with what the Board would like to see. John Ballagh stated all the talents you want needs to be in the job description or the qualities in the prospective employee won't be there.

- Steve Acquafresca asked if experience working under a board would be a significant item to require. John Ballagh said yes, a sole proprietor would find it difficult to answer to a Board. Dave Karisny concurred that experience working with a Board is needed so that individual will know how to communicate with the Board. That is different from working for an administrator.
- Steve Acquafresca suggested something be in there about working with elected officials. Dave Walker said that pulls in the political aspect.
- Richard Bowman said we should hire a manager that is a manager and then hire an engineer. Julie Constan stated that manager qualities are more important than engineer qualities. Richard Bowman said the 5-2-1 could rely on existing staff for the engineering aspect. If it is done right, the manager will be on board in 2008 and the engineer in 2009.
- Eileen List stated we need someone who knows drainage plans as well as SWMP's.
- Steve Acquafresca said we need someone who is familiar with the budget process.
- Julie Constan said the person will be overseeing 3 other people so verbal communication skills are very important.
- Richard Bowman said they should be familiar with loans and grants.

The December meeting date was discussed. A meeting is necessary to adopt the 2008 budget before year end. City & County representatives assured the Board that their budgets would be finished before December 12th. The Board agreed to move the December Board meeting to Wednesday, December 19th at 3:00 p.m. Staff was directed to confirm a meeting location and revise the notice of meeting.

Dave Karisny advised that his term in office is limited and he will be retired from his position by April. He was asked if he would continue to serve with the Board. He stated all the other members left when their terms in office were up and he intends to do the same.

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Meeting Calendar for the Future:

December 19 th	June 25 th 2008
January 23 rd 2008	July 23 rd 2008
February 27 th 2008	August 27 th 2008
March 26 th 2008	September 24 th 2008
April 23 rd 2008	October 22 nd 2008
May 28 th 2008	November 26 th 2008

Adjourn:

There being no further business to come before the Board, Chairman Doody adjourned the meeting at 4:40 p.m.

Jim Doody, Chairman