

**5-2-1 Drainage Authority  
Minutes Of The Board  
November 19, 2008**

**Mesa County Courthouse, Multipurpose Room  
544 Rood Avenue, Grand Junction, Colorado**

**Board Members present:**

Jim Doody, Chairman	City of Grand Junction Representative
Mel Mulder, Vice-Chairman	City of Fruita Representative (arriving at 3:15 p.m.)
Steve Acquafresca, Asst. Secretary	Mesa County Representative
Dave Walker, Treasurer	Town of Palisade Representative

**Technical and Authority Staff present:**

Ken Haley	City of Fruita, Engineer
Trent Prall	City of Grand Junction, Engineering Manager
John Ballagh	Grand Valley Drainage District, Manager
Nathan Boody	Town of Palisade, Town Planner
Julie Constan	Mesa County, Engineer
Eric Mende	5-2-1 Drainage Authority, Manager
Janice McDonald	5-2-1 Drainage Authority, Office Administrator

**Guests Present:**

See Attachment A

The planned and excused absence of Board Member Richard Bowman, representative for the Grand Valley Drainage District, was noted by Chairman Doody.

**Called to order**

Chairman Doody called the meeting to order at 3:08 p.m. and declared a quorum present.

**Review and adoption of the agenda:**

No changes requested. Chairman Doody asked for a motion to adopt the agenda as presented.

Motion for approval: Director Acquafresca

Seconded: Director Walker

In favor: All

**Review and adoption of October 22, 2008 Board minutes:**

Correct the date of the review and adoption of Board Minutes from August 27, 2008 to September 24, 2008. No additional edits requested.

Motion for approval: Director Walker

Seconded: Director Acquafresca

In Favor: All

**Action Item 1 – Financial Reports**

All expense line items are within budget, and all required financial reports have been reviewed by Bill Baltzell and are in order. Manager Mende noted for the Board the Mesa County contribution balance does not reflect an \$8,866 expense for labor benefits not yet charged by Mesa County to the Authority. This will reduce the balance due by Mesa County by \$8,866.

Correction for these charges should be reflected in November 2008 financials. Director Acquafresca asked that the Board be reminded of this when reviewing financials at the December 17, 2008, Board Meeting.

Motion to accept: Director Walker

Seconded: Director Acquafresca

In favor: All

### **Consent Agenda**

Chairman Doody presented the Consent Agenda for action items two through five. Director Walker inquired as to why a consent agenda was being used for such important items versus the more mundane such as minute and financial approvals. Manager Mende indicated this was a decision that was made by the TAC and much discussion about all the action items included in the Consent Agenda has occurred over many months. In addition, very few, if any, changes have been made to these items. It was also noted that the City of Grand Junction and the Town of Palisade have already adopted the IGAs. Mesa County will adopt on November 24, 2008. Director Walker indicated his understanding and approval of this process. Chairman Doody asked Manager Mende to give an overview of the items on the Consent Agenda to the audience.

Manager Mende's Consent Agenda overview:

- Town of Palisade, Mesa County and the City of Grand Junction have been issued Stormwater Quality MS4 permits from the Colorado Department of Public Health and Environment, which require them to have local stormwater quality programs.
- The general intent is to upload services performed currently by these entities to the 5-2-1 Drainage Authority
- There are six program elements: public education, public participation, illicit discharge detection and elimination construction site stormwater control, post construction stormwater management which includes reviews of stormwater management plans, and stormwater compliance inspections, and lastly, pollution prevention for municipal operations.
- The IGAs require that beginning December 1, 2008, the Authority will start the issuance of stormwater construction permits and inspections. The public education and participation services are ongoing and will continue, such as brochure development, billboard, and public service announcements.
- Other services include Valley wide mapping of the stormwater system to trace illicit discharges, auditing of municipal operations programs for compliance with their permit, and training of their staff.

Chairman Doody asked the Board and audience if anyone had objections to proceeding with the consent agenda. Director Acquafresca added that Authority Board has had a detailed presentation of the Adobe Creek Channel Capacity Analysis project and he feels comfortable with it in the Consent Agenda as well.

**Action Item 2 Approve Resolution 2008 - 04, authorizing the Chairman to execute the permit services IGA with Mesa County.**

**Action Item 3 Approve Resolution 2008 - 05, authorizing the Chairman to execute the permit services IGA with the City of Grand Junction.**

**Action Item 4 Approve Resolution 2008 – 06, authorizing the Chairman to execute the permit services IGA with the Town of Palisade.**

**Action Item 5 Contract for Services – Adobe Creek Channel Capacity Analysis**

Motion for approval of Consent Agenda: Director Acquafresca  
Seconded: Director Mulder  
In Favor: All  
Opposed: None

**Public Hearing**

**Resolution 2008-07 - Construction Stormwater Permit Fee**

Chairman Doody introduced the agenda Item and asked that we begin with the staff report.

Staff Report by Manager Mende:

At the September 24, 2008, and October 22, 2008, Board meetings, the Board reviewed multiple fee alternatives. The Board concurred on a flat \$100 per acre rate. A Notice of Public Hearing for the proposed fee schedule was prepared and widely distributed to affected user groups such as the Home Builders Association, Associated Members for Growth and Development, and utility companies beginning the last week of October, which in turn notified their membership. In total, we believe we have reached in excess of 1,200 potentially affected individuals. The Notice and Resolution were also posted on the Authority web site, and a Press Release was sent to local media on November 17, 2008.

The estimated cost to be recovered through the permit fee includes only the applicable labor and overhead costs for the Drainage Authority Inspector position that will primarily support the program. Administration costs (such as office space) and material/equipment costs (such as vehicles and fuel) were not included in the calculation. The Inspector position is budgeted at \$63,254 in 2009, equal to \$30.60 per hour. Other underlying assumptions for the calculation were as follows:

- The “average” development size is approximately 10 acres
- To maintain compliance with the MS4 permit commitments, a ten acre parcel should receive, on average, 3 inspections over the course of construction.
- Each inspection will take an average of 8 hours, including preparation, inspection, report generation, database management, and follow up.
- On average, the Stormwater Management Plan review and permit processing will take 8 hours for the average 10 acre parcel.

Eight hours per inspection times 3 inspections per site = 24 hours, plus 8 hour SWMP review / approval equals 32 total hours per site. 32 hours per site times \$30.60 per hour = \$979.20 / 10 acres = \$97.20 per acre, rounded to \$100 per acre

The labor rate for the Inspector was used for all 32 hours assigned to the typical 10 acre site; however, the higher cost Engineer/Manager will likely do most SWMP reviews. Accounting for 8 hours of Manager time and 24 hours of Inspector time would bring the calculated rate up to \$114.61 per acre. Including support costs (vehicle fuel, postage, etc.) would raise the rate to approximately \$122 per acre.

Based on current 2008 statistics, only 30 permits (\$30,000) are estimated on the revenue side of the 2009 Budget. If accurate, the Authority General Fund will be subsidizing about 53% of the inspector costs.

The assumptions built into the calculations concerning the number of inspections per site, time required per inspection, and review time per SWMP, are based on the experience of local staff, particularly City and County personnel, and were reviewed by the Drainage Authority Technical Advisory Committee (TAC).

The TAC recommends approval of the proposed fee schedule, however, since the new Authority program will provide a more focused approach than the current City/County programs, and being the first year of implementation, the TAC strongly recommends detailed statistics be kept on the actual time and effort involved in administering the new permit program. The TAC also recommends the fee be revised for 2010 based on the statistics gathered in 2009.

We did receive comments on the proposed fee schedule which included:

- There needs to be a cap on the fee to prevent overcharging on large parcels.
- There needs to be a time commitment for a maximum turn-around time for reviews.
- Questions concerning whether the fee would apply to projects already in process.

Addressing the last question first, Manager Mende indicated the intent was to apply the fee in the same manner as other fees, and the date of submittal for the permit was the key date. If submission of the permit applications occur prior to January 1, 2009, a fee will not be required. For permit applications that are submitted on or after January 1, 2009, the fee will be required.

The Authority will be adopting the same turnaround time commitment for SWMP reviews as Mesa County's policy, that being 10 business days.

Capping the fee for larger properties was considered by the TAC. However the concern was that larger properties can be the most difficult to handle. It is true there will be few projects of the larger size as most are cut up into smaller phases. The TAC does not oppose a cap, but wants to make sure there is a recoupment of the Authority's costs.

Chairman Doody opened the public hearing at 3:34 p.m.

Public comment:

David Myers of Associated Builders & Contractors Western Slope Division, 2754 Compass Drive, Grand Junction, CO (970)243-7950

- Thanked Board for the opportunity to speak.
- Associated Builders and Contractors (ABC) represent over 100 companies.
- Over 10-year cycle we have seen fees implemented that are impacting our ability to grow.
- ABC does not feel this fee needs to happen. However, if it does happen, it needs to be mitigated.
- The \$100/acre fee discriminates on larger projects.

Don Pettygrove of DGP Consulting Engineers, 2764 Compass Drive, Grand Junction, CO (970) 241-0260 representing AMGD.

- When is fee due and payable? Manager Mende responds the fee is due at submission of the final package to Mesa County or City of Grand Junction. The submittal processes

will be the same as their current processes with Mesa County, City of Grand Junction and Town of Palisade.

- Does the fee include the preliminary review? Manager Mende stated there are no fees for the preliminary drainage report review.
- Review costs are included in the fee? Manager Mende stated there is only one fee and it includes review of the final submission of the SWMP, and the inspection effort.
- Would like to suggest a different fee strategy instead of the \$100/acre fee. It would be a base fee for reviews plus a per acreage fee for inspection. This might want to be considered as it may balance out the costs of larger versus smaller parcels.

Jeffery Fleming of Davidson Homes & Precision Construction, 2829 North Ave, Suite 201, Grand Junction, CO (970) 255-0600

- How is the fee calculated for a 1.95 acre site? Manager Mende stated it is calculated to the nearest .10 acre thus a 1.95 acre site would be \$200.
- Is the fee based on disturbed or total site acreage? Manager Mende stated it is the total site acreage with exclusion of protected land such as wetlands. These would not be included in the calculation of site acreage.
- Large parcels such as a 40-acre site with only 10 homes would have a lot of undisturbed acreage. Manager Mende indicated he would need to sit down and discuss this scenario and was not prepared to give an answer today. Director Walker asked for clarification of the last example from Mr. Fleming. Mr. Fleming gave example of putting in the streets and infrastructure of a 40 acre site and nothing else at that time. Director Walker asked if the plans called for specific building sites for future development. Mr. Fleming suggested that the disturbance would be limited to only an acre on a large acreage site. Manager Mende added the SWMP program will only be implemented in the urbanized area and suspects these types of projects would not be included as most were outside of the urbanized area.
- Asked for clarification of the SWMP timeline. Manager Mende stated the SWMP will be submitted at the same time as the final drainage report and site plans.

Jim Langford of Souder, Miller & Associates, 529 25 ½ Road, Suite B-210, Grand Junction, CO (970) 243-6067.

- Stated his support of the previous speakers.
- Having developed a lot of these plans, and it seems the review of the SWMP should have a set fee then additional fee for effort to inspect the site itself.
- The effort on a 40-acre site is not twice as much as a 20 acre site. Drive time is the same.
- Expressed his support for Mr. Pettygrove's idea of a base fee plus a per acreage fee.

David Myers of Associated Builders & Contractors Western Slope Division, 2754 Compass Drive, Grand Junction, CO (970)243-7950

- Major size residential development that disturbs only 10 acres for streets and then as individual lots are sold to builders, will new owner have to pull new permit? Manager Mende stated the procedures and policies are currently being written. The State does allow for transfers; however he is not 100% sure as the procedures for this have yet to be written. State requires anything one acre or over to have a permit.
- Can industry sit and assist with development of these procedures? Manager Mende responded that we have not included the industry at this time.
- Would like to caution the Authority against double dipping as these procedures are being written.

Don Pettygrove of DGP Consulting Engineers, 2764 Compass Drive, Grand Junction, CO (970) 241-0260 representing AMGD.

- In the case of a project being completed in phases, how is fee assessed? Manager Mende stated the process is the same as impact fees. It is based on the current filing.
- SWMP logically would be done for the entire large acreage site so you would have to review the same SWMP for each filing. This might tilt you towards using a base review fee plus acreage fee. Manager Mende stated it would be fine to receive a SWMP for entire site; however the focus will be on the disturbance of the current filing.
- Mr. Pettygrove stated a good SWMP involves looking at the whole site, and feels that having a base fee for the SWMP review and a separate inspection fee for the functionality of the SWMP makes sense.

Chairman Doody asked Manager Mende how that formula would work. Manager Mende shared that he has looked at different areas of the State that charge fees. The way fees are implemented are all over the board:

- Douglas County fee is a \$250 base fee for review and an additional base fee of \$250 for inspection plus \$25/acre for both review and inspection, thus for a 10 acre site the fee would be \$500 plus \$500 equaling \$1,000.
- Golden does not have any fees but does have a cash bond requirement
- Lakewood charges \$450 for review and then by cubic yard: \$500 for 10,000 cubic yards
- Centennial has a utility fee in place to cover administrative costs and a SWMP tiered schedule of \$3,500 for report review of 10-40 acres; \$1,200 report review fee for 5-9.99 acres in addition to a transfer fee of 10% of the acreage fee.

Jim Langford of Souder, Miller & Associates, 529 25 ½ Road, Suite B-210, Grand Junction, CO (970) 243-6067.

- Review of the drainage report and the SWMP are entirely different things. Manager Mende agreed and restated that there is no fee for review of the drainage report. The review of the drainage report will be done in a limited fashion. The Authority will be reviewing post-construction stormwater best management practices (BMP) and not the construction portion.
- It doesn't make sense that some of the State's entities base part of their fee on cubic yardage. Hope the Board doesn't consider this option.

Director Acquafresca asked why Centennial has a utility fee and a SWMP fee. Manager Mende stated the utility fee is geared to operations, public education programs, and general administration of their Authority, but the utility fee does not include the SWMP fees.

Director Acquafresca shared that this Board has looked at utility fees very seriously. A utility fee is based on the area of the impermeable surface of each residence. This is an expensive process to calculate and assess. This Board will look at a utility fee again in the future as this Valley needs basin studies and capital improvements to relieve flooding issues.

Clint Allen of Souder, Miller & Associates, 529 25 ½ Road, Suite B-210, Grand Junction, CO (970) 243-6067.

- Coming back to the issue with larger lots and fee calculations, on a single SWMP you have to list the disturbed area on the permit so this is available for using the calculation of the fee. Calculating the fees on disturbed area would work well for a larger site of 40 acres with building lots of 5 to 10 acres as much of the site is undisturbed. Manager

Mende indicated the Authority will need to look at these types of cases as unique as they are not a typical subdivision where everything is graded.

- A cap might be a lot size above two acres. At that point, the Authority could take the disturbed acreage and not the site size.

Chairman Doody asked if there were any more comments. Trent Prall pointed out a typo on the Fee Schedule Exhibit A. The last section stated an amount of \$3,990 and it should be \$390. Manager Mende indicated the correction would be made.

Staff member Julie Constan shared with the group that Mesa County has been struggling with the larger size sites where the disturbance is only for infrastructure and suggested putting together a working group to come up with a solution. Chairman Doody indicated that having the input from a construction committee for when the Boards meets again would be beneficial. Manager Mende affirmed his support for a working group.

Chairman Doody closed the public comment at 4:07 p.m.

Discussion by Board:

Director Walker indicated he was now confused as to what undisturbed means. Manager Mende stated this is driven by State rule. A disturbance of one acre and over requires a permit. Manager Mende is unsure as to how to manage disturbance size.

Director Acquafresca comments that he senses the question is not whether or not a permit is required, but what the fee is going to be. This Authority does have some discretionary authority. Good points have been brought to this Board today and this discussion needs to continue over the next month. With the goal of January 1, 2009, for implementation of the fee, there is still time to work out the details. This Board is sensitive to the point of compounding fees. This particular proposal was not pulled out of the blue by the municipalities. This originated at the federal level, and we are required to meet it in its current form. Fortunately, we do have the ability to develop and manage this through the Authority. This is a concept I bought into and it has merit. Over the next 30 days, conversation with Staff and the Board needs to happen for all of us to have more confidence in a fee structure that will work by next month's meeting.

Director Walker reminded the group that changing the fee schedule will also affect the Authority's annual budget.

Director Acquafresca stated what Manager Mende mentioned earlier that the Authority estimates the SWMP fee will not cover all of its costs. The SWMP will be subsidized by the Authority and if the Board reduces this fee, it will require more subsidization.

Jim Langford of Souder, Miller & Associates, 529 25 ½ Road, Suite B-210, Grand Junction, CO (970) 243-6067.

- Feels frustration is due to a new government layer of bureaucracy. This service is needed here in the Valley and is glad to see it here. But when you implement this program, we are not going to see a reduction of fees anywhere else. This is added in with all other fees. These things ratchet up over the years and asked the Board to be sensitive to this fact. Director Acquafresca responded that these things do appear to compound on to one another. New requirements rarely replace one another. Mesa County engineers have been performing additional duties when this regulation came

about and when the Authority takes over these duties, these engineers will be able to refocus on original duties. Off the cuff, that's the best he can explain.

- Mr. Langford stated he can understand the explanation and realizes this has been an extra burden on the local government.

Director Acquafresca added that Mesa County did not hire additional personnel to take on the SWMP mandate.

Director Walker stated this is another example of one of those unfunded federal mandates, and it's unfortunate that the public doesn't get to give input prior to implementation. The Town of Palisade is experiencing this through new EPA requirements for water which will raise the rates for local citizens. It is another fee such as the traffic impact fee that you'll have to absorb and you are getting hit pretty hard.

Director Doody added that it is amazing to think all this water is generated off of federal lands, and local government has to deal with it. The TAC has identified \$70 to \$80 million of improvements that are currently needed. The Authority has come a long way, but rarely does this Board get to hear from the public. The Board appreciates your thoughts and comments and we will get with Staff to work out a better plan.

Director Acquafresca stated we have a month which is not a tremendous amount of time. When he was assigned to this Board by Mesa County, he raised the question of federal lands. There was no representative of the BLM, and congress did not apply these new requirements to federal lands.

Director Mulder stated that Fruita is not required to have MS4s yet as it is outside of the urbanized area. This is an unfunded mandate, but we are faced with this project. This Board will discuss the fee schedule, but the \$100/acre fee proposed will pay for itself.

Director Aquafresca stated all comments are welcomed by the Board. It is an accomplishment that all the parties could make the Authority happen with the financing out of their respective general funds. Mesa County's revenue streams have been good, but this Board moved to a higher level of priority with the County Commissioners when they decided to get the Authority up and running. Will there always be this level of support from the general fund? We don't know. If there is a change of direction, this industry needs to come together and voice their concerns to move this forward.

Jim Langford of Souder, Miller & Associates, 529 25 ½ Road, Suite B-210, Grand Junction, CO (970) 243-6067.

- When bidding a project probably 60% of the cost is strictly for drainage. Drainage is the most difficult thing to address of an entire site. It is the most difficult part of what we do. So having one entity take over the drainage review is very significant, and it's an entity we need to work with.

Manager Mende stated that one of the goals for the Authority is to become a resource in looking at proposals prior to submission. The Authority is working on developing a library of drainage reports and floodplain studies in the hope that it will be a service to the community. This aspect of the 5-2-1 Drainage Authority's services is fully subsidized by the local entities contributing to the Authority.



Don Pettygrove of DGP Consulting Engineers, 2764 Compass Drive, Grand Junction, CO (970) 241-0260 representing AMGD.

- He thought the 5-2-1 Drainage Authority's plan was to do development review and take over permits in the Grand Valley, but there is no development review. Manager Mende stated that the development review needs to stay with the local entities because they have direct approval authority and the 5-2-1 Drainage Authority does not. The Authority will function as an external review agency, and the City or County could, if they wanted, disregard the Authority's comments.

Jim Langford of Souder, Miller & Associates, 529 25 ½ Road, Suite B-210, Grand Junction, CO (970) 243-6067.

- Don't think there are any agencies that can disregard Clifton Sanitation and Ute Water comments. We take these comments seriously. Steve LaBonde has said these comments are more important than that of the City of Grand Junction or Mesa County.
- Drainage has been the illegitimate child of the Valley. Drainage is something that cannot be discounted. It is very significant and needs to be pushed hard by those in the Valley.

Director Acquafresca stated that drainage problems exist due to lack of attention in the past. The Ranchman Ditch project is an example of a multi-million dollar project that probably could have been resolved for several hundred thousand dollars if someone would have given it the attention it needed when development occurred.

Chairman Doody expressed the Board's appreciation for all of the input today, and it will be used in finalizing the fee schedule.

Motion for continuance to December 17, 2008 meeting: Director Walker

Seconded: Director Acquafresca

In Favor: All

Opposed: None

#### **Agenda Item 7: 2009 Budget**

Staff Report:

Manager Mende stated there are two edits to the 2009 Budget cover sheet. The first is under the revenue section, the last amount in the paragraph should be changed from \$296,029 to \$352,813. The next edit is on the second page of the 2009 Budget cover sheet the in last paragraph under the expenses section, the amount of \$65,989 should be changed to \$64,888.

Contributions from the contracting parties remain as previously estimated – identical to the 2008 contributions, totaling \$495,276. Inspection fee revenue is now \$30,000, reflecting 30 permits at an average of \$1,000 (10 acres). Additional revenue line items for 2008 year end, totaling \$168,000, have been added to reflect project specific contributions. \$25,000 is included for the grant from Colorado Water Conservation Board associated with the Adobe Creek Channel Capacity Analysis project. The Authority will be applying for additional grants in 2009; however no additional grant revenue is reflected in the 2009 Budget.

Manager Mende continued stating the 2009 Budget expenses have been reduced by removal of a copier for \$10,000 under equipment purchases and then the addition of a lease cost of \$2,800 under administrative activities. The biggest expense next year will be basin studies at approximately \$341,000.

Director Walker inquired about the \$73,000 rate study completion. Manager Mende stated the consultant has provided a re-estimate of \$73,000 for completion of the study. Director Walker and Director Acquafresca asked if this would give the Authority a completed study and additional costs will not appear again. Manager Mende stated that this would complete the rate study. However, if a utility is not formed in the next year or so, the study would need to be updated. John Ballagh added that an update would use the building permit information to keep an on-going update, and would cost much less to update the study. John Ballagh indicated it was best to do this regularly instead of waiting five years to update again. Director Walker asked why the initial cost of \$45,000 grew by \$48,000 from last year. John Ballagh stated the original contract did not include the digitization and the development of the base data, and felt it was best to include what was needed for digitization and finish the report. Manager Mende stated he included the line item in the hope that the Board would move forward with the utility fee concept. The Board and Staff can request whatever services they feel are desirable.

Chairman Doody opened the public hearing at 4:50 p.m.

- Public Comment: No public comment
- Chairman Doody closes the public comment at 4:51 p.m.
- Discussion by Board: No further Board discussion.
- Manager Mende will publish a legal notice for budget adoption for the December 17, 2008, Board Meeting.

### **Reports – Manager’s Report**

Public Education Program: Public Service Announcements have been selected and ordered. These will be tagged with the Authority’s logo and contact information. All three local television stations will begin running the announcements rotating through multiple time slots over an eight-week period beginning the end of this month. This will complete the public education commitment for the MS4 permits for 2008 for all contracting parties.

Hotline: Five calls were received in October, one of which involved an active illicit discharge involving unregulated power washing into a storm drain. The Authority immediately referred this issue to Grand Junction personnel, who responded in time to catch them in the act. A compliance advisory was issued and they were strongly warned that a second instance will result in fines. Of note, the caller specifically referenced our billboard as the source for getting our number.

Director Walker asked why those involved in the illicit discharge were not ticketed and when a ticket is given, who receives it—the individual or the company? City of Grand Junction representative Trent Prall responded that he believed it was the individual doing the work unless it was a private development, then the developer would receive the citation. Director Walker asked if the citation process should be the Authority’s role. Manager Mende responded that the Authority has no enforcement authority. Julie Constan indicated that this is left to local code enforcement as they know how it all works. Director Walker stated that if the Authority holds the permit, they should have the enforcement power and this needs to be an item of discussion for a future agenda.

Orchard Mesa Project: Manager Mende reported that he had made a decision to postpone the Pre-Disaster Mitigation (PDM) grant application for the Orchard Mesa Floodplain Project. The tight submittal deadlines required by the State left no time for local (TAC and Board) review of the scope of capital improvements to be included in the application. This would force us to make a quick decision on the scope of multi-million dollar improvements based strictly on the

numbers coming out of the Benefit/Cost Analysis. Since the identified scope of improvements generally cannot be changed after submittal, delaying the grant application will give the TAC (and Board) more time to consider and select improvements based on true priorities rather than just the numbers coming out of the BCA. The additional investigative and engineering work, for which the Board approved a Change Order last month, will continue at a more reasonable pace, and we will be well ahead of the schedule for a fall 2009 submittal.

The change order was executed at the October 22, 2008, meeting and was sent to Ayers. The work will continue at a little easier pace. Director Walker asked if we were lessening our chances of receiving this grant by waiting. Manager Mende stated there is a high likelihood of receiving the grant, but no guarantees. The work will not be wasted even if the grant is not realized.

Statewide Fee Increases: Manager Mende reported that Eileen List had informed the TAC that a Fee Proposal is being drafted for consideration by the State Legislature that will raise most permit fees charged by the state, including stormwater programs. The draft fee proposal includes an increase in the Stormwater Construction Permit from \$245 to \$342 (40%), and approximately 31% increases on the annual MS4 permit fees (for 10K-50K population: \$810 to \$1063, for 50K to 100K population: \$2020 to \$2651).

Julie Constan stated the State of Colorado Water Quality Control Division is receiving lots of input from multiple organizations which is mostly oppositional, which may stop it making it through the State Legislature. Director Acquafresca asked Staff to keep the Board apprised as how this is proceeding as it would be hardship for this organization. Manager Mende stated the State wants to take a more active role in the enforcement side of MS4 permits.

Chairman Doody shared the engineering group could be a huge supporter of the Authority and this partnership needs to be nurtured as it will be a huge step forward for the Authority.

Upcoming Annual Meeting: Manager Mende asked for input from the Board concerning the annual meeting. In past years, the Annual Meeting has been held as early as January and as late as March. I would like to suggest the Board consider setting April as the month for all future Annual Meetings, beginning April 2009. This would align the Authority's annual meetings (and the selection/ term of officers) with the election calendars (and potential new Board members) for Palisade, Fruita, and Grand Junction. The Board affirmed their support.

Chairman Doody adjourned the meeting at 5:06 p.m.

The next 5-2-1 Drainage Authority Board Meeting will be on Wednesday, December 17, 2008, at 3:00 p.m. at the Mesa County Courthouse, Multipurpose Room, located on the first floor annex at 544 Rood Avenue, Grand Junction, Colorado.

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Jim Doody, Chairman

**5-2-1 Drainage Authority  
Minutes Of The Board  
November 19, 2008**

**Mesa County Courthouse, Multipurpose Room  
544 Rood Avenue, Grand Junction, Colorado**

**Attachment A**

Guests present:

Vohnnie Pearson	Citizen, 630 Broken Spoke, Grand Junction, CO (970) 256-9606
Matt Henderson	Davidson Homes & Precision Construction, 2829 North Ave, Suite 201, Grand Junction, CO (970) 255-0600
Jim Langford	Souder, Miller & Associates, 529 25 ½ Road, Suite B-210 Grand Junction, CO (970) 243-6067
Kevin Combs	Mays Concrete, 2399 River Road, Grand Junction, CO (970) 243-5669
David Myers	Associated Builders & Contractors Western Slope Division 2754 Compass Drive, Grand Junction, CO (970)243-7950
Jeffery Fleming	Davidson Homes & Precision Construction, 2829 North Ave, Suite 201, Grand Junction, CO (970) 255-0600
Bill Wilson	WRC Engineering, Inc., 1161 Primpose Lane, Fruita, CO (970) 858-9301
Don Pettygrove	DGP Consulting Engineers, 2764 Compass Drive, Grand Junction, CO (970) 241-0260 representing Associated Members for Growth and Development
Richard Proctor	Grand Valley Water Users Association, 1147 24 Road, Grand Junction, CO (970) 242-5065
Clint Allen	Souder, Miller & Associates, 529 25 ½ Road, Suite B-210 Grand Junction, CO (970) 243-6067
Kim Kerk	Blue Star Industries, 2326 G Road, Grand Junction, CO (970) 640-6913
R.E. Duncan	Blue Star Industries, 2326 G Road, Grand Junction, CO (970) 255-8853