



City of Grand Junction, Colorado 81501  
250 North Fifth St.,

January 6, 1983

Dear Sirs/Madams, Members and Officers of the Fairway Sewer District

Re: Fairway Sewer "District" - - Ownership and Operation

The Department of Public Works and Utilities of the City of Grand Junction has recently received several complaints concerning the collection of tap fees for connection to the sewer main line roughly located between Unawep and Palmer streets on Orchard Mesa, in the area known as the Fairway Sewer District.

I have looked into the circumstances surrounding the fee structure and control of this sewer line, and I have preliminarily determined that the present arrangements are unsatisfactory.

Upon annexation of the Fairway Sewer District area to the City and upon completion of the above-referenced sewer line, ownership of the line passed to the City. Thereafter, persons who did not originally contribute to the private fund administered by the Fairway "Sewer District" for the main line extension were to pay to the City all applicable fees, including a plant investment fee and a tap fee. These proposed arrangements were evidenced by the Fairway Sewer District Bulletins (enclosed) circulated contemporaneously with the petition for annexation, and have in any event become effective by operation of law pursuant to the annexation.

In prior correspondence dated 1/23/82 (also enclosed) I specifically requested that the District pay to the City any plant investment fees that it continued to collect, that it transfer effective control of the sewer system to the City, and that until such time as transfer occurred, the City would not be involved in additional improvements or tap arrangements.

My prior correspondence was never intended to, and did not actually authorize you to collect any tap fees on behalf of the District or the City. My understanding was that the District would maintain and improve the line until effective control was transferred to the City, and that if the District continued to collect any fees, they should be paid to the City, except for amounts used for maintenance of the line.

January 6, 1983  
Page 2

According to my information, you are still collecting tap fees for connections to the main line, but are not transferring those sums to the City. Moreover, we have received complaints that you are not properly authorizing additional connections to the line, for whatever reasons, and that you are not maintaining the line. Specifically, complaints indicate that you will not extend sewer lines or provide physical taps, but you will charge the full amount of a tap fee without providing service.

I request that you meet with me in the near future and provide an explanation of the fee arrangements in the Fairway Sewer District since annexation of the area.

I also request that you make arrangements with the District Court to allow me the opportunity to inspect and copy District ledgers and books in order to fully account for all fees collected and sewer-connected expenditures made by you or members of the District Board since annexation. I intend to compare your records to our records of payments to the City and to information volunteered by area residents.

Until such time as adequate explanation, accounting, and reimbursement if necessary is received, you and each of you are hereby ordered to CEASE AND DESIST:

- (1) Collecting any fees for new sewer connections in the Fairway Sewer District, or for service charges;
- (2) Representing to any person that you have authority to charge fees for service or connections to the City-owned sewer main in the District;
- (3) Approving or undertaking any maintenance, connections, or improvements to the City-owned sewer main; and
- (4) Engaging in any action inconsistent with City ownership and control of the sewer main.

From this date onward, the City of Grand Junction will collect all fees for service and connections to the Fairway Sewer District sewer main. Commensurate with this financial control, the City will assume responsibility for all future improvements, maintenance and operations related to this main. If you claim any right to a portion of these future revenues, I request that you also provide us with evidence of an agreement creating that right. On the other hand, continued collection of tap fees, without either payment to the City or expenditure of those sums on operation and maintenance of the sewer main may expose you to liability for payment to the City or reimbursement to customers.

As I indicated above, I have not made a final determination of the facts or rights of the parties in this matter. I feel that you have a responsibility to account for Fairway Sewer District fee collections and sewer expenditures to date, both to the City and to area residents.

January 6, 1983  
Page 3

I encourage you to provide me with your records and opinions as to the history and status of this situation. Your fullest cooperation would be greatly appreciated.

Sincerely yours,



James E. Patterson, Jr.  
Utilities Director

JEP/hm

enclosures

cc - George W. Henderson, area resident  
Jim Wysocki, City Manager  
Gerald Ashby, City Attorney  
Harley Seybold, Utilities Billing  
Ralph Sterry, Utilities Superintendent  
3 file copies

Mr. Olliver Hayashi  
2679 B $\frac{1}{2}$  Road  
Grand Junction, CO 81503

Glen H. Sweigart  
Mrs. Virginia E. Sweigart  
545 U. S. Hwy 50  
Grand Junction, CO 81503

Marge Montgomery  
929 Ouray Ave.  
Grand Junction, CO 81501

Carl South  
c/o 2952 D $\frac{1}{2}$  Road  
Grand Junction, CO 81503

Mrs. Melton  
539 U. S. Hwy 50  
Grand Junction, CO 81503

Duane Russell  
550 James Street  
Grand Junction, CO 81503

Cliff Wilson  
520 U.S. Hwy 50  
Grand Junction, CO 81503



City of Grand Junction, Colorado 81501  
250 North Fifth St.,

January 6, 1983

Grand Junction West Water and Sanitation  
P. O. Box 2163  
Grand Junction, CO 81502

Gentlemen:

On December 21, 1982, I wrote you a letter advising you that the Grand Junction City Council would be holding a public hearing on January 5, 1983, to consider increasing the monthly equivalent unit fee for sanitary sewerage service. Last night the Council held that public hearing and voted to increase the monthly sewer fees. The new rates will be the same as I indicated in my December 21, 1982, letter. The new rates will become effective with the first billing after February 1, 1983.

If you are charging an additional fee above our service fee and you wish to change the amount of the fee that you are charging, it will be necessary for you to give us that information by January 15 for us to include that change in the February billings.

Thank you for your continued support and cooperation.

Sincerely,

A handwritten signature in cursive script that reads "James E. Patterson, Jr." followed by a flourish.

James E. Patterson, Jr.  
Utilities Director

JEP/hm

cc - Jim Wysocki  
Curt Wiedeman  
John Tasker  
Ralph Sterry ✓  
File



City of Grand Junction, Colorado 81501  
250 North Fifth St.,

January 6, 1983

Valley West Water and Sanitation  
P. O. Box 2163  
Grand Junction, CO 81502

Gentlemen:

On December 21, 1982, I wrote you a letter advising you that the Grand Junction City Council would be holding a public hearing on January 5, 1983, to consider increasing the monthly equivalent unit fee for sanitary sewerage service. Last night the Council held that public hearing and voted to increase the monthly sewer fees. The new rates will be the same as I indicated in my December 21, 1982, letter. The new rates will become effective with the first billing after February 1, 1983.

If you are charging an additional fee above our service fee and you wish to change the amount of the fee that you are charging, it will be necessary for you to give us that information by January 15 for us to include that change in the February billings.

Thank you for your continued support and cooperation.

Sincerely,

A handwritten signature in cursive script that reads "James E. Patterson, Jr." with a stylized flourish at the end.

James E. Patterson, Jr.  
Utilities Director

JEP/hm

cc - Jim Wysocki  
Curt Wiedeman  
John Tasker  
Ralph Sterry  
File



City of Grand Junction, Colorado 81501  
250 North Fifth St.,

January 6, 1983

Paradise Hills Service Co.  
P. O. Box 2494  
Grand Junction, CO 81502

Gentlemen:

On December 21, 1982, I wrote you a letter advising you that the Grand Junction City Council would be holding a public hearing on January 5, 1983, to consider increasing the monthly equivalent unit fee for sanitary sewerage service. Last night the Council held that public hearing and voted to increase the monthly sewer fees. The new rates will be the same as I indicated in my December 21, 1982, letter. The new rates will become effective with the first billing after February 1, 1983.

If you are charging an additional fee above our service fee and you wish to change the amount of the fee that you are charging it will be necessary for you to give us that information by January 15 for us to include that change in the February billings.

Thank you for your continued support and cooperation.

Sincerely,

A handwritten signature in cursive script that reads "James E. Patterson, Jr." with a stylized flourish at the end.

James E. Patterson, Jr.  
Utilities Director

cc - Jim Wysocki  
Curt Wiedeman  
John Tasker  
Ralph Sterry✓



City of Grand Junction, Colorado 81501  
250 North Fifth St.,

January 6, 1983

Mr. Art Crawford  
Fruitvale Sanitation District  
2887 North Avenue  
Grand Junction, CO 81501


Dear Mr. Crawford:

On December 21, 1982, I wrote you a letter advising you that the Grand Junction City Council would be holding a public hearing on January 5, 1983, to consider increasing the monthly equivalent unit fee for sanitary sewerage service. Last night the Council held that public hearing and voted to increase the monthly sewer fees. The new rates will be the same as I indicated in my December 21, 1982, letter. The new rates will become effective with the first billing after February 1, 1983.

If you are charging an additional fee above our service fee and you wish to change the amount of the fee that you are charging, it will be necessary for you to give us that information by January 15 for us to include that change in the February billings.

Thank you for your continued support and cooperation.

Sincerely,

  
James E. Patterson, Jr.  
Utilities Director

JEP/hm

cc - Jim Wysocki  
Curt Wiedeman  
John Tasker  
Ralph Sterry ✓  
File



City of Grand Junction, Colorado 81501  
250 North Fifth St.,

January 6, 1983

Central Grand Valley Sanitation Dist  
c/o Edith Kinder  
589 Grand Valley Drive  
Grand Junction, CO 81501

Gentlemen:

On December 21, 1982, I wrote you a letter advising you that the Grand Junction City Council would be holding a public hearing on January 5, 1983, to consider increasing the monthly equivalent unit fee for sanitary sewerage service. Last night the Council held that public hearing and voted to increase the monthly sewer fees. The new rates will be the same as I indicated in my December 21, 1982, letter. The new rates will become effective with the first billing after February 1, 1983.

If you are charging an additional fee above our service fee and you wish to change the amount of the fee that you are charging, it will be necessary for you to give us that information by January 15 for us to include that change in the February billings.

Thank you for your continued support and cooperation.

Sincerely,

A handwritten signature in cursive script that reads "James E. Patterson, Jr." with a stylized flourish at the end.

James E. Patterson, Jr.  
Utilities Director

JEP/hm

cc - Jim Wysocki  
Curt Wiedeman  
John Tasker  
Ralph Sterry ✓  
File





City of Grand Junction, Colorado 81501  
250 North Fifth St.,

January 6, 1983

Orchard Mesa Sanitation Dist.  
Debbie Davis, Mgr.  
240 - 27½ Road  
Grand Junction, CO 81503

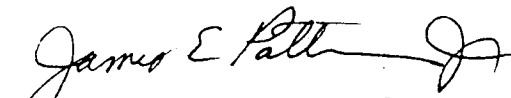
Gentlemen:

On December 21, 1982, I wrote you a letter advising you that the Grand Junction City Council would be holding a public hearing on January 5, 1983, to consider increasing the monthly equivalent unit fee for sanitary sewerage service. Last night the Council held that public hearing and voted to increase the monthly sewer fees. The new rates will be the same as I indicated in my December 21, 1982 letter. The new rates will become effective with the first billing after February 1, 1983.

If you are charging an additional fee above our service fee and you wish to change the amount of the fee that you are charging, it will be necessary for you to give us that information by January 15 for us to include that change in the February billings.

Thank you for your continued support and cooperation.

Sincerely,

  
James E. Patterson, Jr.  
Utilities Director

JEP/hm

cc - Jim Wysocki  
Curt Wiedeman  
John Tasker  
Ralph Sterry ✓  
File



City of Grand Junction, Colorado 81501  
250 North Fifth St.,

January 6, 1983

Ridges Metropolitan Sanitation District  
Attention: Mary Lou  
P. O. Box 3568  
Grand Junction, CO 81502

Gentlemen:

On December 21, 1982, I wrote you a letter advising you that the Grand Junction City Council would be holding a public hearing on January 5, 1983, to consider increasing the monthly equivalent unit fee for sanitary sewerage service. Last night the Council held that public hearing and voted to increase the monthly sewer fees. The new rates will be the same as I indicated in my December 21, 1982, letter. The new rates will become effective with the first billing after February 1, 1983.

If you are charging an additional fee above our service fee and you wish to change the amount of the fee that you are charging, it will be necessary for you to give us that information by January 15 for us to include that change in the February billings.

Thank you for your continued support and cooperation.

Sincerely,

James E. Patterson, Jr.  
Utilities Director

CC - Jim Wysocki  
Curt Wiedeman  
John Tasker  
Ralph Sterry ✓  
File



City of Grand Junction, Colorado 81501  
250 North Fifth St.,

January 6, 1983

Railhead Sanitation District  
Attn: Jerome Fossenier  
P. O. Box 2163  
Grand Junction, CO 81502


Gentlemen:

On December 21, 1982, I wrote you a letter advising you that the Grand Junction City Council would be holding a public hearing on January 5, 1983, to consider increasing the monthly equivalent unit fee for sanitary sewerage service. Last night the Council held that public hearing and voted to increase the monthly sewer fees. The new rates will be the same as I indicated in my December 21, 1982, letter. The new rates will become effective with the first billing after February 1, 1983.

If you are charging an additional fee above our service fee and you wish to change the amount of the fee that you are charging, it will be necessary for you to give us that information by January 15 for us to include that change in the February billings.

Thank you for your continued support and cooperation.

Sincerely,

  
James E. Patterson, Jr.  
Utilities Director

JEP/hm

cc - Jim Wysocki  
Curt Wiedeman  
John Tasker  
Ralph Sterry ✓  
File