

To: E.H. Staff
 From: SDF
 Date: 5/21/87
 Re: MCM80-49

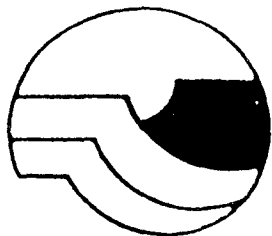
This "re-discovered", 8 year old agreement appears to legally bind the County into a clearly delineated position concerning the joint city/county wastewater system, as well as other environmental matters. Joint Resolution MCM80-49, approved and signed by the Commissioners on March 26, 1980, makes no provision for Mesa County Health Department involvement and grants total authority and enforcement power to the Utilities Director of the City of Grand Junction. The document appears to be well written and contains pertinent definitions, language, and provisions covering a wide range of environmental health topics. These include enforcement procedures for 400' sewer hook-up, trash complaints, industrial pre-treatment of municipal wastewater, etc., in UNINCORPORATED portions of the county. It is unfortunate that the Environmental Health Section, of the Mesa County Health Department was not included in the legal enforcement provisions of the agreement.

Our parallel involvement in such matters as the 400' sewer issue appears to have been developed in seemingly complete ignorance of MCM80-49. It would be advisable at this time to re-think our current policy stance in regards to Persigo sewerage and other joint city/county issues. Recent actions by the Department could be interpreted to be in conflict with the agreement, and such actions an interference in the City's designated responsibility.

The revelation of MCM80-49 raises several questions:

- 1) Is the City of G.J. aware of the agreement conditions?
- 2) Would it be appropriate for the City Council and County Commissioners to sit down and create a special enforcement role for the environmental health section?
- 3) Why was the one agency which deals with environmental issues (US) in both the city and the county eliminated from the enforcement of these regs?
- 4) What message are the Commissioners sending to the Health Department, directly or indirectly?

This agreement provides for dealing with pertinent E.H. enforcement issues in a superior manner, superceding existing tools we have. Again it is unfortunate that we cannot use this resolution. A penny for your thoughts?



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