

DOCUMENTS INDEX - 1993:

Rev. 5/97

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- 1993 Standard Contract Documents for Capital Improvements Construction (Pipeline Section)
- 1993 Mesa County Budget Philosophy - "opportunities and challenges in a new environment". Author: Mark Eckert, Mesa County Administrator. Discussion bears upon the following issues: annexation, relative powers of the City and the County, land use control and regional welfare issues.
- 01/04/93 Spehar's "Sewer Issues - Pros/Cons (memo) together with other Commissioner's notes re same. Appear to be outlines for internal discussion. **[County file - Stack 4]**
- 01/05/93 Letter from James Patterson to Wayne Pinkerton, Grand Valley Rural Power Lines, Inc. requesting electrical service to the new Persigo Wastewater Treatment Plant - Mesa County is the owner of the new wastewater treatment plant and has contracted with the City of Grand Junction to administer the construction and operation of the plant." **[EPA Files]**
- 01/06/93 Letter from Larry Beckner to Lyle Dechant enclosing a draft proposed contract between the District and the County for the provision of sewer services with the intention that the County is the owner of the plant and the entity in control of the joint sewer fund enter into the contract and then "direct its operator to accept contractual obligations entered into between the District and the County". **[County file - Valle Vista - Stack 4]**
- 01/06/93 Proposed form of agreement between OMSD and Mesa County for the provision of sewer services (proposed by OMSD in an effort to get around the City). **[County file - Valle Vista - Stack 4]**
- 01/07/93 Letter from Jim Shanks to Tim Sarmo, Department of Local Affairs, objecting to the Valle Vista extension as proposed by OMSD - "the Council is very concerned about enlarging an urban growth mode in an area that, today, has not been planned for urban density growth and where urban infrastructure does not exist". Complaining that expansion of the 201 system boundary to include over 2,200 acres without serious analysis of future infrastructure demands on the plant is irresponsible. **[County file -Valle Vista -Stack 4]**
- 01/13/93 Handwritten notes from Bill Bessinger re sewer fee to accrue for plant expansion; Sewer Plant Capacity Summary. **[045]**
- 01/18/93 Memo from Bill Cheney to Greg Trainor and Jim Shanks re average total Sewer System EQU's in 1992 [NOTE: this copy includes Mr. Cheney's handwritten notes with updated numbers as of 10/1/93]. **[045] [051] [052]**
- 01/25/93 Memo from Tim Sarmo, State Department of Local Affairs to all elected officials of the City, the County and OMSD and Valle Vista Homeowner's Association - notes from the final meeting on the Valle Vista sewer options available to the parties discussed at that meeting as well as the parties' position concerning those options - Valle Vista extension, expansion of the 201 Area, land use control issues. **[Achen's files]**
- 02/04/93 "Comprehensive Wastewater Basin Study" - prepared by HDR. **[Section 1 - City Rules and Regulations - "201 Facilities Plan"]**

- 02/06/93 Letter from Bruce Smith, Town Administrator of town of Collbran to Steve Defeyter, Director of Environmental Health re: individual sewage disposal system (ISDS, meaning septic tanks) permits within 400 feet of public sewer. The town of Collbran strenuously opposes any proposed modifications of the septic tanks system permit regulations that in any way relax the requirements requiring connection of properties within 400 feet of the public sewer or in any way reduces the County Health Department's responsibility to determination that the property is within 400 feet of a public sewer. This letter was written in response to draft options apparently setting forth proposed modifications circulated to the town by the Health Department. **[Achen's files]**
- 02/11/93 Letter from Larry Beckner to Tim Sarmo, Division of Local Government re: OMSD/Valle Vista - modification of the 201 service area and Persigo Plant capacity - Beckner's interpretation of ¶ 7 of the OMSD/City Agreement relative to the language "and in concurrence with the City". Also includes Mr. Beckner's legal analysis of the City/District and City/County contracts. **[County file -Valle Vista -Stack 4]**
- 02/19/93 E-mail copy to Connie Lorentzen, Dan Wilson, Greg Trainor; cc: Jerry O'Brien, from Emily Whittum re CDOH & EPA Personnel.
- 02/23/93 Letter from James Shanks to Royal Collard, CGVSD responding to draft agreement CGVSD submitted to City. (2 copies). **[052]**
- 02/24/93 Letter from Doralyn Genova to Mayor Theobold and Council Members, advising desire to add an expert in sewers to the staff; proposed budget. **[047] [047 - attached to 6/24/92 Kaliszewski letter]**
- 02/24/93 Letter from Doralyn Genova, Chair, Mesa County Commissioners, to Ms. Louann Gaines, Staff Assistant, CDOH re ownership interest in the Persigo Plant as it relates to the Permit Renewal Request of Letter of Completeness Permit No. CO-00450053.
- 02/24/93 Letter from Shanks to OMSD re: expansion of the 201, Valle Vista line extension, the City disputes that the HDR Study recommends that areas between 30 and 32 Road on Orchard Mesa be included within the 201 and re: impact on plant capacity. **[Achen's files]**
- 02/25/93 Letter from Larry Kallenberger, State Department of Local Affairs to OMSD re: Valle Vista sewer expansion: offer to into a grant contract to enable OMSD to collect waste from the Valle Vista subdivision; recognizes the City's legitimate concerns over increased higher density development in inappropriate areas of the County especially when land use policies are inadequate therefore imposes as a condition of using grant funds for the project "that taps issued on the new lines be restricted to structures that are in place as of this date - a moratorium to remain in place until the County adopts its new land use plan. All parties should recognize "this situation resulted from a poor land use decision made by a prior board of Commissioners that caused significant problems for homeowners who bought property in the subdivision" (a health situation). **[Achen's files]**
- 03/93 Domestic Wastewater Discharge Permit Application - Persigo Wastewater Treatment Plant (submitted by the Department of Public Works and Utilities, City of Grand Junction). Included are portions of "Appendix I - Owner/Operator Agreements" (which included both the 1979 and 1980 Agreements). **[EPA Files]**
- 03/08/93 Letter from Shanks to County Commissioners re: sanitary sewer service - Youngstreet Linda subdivision, 25 3/4 Road and F 1/2 Road. Discusses the City's proposal on how to use joint sewer system funds to assist and the City and County funds so as to reduce the cost to each property owner. **[Achen's files]**
- 03/09/93 Letter from Mayor Theobold to Louann Gaines, Staff Assistant, Colorado Department of Health re: ownership issues as between the City and the County in relation to the Persigo

Plant in the context of the domestic wastewater discharge permit renewal application submitted to the State (written in response to the County's 2/24/93 letter to Ms. Gaines). **[Achen's files as of 4/1/95]**

- 03/11/93 "Settlement Agreement - in the matter of: City of Grand Junction and Mesa County CDPS Permit NO. CO-0040053 Mesa County, Colorado. Stipulated civil penalty of \$2,000.00 for violations of the NPDES Permit (effective 10/27/88) regarding an incident on 5/14/92 and an additional incident on 6/28/92). Settlement Agreement signed by Mayor Theobold and Chairman Genova as representatives of the City and County identified as Co-Permittees." **[EPA Documents - Permit Section]**
- 03/12/93 Letter from CGVSD to Greg Trainor re: Trainor's request for copies of board minutes. CGVSD will not send board minutes but Trainor can come to the office and read them. **[Achen's files]**
- 03/16/93 Letter from Reford Theobold to Doralyn Genova, responding to 2/24/93 re sewer letter wherein County desires to use Joint Sewer System funds to pay for a full-time County in-house sewer expert (also rejects County's notion that County owns sewer system and City is a contractor). **[047] [047 - attached to 6/24/92 Kallszewski letter]**
- 03/23/93 Memo from Eckert to Commissioners re: proposed joint sewer extension policy and advising the Commissioners of the underlying assumptions relative to sewerage the Persigo 201 Area. The City assuming use of the General Fund funds from the County and the economic/political difference between sewerage areas ahead of or coincident with development vs. providing sewer to replace ISDS. Action sets precedent without formal adoption of policies. **[County file - Persigo - Stack 4]**
- 03/28/93 Daily Sentinel Article - "City, County at Odds Over Sewer 'Watchdog' Position." Author: C. Patrick Cleary. **[CDOH Documents]**
- 03/29/93 Letter from Commissioner Genova to Mayor Theobold, the County agrees with the philosophy of eliminating septic systems whenever feasible within the 201 service area but refuses to use County general funds or joint sewer funds to subsidize such efforts. They will not help in the Linda subdivision/Youngstreet Area. The City can pay for it, especially since the City plans to annex the area once the project is completed. The County won't participate until the City and County have agreed upon an extension policy. **[Achen's files]**
- 03/30/93 Letter from John Blair, Permits & Enforcement Section, WQCD/CDOH to Mark Achen. NPDES Permit Application complete - permit being drafted. Attached is Genova 2/24/93 letter demanding that "ownership be reflected according to the 1980 Joint Sewerage Service Agreement and this document will be reviewed and followed in establishing ownership and operational authority." **[CDOH Documents]**
- 03/30/93 "Persigo 201 Boundaries Amendments Analysis - analyzing the pros and cons of the County adopting the revisions suggested in the HDR Study. **[County file - Box 1]**
- 03/94-04/93? Jim Spehar's handwritten notes which appear to be a summary of conversations between the City and the County and refers, by first name, to Dennis, R.T. and Mark. **[County file - Persigo - Stack 4]**
- 04/93? Notes of action by the Commissioners pursuant to an Agenda item directing Eckert to write to the new City Council and schedule a meeting to discuss issues concerning the proposed sewer extension policy. **[County file - Persigo - Stack 4]**
- 04/01/93 Letter from Ron Lappi to Deborah Davis, OMSD, addressing billing concerns, charges for inactive accounts. (same letter to Edith Kinder, CGVSD). **[049]**

- 04/01/93 E-Mail from Shanks to Mark Achen re: Ute fire line upgrades. **[Achen's files]**
- 04/02/93 Letter from Shanks to Eckert re: sewer extension policy with attached proposed three year plan (2 different scenarios - handwritten document). **[Achen's files as of 4/1/95]**
- 04/02/93 E-Mail from Shanks to Mark Achen re: sewer extension policy. This memo summarizes a meeting with Mark Eckert, Don Van Wormer and Tim Ryan of Mesa County. Discussed were not only the sewer extension policies but also proposals for how better to work with the County concerning sewer. He notes that County Administrator Mark Eckert has several misconceptions about the sewer system (e.g. that the City takes POAs in the Special Districts and that the City charges the Special Districts for collection system capital but the Districts don't get any projects. Shanks suggest some meetings to educate the Commissioners. **[Achen's files]**
- 04/15/93 Memo from Don Van Wormer, Administrative Analysis to Commissioners, Mark Eckert, County Administrator, Lyle Dechant, County Attorney, and Mike Joyce, Planning Director re: Valle Vista 201 Amendment process -- summarizing a meeting on 4/14/93 between the County and OMSD "to explore the best method and process to modify the 201 boundary" to include Valle Vista within the 201. Important re: 201/208 Issues. **[County file - Persigo - Box 2]**
- 04/29/93 Letter from Mesa County Community Services Department Administrative Services to the Daily Sentinel advertising department requesting that the paper run an announcement on 5/4/93 announcing a public meeting on 6/16/93 to inform and solicit comments from the public regarding amendment of the 201 with respect to the Valle Vista subdivision. **[County file - Stack 4]**
- 04/29/93 Letter from Larry Beckner to Commissioner John Crouch re: Persigo Wastewater Treatment Facility. Discusses the following issues: ownership issue, system management, consolidation of Special Districts. Beckner suggests, to the County, the following alternatives for ownership and management: regional service authority (C.R.S.§32-7-101); legislative district, consolidation of Special Districts; metropolitan sewage district (C.R.S.§32-4-501) County District; and a 201 sewer district. **[Achen's files]**
- 05/06/93 Memo from Jim Shanks to City Council re: "Sewer system summary". This is the memorandum prepared by Mr. Shanks at the Council's request which summarized the history of the system, system sewer rate charges and contracts, ownership, annexation, Basin Studies, sewer line extension policies and major capital expenditures. The memorandum included a conclusion and recommendations and had attachments including the revised 11/12/92 outline for proposed sewer extension policy, 4/2/93 letter from Shanks to Eckert concerning sewer extension policy, handwritten notes with two scenarios entitled "Three Year Plan" and a copy of the 5/1/80 Sewer Service Agreement with some handwritten marginal notes. **[Achen's files as of 4/11/95]**
- 05/06/93 Letter from Mayor Theobald to County Commissioners notifying the Commissioners that the County cannot legally amend the 201 Boundary unilaterally. **[Achen's files]**
- 05/10/93 Memo by Larry Beckner received by R.T. Mantlo re: "consolidation of special districts" and prepared at the request of Sam Suplizio and Thelman Bishop to address possible means of resolving sewer issues in the 201 district. Beckner's recommendation (1 of 6 which he came up with as the "possibilities" was to "consolidate the present special districts into one district, grant it ownership of the plant and refinance the revenue bonds in the name of the new district and contract between the City and the new district for sewer treatment". (This document was received by Achen on 5/10/93 from R.T. Mantlo - it is unclear as to when it was prepared since it is not dated.) **[Achen's files as of 4/11/95]**

- 05/18/93 Commissioner Spehar makes a statement for the record that there is no connection between the dispute between the City and the County concerning sewer issues and the existing shortage of available housing. **[Commissioners Minutes]**
- 06/09/93 Letter from Keith Fife, Assistant Director of Planning, Mesa County to McLaughlin Water Engineers, Ltd. re: 201 amendment proposal - Valle Vista subdivision - the County is currently involved in a land use planning effort for Orchard Mesa and the Planning staff feels that it would be inappropriate and premature to amend the 201 area at this time to include all of the area west of 32 Road on Orchard Mesa as proposed in the McLaughlin Study. The Planning staff recommends that the 201 Service Area Boundary be amended only to include Valle Vista and the limited amount of area necessary to service Valle Vista and any further amendments to the 201 should be delayed until such time as the land use plan is adopted for Orchard Mesa by Mesa County. **[County file - Stack 4]**
- 06/15/93 Letter to McLaughlin Water Engineers, Ltd. from James L. Shanks, P.E., Director of Public Works and Utilities, re Proposed Amendment to Grand Junction 201 Area.
- 06/16/93 Transcript - Valle Vista Hearings (in front of Commissioners).
- 06/16/93 Commissioners hold a public hearing on the Valle Vista 201 Amendment. Appearing on behalf of OMSD is Debra Davis, General Manager, Ron McLaughlin, McLaughlin Water Engineers, Larry Beckner, and Jerry Raisch, Special Counsel for OMSD (former EPA Attorney from Boulder). Appearing on behalf of the City, Jim Shanks, Director of Public Works and Utilities. Also testifying: Keith Fife, Assistant Planning Director of Mesa County, Duane Watson, Colorado Department of Health for Water Quality Control, Vickie Felmler, Chairman, Citizens Review Committee, and Fred Lockwood, Clifton Sanitation District #1, OM residents: Ralph D'Andrea, Clea Brooks, Gina Harrison, Gary Christ, Candy DeRose. Participating on behalf of the County Commissioners were Commissioners Genova, Crouch, and Spehar together with County Attorney Dechant. (See transcript of hearing. **[Larry Beckner]**)
- 06/23/93 Memo from Linda Dannenberger, Planner to Jim Spehar re: classification of June and July subdivision applications giving a breakdown on the basis of "unsewered" and "sewered" and analyzing the differences in lot prices comparing the Redlands to the Clifton - Fruitvale area including a discussion of sewer availability of ISDS installation. **[County file - Valle Vista - Stack 4]**
- 07/07/93 CDOH/WQCD "Facilities Plan Review Checklist" - authored by Dwain Watson and reviewed by Dick Bowman and Peggy Galligan re" Valle Vista line extension - applicant OMSD/Mesa County. **[City Utility Files]**
- 07/09/93 Attorney/Client Privilege: Letter from Wayne Schroeder of Grimshaw & Haring, to Dan Wilson, City Attorney, re: Sewer rate setting procedures and sewer rate contracting. Attached to the letter is a copy of the decision of Bear Creek Water and Sanitation District, et al. v. The City and County of Denver. The decision discusses in length rate-making and how to do it successfully. **[044 - inside book] [047]**
- 07/09/93 Letter from Larry Beckner to Dan Rosenthal re: consolidation of Special Districts (enclosing a copy of Beckner's 4/29/93 letter to Commissioner Crouch). Raises the issues of ownership, system management, agreements between the City, the County, and the Special Districts, etc. His recommendation is the creation of a 201 sewer district under Title 32 of the Colorado Statutes. **[Achen's files]**
- 07/22/93 Letter from Royal Collard CGVSD to City advising Board elected to proceed with new efforts to finalize agreement w/City re line maintenance and billing, enclosing draft; Second Supplemental Agreement (signed by CGVSD) (10 copies of letter w/agreement; 1 copy letter only). **[052]**

- 07/26/93 Letter from Doralyn Genova, to James Shanks, indicating what they would like to see in 1994 Joint Sewer System Budget Proposal. [047]
- 07/27/93 Facts from Tim Sarmo to Jim Spehar - a copy of "Exhibit A, Scope of Services" (p. 1 of 3) for the Valle Vista project. [County file - Valle Vista - Stack 4]
- 07/27/93 Commissioners meet to discuss the issue of the proposed amendment to the 201 sewer service boundary following the 6/16/93 Public Hearing. The Commissioners were meeting to discuss the evidence, make findings and establish a boundary as advised by Assistant County Attorney Alan Hassler. Commissioners Genova and Crouch were in favor of including the entire "Tract 48" in the proposed amended 201 boundary. Commissioner Genova argued that to do so would give the Commissioners "more control over development and land use in this area". Commissioner Crouch argued that the "HDR Report also recommends" the inclusion of the entire Tract 48 within the amended 201. He further asserted that to do so would give the Commissioners more flexibility in the future and assist the planning process. Commissioner Spehar resisted the inclusion of the entire Tract within the 201 service area and urged that the 201 service area be extended only to include that area necessary to solve the Valle Vista problem. He favored providing sewer service to Valle Vista but he objected to the inclusion of the entire Tract 48 because it would put pressure on the people living there to come in compliance with the sewer system and further it would increase pressure for development in those areas which he thought was inappropriate in the absence of the completion of the Orchard Mesa Plan. The Commissioners voted 2 to 1 to include the entire Tract and amended the 201 accordingly. [Commissioners Minutes]
- 07/27/93 Amended 201 Sewer Boundaries per meeting of Board of County Commissioners. (transcript of proceedings). [047]
- 08/02/93 Memo from Jim Shanks to Mark Achen re Mesa County proposed 201 amendment (expansion of the 201 by the County Commissioners to include the Valle Vista subdivision). This memo is from Achen's files and has attached to it a copy of the 6/15/93 letter from Shanks to McLaughlin Water Engineers, Ltd. and the transcript of the 7/27/93 Commissioners Hearing re: "amended 201 sewer boundaries". (This portion of the hearing was the administrative portion only and included only those remarks by the Commissioners and County Attorney Alan Hassler). The prior, public hearing, occurred on 6/16/93 and the initial stages of the administrative hearing occurred on 7/20/93. (Dates taken from Commissioner Genova's comments). [Achen's files as of 4/1/95]
- 08/04/93 City of Grand Junction Resolution No. 49-93 concerning the expansion of the 201 Service Area in Central Orchard Mesa. City's objection to Valle Vista expansion of the 201 service area. [047]
- 08/04/93 City of Grand Junction Resolution No. 47-93 establishing a sewer trunkline extension fund within the joint sewer system and establishing policies for construction funding and charging for sewer trunkline extension projects (endorsed by the County?). [Dan Wilson]
- 08/06/93 Letter from Peggy Galligan, Water Quality Control Division to Doralyn Genova re: Mesa County 201 Planning Area Boundary Amendment seeking clarification of MCM93, p.2, ¶ 2 - confusion concerning the planning area vs. the services area. [County file - Valle Vista - Stack 4]
- 08/06/93 Letter from Jim Shanks to Robert Engelke, Mesa County Board of Health re: recently adopted sewer extension policy. The policy is to be reviewed by the Commissioners within the next two weeks. The policy does not address the problem of getting collection sewer systems into existing subdivisions that are currently using septic tanks. [Dan Wilson]

- 08/13/93 Letter from Larry Beckner on behalf of OMSD to Peggy Galligan, Water Quality Control Division, Colorado Department of Health re: Mesa County 201 Planning Area Boundary Amendment. *Note: the distinction between a 201 service area and a 201 study area.* [County file - Valle Vista - Stack 4]
- 08/13/93 Letter from Larry Beckner to Peggy Galligan, Project Administrator, Financial Assistance Programs, Water Quality Control Division, Colorado Department of Health re: Mesa County 201 Planning and Boundary Amendment and discussing MCM 93 adopted by the County which expands the existing 201 Planning Area. [County file - Valle Vista - Stack 2]
- 08/16/93 Letter from East Valley Citizens Organization to David Holm, Division Director, Colorado Department of Health, Water Quality Control Division re: environmental impact statement Mesa County project - Valle Vista subdivision extension. This document is the East Valley Citizen group's protest to the CDOH concerning placing a sewer line interceptor to Valle Vista and expanding the 201 Boundary service area which the Citizens group believes is in violation of the Federal Farmland Protection Policy Act (7 USC 4201). The areas affected are federally designated prime and unique farmlands and are protected under the Act. Attached to the letter are three sheets of names and addresses of individuals who apparently either belong to or support the East Valley Citizens group. [Achen's files]
- 08/19/93 EPA Public Notice of the City's request to modify its Industrial Pretreatment Program with attached form of notice and proof of publication. [EPA Documents - Permit Section]
- 08/30/93 Letter from Commissioner Genova to Mayor Theobold with attached proposed resolution establishing a sewer trunkline extension fund within the joint sewer fund (draft with notes - Mesa County's draft, Greg Trainor's notes). [Achen's files]
- 08/31/93 Commissioners decide to delay consideration of a resolution for the sewer trunk line extension policy and fund. [Commissioners Minutes]
- 09/07/93 Mesa County Resolution No. 93-118 concerning the establishment of the sewer trunkline extension fund within the joint sewer fund and establishing policies to govern construction funding and repayment of sewer trunkline extension projects.(NOTE: the differences from City Resolution No. 47-93 regarding the trunkline extension policy). [Dan Wilson]
- 09/07/93 Commissioners adopt a resolution (MCM93-118) approving and establishing a sewer trunk line extension fund within the joint sewer fund and allocating \$1,150,000.00 from the unallocated fund balance of the joint sewer fund to the new sewer trunk line extension fund and establishing policies to govern construction funding and repayment of sewer trunk line extension projects. Jim Shanks appeared on behalf of the City and recommended that the City and County get together to adopt a version in a joint resolution which would be satisfactory to both parties. [Commissioners Minutes]
- 09/07/93 Letter of enclosure from East Valley Citizen group to City Council enclosing a copy of the 8/16/93 protest filed by the group with the CDOH alleging a violation of the Federal Farmland Protection Policy Act (7 USC 4201) by the placement of a sewer line interceptor to the Valle Vista subdivision and expanding the 201 sewer boundary service area in Mesa County. [Achen's files]
- 09/08/83 CGVSD position paper prepared by the board and discussing the proposed second supplemental agreement (a draft copy of which was attached) between CGVSD and the City. [Achen's files]

- 09/10/93 Letter from Lyle Dechant to Peggy Galligan, Project Administrator, Water Quality Control Division, Colorado Department of Health, re: Mesa County 201 Planning Area Boundary Amendment. The Commissioners' intent in passing the resolution amending the 201 planning area boundary is that expressed in Mr. Beckner's 8/13/93 letter which was adopted by the Commissioners and accurately reflects the situation and expresses the intent of the Board. **[County file - Valle Vista - Stack 4]**
- 09/16/93 Letter from OMSD to Shanks, Wilson, and City Council re: OMSD billing, setting forth recent meetings concerning that issue and stating the reasons why OMSD should do its own billings. **[Achen's files]**
- 09/27/93 Letter from Shanks to OMSD notifying the district that the City Council has decided not to allow the district to assume billing of its sewer service fees. No notice by 8/1/93 was received. The letter mentions the distinction between OMSD's portion of the bill and the 201 system portion. **[Achen's files]**
- 09/30/93 EPA Public Notice of its intent to approve the proposed modification to the City's Industrial Pretreatment Program with attached form of notice and proof of notification. **[EPA Documents - Permit Section]**
- 09/30/93 Letter from Daniel L. Law, Colorado Water Resources and Power Development Authority to Mayor Theobold re: Orchard Mesa/Valle Vista loan notifying the City that on 8/20/93 the authority's board authorized the execution of loan agreement with OMSD to provide funds for connecting sewer line to the Valle Vista subdivision. Written in response to Mayor Theobold's 8/9/93 letter addressing the 201 sewer service area.
- 09/30/93 "Statement of Reserves" - Joint City of Grand Junction/Mesa County Sewer System Financial and Bond Accounting Report with attached spreadsheet six reserve accounts: "debt service, line extension, backbone capital, collection capital, current year debt service and operations and maintenance." **[Ron Lappl Files]**
- 10/01/93 Memo from Bill Cheney to Greg Trainor and Jim Shanks re average total sewer system EQUs as of 10/1/93. **[Bill Cheney 2/23/95]**
- 10/06/93 Letter from Peggy Galligan, Project Administrator, Financial Assistance Program, Water Quality Control Division, Colorado Department of Health to Commissioner Genova re: Valle Vista - approving the amendment of the 201 Facilities Plan and the finding of no significant impact in the proposed sewer extension to serve the Valle Vista subdivision "in view of the conditions attaching to the financing for this project and the absolute need to eliminate a wastewater treatment system that is in violation of Colorado law". **[County file - Valle Vista - Stack 2]**
- 10/15/93 Letter from Jim Shanks to Larry Beckner re: City's objection to Valle Vista line extension. Notice that the City does not concur with the proposed Valle Vista line extension as required by the OMSD/City contract. Written in response to Beckner's 9/14/93 memo to Dan Wilson. **[Achen's files]**
- 10/22/93 Letter from James Shanks to CGVSD re 10/6 memo faxed 10/12, addressing items in memo re proposed Second Supplemental Agreement, proposed 1994-1995 budget, city water meter reading, decline to use CGVSD billing card logo for bills sent to customers in District, EQUs, costs for lift station maintenance, accounts receivable file, monthly accounting aging report; Summary of Sewer Rates 1990 - 1994 (Proposed). **[052] [041 - attached to 1994 handwritten notes re fees]**
- 10/26/93 Letter from Larry Beckner to Keith Fife, Mesa County Planning Department re: OMSD/Valle Vista line extension - status report with attached map showing the area that will served by the construction of the Valle Vista line extension. **[County file - 201 - Stack 4]**

- 10/26/93 Letter from OMSD to Shanks re: "OMSD/Valle Vista line extension" - addresses Valle Vista and expansion of the 201 Issues. **(Achen's files)**
- 10/26/93 Second Supplemental Agreement delegating full responsibility for extensions, repairs, cleaning, replacements and enlargements of the district's lines to the district and establishing the 201 Sewer Service Charge Rate to be applied to the district.
- 10/28/93 Letter from Commissioner Genova to Jim Shanks setting forth questions and concerns the County has following the City's budget briefing on 10/19/93. **[County file - Persigo - Stack 4]**
- 10/28/93 Letter to Jim Shanks, Director of Grand Junction Public Works, from Doralyn B. Genova, Chair, Mesa County Commissioners, re Questions on 10/19/93 City Budget Briefing.
- 10/29/93 Memo from Jim Shanks to Sandi Glaze, attaching Agreement Amendment with CGVSD, changing service to Backbone charges only. **[041 - attached to 1994 handwritten notes re fees]**
- 11/03/93 Ordinance No. 2719 Amending the Sewer Rates of the Joint Sewer System. **[041 - attached to 11/5/93 memo]**
- 11/08/93 Letter from Mayor Theobold to the Commissioners in response to the 10/28/93 letter to Jim Shanks and responding vigorously to the questions and concerns voiced by the County in that letter. **[County file - Persigo - Stack 4]**
- 11/08/93 Letter to Board of County Commissioners from Reford C. Theobold, Mayor, City of Grand Junction, re Response to Sewer System Budget Letter from County.
- 11/10/93 Letter from the Commissioners to Mayor Theobold written in response to Mayor Theobold's 10/8/93 letter - the Commissioners attempt to justify their 10/28/93 inquiries and asserted concerns. **[County file - Persigo - Stack 4]**
- 11/10/93 Letter from Commissioners Genova, Crouch and Spehar (signed by Genova and Spehar) to Mayor Theobold responding to his letter of 11/8/93 and expressing the County's frustrations in attempting to deal with the City and raising contractual issues, system management issues, sewer revenue issues, and sewer rate issues. **[County file - Persigo - Stack 4]**
- 11/10/93 Letter from Mesa County Commissioners to Reford Theobold, Mayor, advising 11/8/93 letter illustrates problem in relationship between City and County re sewer matters, references responsibilities under agreements. **[045]**
- 11/16/93 Memo from Dan Wilson to Mark Achen and Jim Shanks re Fruitvale's underpayment to system, expressing opinion due to statute of limitations, City does not have duty to sue but that does not bar Mesa County or individuals from suing City and alleging breach of fiduciary duties, suggests notifying County that City will forbear collection efforts unless hear otherwise from County within 30 days (w/objective to make clear City is making decision as manager). **[051]**
- 11/17/93 Letter to Mesa County Board of Commissioners from Mayor of Grand Junction, Reford C. Theobold, re communication necessary on sewer issues.
- 11/18/93 Letter from Gregory Trainor to Sue Kaliszewski-Gormley re recommended sewer rate for 1994. **[047]**
- 11/24/93 EPA Public Notice to advise all interested parties that the City's request to modify its Industrial Pretreatment Program has been approved by the EPA with attached form of notice and proof of publication. **[EPA Documents - Permit Section]**

- 12/93 Notes and documents (apparently from a Commissioner) relating to approval of the 1994 budget(?). **[County file - Valle Vista - Stack 4]**
- 12/93(?) Compilation of documents apparently put together by the County at or about the time of the consideration and approval of the 1994 budget - top document is entitled "City of Grand Junction/Mesa County Joint Sewer System 1994 Budget Issues" and contains four items (author?). The attachments include handwritten analysis of the joint sewer system reserves (analyzing Sections 5.01 - 5.09 of the 1992 Bond Reso.), joint sewer fund budget review spread sheet, Article VIII, pages 4-5 of the 1980 Agreement, page 2 of the 10/7/80 Amendment and page 5 of the 1992 Official Statement related to the 1992 Bonds. **[County file - Stack 4]**
- 12/01/93 City Resolution 87-93. "Adopting Rules and Regulations for the Joint Sewer System". **[Documents by Category - Volume I]**
- 12/01/93 City Ordinance 2719. An ordinance raising sewer rates. EQU raised to \$11.00 beginning 1/15/94. (volume V: documents by category)
- 12/02/93 Letter from Shanks to Sue Kaliszewski-Gormley, acting County Manager, enclosing for the County's information a copy of the first part of the City's Sewer Rules and Regulations (Sections 1 and 3) and 12/1/93 Table of Contents. **[County file - Valle Vista - Stack 4]**
- 12/06/93 Jim Spehar's handwritten notes re: "issues for budget meeting". **[County file - Valle Vista - Stack 4]**
- 12/06/93 Letter from Sue Kaliszewski-Gormley to Greg Trainor asking to be advised as to whether 23 Road and South Camp Road sewer extension projects are ready for Board consideration. **[047]**
- 12/07/93 Commissioners approve the 1994 Sewer Budget and rate increase proposed by the City. Mesa County Resolution No. MCM 93-162 approving the 1994 Budget for the Joint Sewerage System, including charges and fees. Genova is concerned that the County needs an oversight person. Crouch wants to maintain fund balances to pay for deferred maintenance costs and expansions. Spehar wants to maintain reserves for system extensions anticipating that a great deal of extension activity is going to take place in unincorporated areas. He suggests that is appropriate for the reserves to be kept in the "final fund that is under our control". He objects to the rate increase because he feels that it is contrary to what the Commissioners had agreed to earlier in the year. **[Commissioner's Minutes]**
- 12/08/93 Letter from Jim Spehar to Daily Sentinel clarifying issues addressed in Sentinel article re Mesa County's approval of budget for Persigo Sewer System. **[047]**
- 12/08/93 Handwritten Memo from Dan Wilson to the City Council distributing pertinent pages of various documents which supports the City's theories concerning the sewer issues. The copied "pertinent pages" are from the following documents: County Resolution MCM 93-162, a resolution approving the 1994 budget for the joint system; City Ordinance 2626, ratifying and approving County Resolution 92-160 (the 1992 Bond Resolution); 1992 Bond Resolution pages 12, 16, 35-38, 43-44.
- 12/12/93 Daily Sentinel Editorials: (1) "Here's A County Dweller Who's Content With City" (George Orbanek); (2) "County Has Weak Case In Festering Sewer Dispute" (Daily Sentinel Editorials). **[Greg Johnson Files]**

- 12/13/93 Memo from Bob Edmiston to Sue Kaliszewski-Gormley re: invitation to bids - Persigo shop addition - suggesting that someone from the County monitor the Persigo situation from the County perspective with respect to this capital purchase and construction (attached is the 12/10/93 invitation for bids). **[County file - Stack 4]**
- 12/14/93 Map: "Sewer Backbone System (Interceptor Sewer Lines & Trunk Sewer Lines). "
- 12/15/93 City Resolution No. 94-93 Adopting Rules and Regulations for the Joint Sewer System. **[046 - loose]**
- 12/22/93 Draft letter from the Commissioners to Jim Shanks re: debt of the Fruitvale Sanitation District (i.e., re: the \$300,000 error). Objection to the City writing off the billing error, assertion that the City lacks authority as the system manager to do so, asserting that the City has a fiduciary duty to the County as owner of the Plant and issuer of the bonds to provide the Commissioners with a specific accounting of the debt to the joint system related documents and a copy of the proposed agreement to write off the debt. County's position not yet established. Commissioners need to review the information. **[County file - Valle Vista - Stack 4]**
- 12/22/93 Letter from Mark Achen to Sue Kaliszewski-Gormley re Board of Commissioners' Resolution approving 1994 joint sewer system budget, fees and charges, stating it is another attempt to "draw a line in the sand", advising City will not reserve sewer funds for County's sole use, nor assign sewer personnel to the County nor employ additional personnel for such purpose. (draft and final). **[047]**
- 12/23/93 Letter from Ronald Lappi, Administrative Services and Finance Director, to Gregory Johnson, Rothgerber, Appel, Powers & Johnson, enclosing copies of documents relative to City/County Joint Sewer System (no enclosures), requesting opinion as to meaning of documents as a whole. **[047]**
- 12/28/93 Letter from Doralyn Genova to City Utility Department advising writing off Fruitvale debt not within ordinary operating authority of the Manager of the Joint System, asking for a specific accounting of how and why the debt was incurred and financial and legal alternatives re collection of the debt and copy of agreement to write it off. **[051]**
- 12/31/93 Three (3) separate POAs from the Museum of Western Colorado for the Cross Orchards Living History Farm properties (3065, 3073 and 3075 F Road). **[Dan Wilson Files]**