

AUGUST 12, 2004

CALL TO ORDER

At 11:35 a.m., Mayor Bruce Hill and Chair Doralyn B. Genova called to order a **Joint Persigo Meeting of the Board of Mesa County Commissioners and the Grand Junction City Council**, at Two Rivers Convention Center, 159 Main Street, Grand Junction, Colorado. Those present included Commissioners James R. Baughman and Tilman M. Bishop; Robert Jasper, County Administrator; Lyle Dechant, County Attorney; Valerie Robison, Assistant County Attorney; Kurt Larsen, Planning and Development Director; Peter Baier, Mesa County Public Works Director; Keith Fife, Long Range Planning; and Roberta Raley, Clerk to the Board. Those in attendance from the City of Grand Junction were: Council Members: Harry Butler, Dennis Kirtland, Cindy Enos-Martinez, Gregg Palmer, and Jim Spehar; Kelly Arnold, City Manager; Sheryl Trent, Assistant to City Manager; John Shaver, City Attorney; Bob Blanchard, Community Development Director; Kathy Portner, Planning Manager; Mark Relph, Public Works and Utility Manager; Greg Trainor, Utility Manager; Bret Guillory, Utilities Engineer; Dan Tonello, Wastewater Services Superintendent; and Stephanie Tuin, City Clerk. (Minutes transcribed by Roberta Raley, Clerk to the Board.)

EXPANSIONS AND DELETIONS TO 201 PERSIGO SEWER SYSTEM BOUNDARY

Greg Trainor reported the notices were published twice in the Daily Sentinel on July 30, 2004 and August 2, 2004, and letters were mailed to the affected property owners on June 24, 2004.

F ½ AND 31 ROAD DELETION

This area is within the 201 Sewer Service Area, however, because of topography and the Lewis Wash to the west, it cannot be served by the Central Grand Valley Sanitation District. The Clifton Sanitation District #2 has agreed to incorporate the area into their district once it was deleted from the Persigo 201 boundary. The three property owners were in agreement with the deletion. Clifton Sanitation touches the property on the northeast corner of the property. The City and County staffs were in agreement with the proposal.

F AND 31 Road (CORNERSTONE CHRISTIAN SCHOOL) DELETION

This area is within the Persigo 201 Sewer Service Area, however, because of topography and the Lewis Wash to the west, it cannot be served by the Central Grand Valley Sanitation District.

**F AND 31 Road (CORNERSTONE CHRISTIAN SCHOOL) DELETION
(CONTINUED)**

The Clifton Sanitation District #2 presently serves the property even though it is within the Persigo 201 Boundary; and would annex it to the District once it was out of the Persigo 201. The property owners and the staffs from the City and County were in favor of the deletion.

Commissioner Bishop related it appears the deletions were in the best interest of the citizens, City and County, and the two staffs were in support of the deletions.

Chuck Slothower, Sunshine Construction and Development, stated the Persigo boundary bisects the properties along Lewis Wash, and they had been accepted by Clifton Sanitation District #2 and this was a natural progression and was in favor of being deleted from the Persigo 201 boundary.

Commissioner Baughman related he concurred with Commissioner Bishop that these two parcels should be deleted from the Persigo 201 boundary.

JIM SPEHAR MOVED, CINDY ENOS-MARTINEZ SECONDED, AND MOTION UNANIMOUSLY CARRIED TO DELETE THE TWO AREAS, AS PROPOSED FROM THE PERSIGO 201 SERVICE AREA MAP, F AND 31 ROAD AND F ½ AND 31 ROAD PROPERTIES.

TILMAN M. BISHOP MOVED, JAMES R. BAUGHMAN SECONDED, AND MOTION UNANIMOUSLY CARRIED TO APPROVE THE REQUEST TO REMOVE THE TWO AREAS FROM THE PERSIGO 201 SERVICE AREA, F AND 31 ROAD AND F ½ AND 31 ROAD, AS PRESENTED.

I AND 26.5 ROAD ADDITION

This 12-acre property is located directly north of the Grand Vista Subdivision, which is the existing City limits, and the Persigo 201 boundary. This is north of I Road along 26 ½ Road. The Growth Plan Future Land Use Map designates this property Rural 5-35 acres per dwelling unit. Sewer is available south of the property and there is capacity for approximately 400 homes in this basin, there is line capacity as well capacity at the treatment plant.

I AND 26.5 ROAD ADDITION (CONTINUED)

Kurt Larsen stated the County Planning staff was in support of the request, noting if the property owners want a higher density both bodies would have to act on a rezone and a Growth Plan amendment.

Bill Ballast, Project representative, stated the developer knows there are additional steps that have to be taken. They were only asking for the property to be included in the 201 boundary.

Commissioner Baughman stated from the information presented there is capacity in the interceptor lines and plant capacity, this is adjacent to the existing 201 boundary, both the County and City staff have agreed to support the request of the addition, and he felt it should be included. Commissioner Bishop concurred.

Greg Trainor stated a response was received from Pamela Fox, an adjacent property owner, wanting her two parcels included in the 201, as well. It was noted that Ms. Fox would have to request the inclusion, which would be heard through the normal procedures after proper posting and notification.

GREGG PALMER MOVED, CINDY ENOS-MARTINEZ SECONDED, AND MOTION UNANIMOUSLY CARRIED TO INCLUDE THE I ROAD AND 26.5 ROAD PROPERTY IN THE 201 BOUNDARY.

JAMES R. BAUGHMAN MOVED, TILMAN M. BISHOP SECONDED, AND MOTION UNANIMOUSLY CARRIED TO INCLUDE THE I ROAD AND 26.5 ROAD (MANOR LLC PROPERTY) IN THE PERSIGO 201 BOUNDARY.

WEST OF 25 ROAD NORTH OF I-70 ADDITION

This is the Carley Peach property, west of 25 Road north of I-70; the First Assembly of God Church is the petitioner. Several property owners in the area did not wish to be included in the 201 boundary; those were Gay Johnson (with two parcels) and Starley Hatch (one parcel). Sandra Van Gilder indicated they did not care one way or the other. The Church was requesting inclusion prior to expending funds for engineering to scope out the technical and financial feasibility of extending sewer to the property. The closest sewer line is 900 feet from the property south of the Interstate and south of the Grand Valley Canal. City and County staffs were recommending denial of the request.

WEST OF 25 ROAD NORTH OF I-70 ADDITION (CONTINUED)

There has not been a significant change to the area and a more extensive study for the area would be needed.

Chair Genova placed on the record that she and Starley Hatch were first cousins, he resides in Kansas, she has not spoken to him about this matter, and she would not be gaining financially from discussing the matter. Commissioners Bishop and Baughman felt she could participate in the discussion. The City Council members concurred.

Sandra Van Gilder stated she has 4.7 acres in that area also next to the Peach property, she asked if the church was to do the studies, what type of studies would have to be done. Sandra asked why the church should do the studies if the property was not included in the 201.

Mayor Bruce Hill related this was the chicken and egg thing. He felt the City Council should decide if the property should be included or not. Cindy Enos-Martinez asked if the property could be developed without sewer.

Jim Harper stated he has the property to the south of this parcel, south of the Interstate; his property is the one that the sewer line would have to go through. He was not in support of the inclusion until a study was done by the church. John Davis, developer, related that the cost of installing the sewer was a part of development; it was just a matter of money. Tom Sharpe stated the property owner needed to know whether the property was going to be included prior to expending the funds to conduct a study.

Dennis Kirtland stated that there were capacity issues with the collection system south of I-70 and increasing the line capacity for the basin. Bret Guillory, City staff, related that a comprehensive basin study would be needed, looking at infrastructure and impacts. Dennis Kirtland related he had serious concerns of pushing sewer north of I-70 as being premature.

Jim Spehar stated he agreed with Dennis Kirtland, the natural progression creates development. Once the sewer line was in development would take place. The Growth Plan calls for larger parcels north of I-70 and he felt they needed to keep the higher density development south of I-70.

WEST OF 25 ROAD NORTH OF I-70 ADDITION (CONTINUED)

Jim Spehar stated he appreciated the church's needs, but there were other areas already sewerred that were more appropriate for that type of use; and it should not be approve. He felt they should adhere to the current land use plans.

Commissioner Baughman agreed with what the Council members had said. His concern was the request from one property owner in an area. Jim felt at sometime the area between 24 and 27 Road north of I-70 may need to be added to the 201, but not just one piece at a time.

Commissioner Bishop related he would encourage the neighborhood to get together and discuss as a whole the need for sewer. He did not feel it should be added one parcel at a time either.

DENNIS KIRTLAND MOVED, JIM SPEHAR SECONDED, AND MOTION CARRIED TO DENY THE REQUEST FOR THE ADDITION OF THE PROPERTY WEST OF 25 ROAD NORTH OF I-70. (Favor: Cindy Enos-Martinez - aye; Dennis Kirtland - aye; Gregg Palmer - aye; Jim Spehar - aye; Bruce Hill - aye; Against: Harry Butler - aye)

JAMES R. BAUGHMAN MOVED, TILMAN M. BISHOP SECONDED, AND MOTION UNANIMOUSLY CARRIED FOR DENIAL FOR THE REQUEST FOR THE PARCEL WEST OF 25 ROAD AND NORTH OF I-70 (FIRST ASSEMBLY OF GOD PETITIONER), PROPERTY OWNED BY CARLEY PEACH TO BE INCLUDE IN THE 201 AREA AS IT IS PREMATURE.

2366 H ROAD ADDITION

Property is owned by Fred Cunningham, 2366 H Road, and is bisected by the 201 boundary. The southern half of the property was within the 201 boundary, the north half was out; and there were several other properties in the area that were also bisected. There was plant capacity and the infrastructure was available. The Future Land Use Map indicates this area to be Estate zoning. City and County staffs did not support the request. The sewer was installed in the area but in a very field; only the Appleton School and the Appleton Sewer Improvement District.

Rich Livingston, representing the applicant, stated that there were many interlocking issues. All of the property was within the Future Land Growth Plan, the south half of the property was within the 201.

2366 H ROAD ADDITION (CONTINUED)

Rich related that under the terms of the Intergovernmental Agreement to make an application to develop the south half of the property, it would have to go through the City, which would require annexation. Under state law, if sewer was within 400 feet the development has to tie on to it. To develop the northern half of the property would be through the County with septic systems, which the County and City was attempting to eliminate where they could. To compound matters even more, Colorado law requires that if the City annexes it has to annex the entire property. This request was not to change the Growth Plan or to change to the zoning. The petitioner wanted to develop at one unit per two acres, which was the current zoning.

Trevor Brown stated the property would have to be annexed into the City and the northern portion of the property would require a variance from the City for development outside of the Persigo 201 Boundary, an additional step in the planning process.

Jim Spehar related he sees the public policy as an issue, where do we want to go with this boundary, do we want to maintain the original intent of when the sewer was extended to the area of using a narrow strip and make a statement that we wanted to preserve the land use and planning of the area. There could be one process for development with an added step, the variance. He would rather see the City maintain the integrity of the original intent of the sewer and the Land Use Plan.

Cindy Enos-Martinez stated the 201 was splitting the property in half right now, without them going through a subdivision process.

Commissioner Baughman stated in the Persigo Agreement there was a stipulation that the City of Grand Junction agreed not to annex outside of the 201 boundary for a period of ten years.

Chair Genova stated that to maintain the integrity of the Persigo Agreement and the state law the entire property should be either added to the 201 or completely taken out.

Greg Trainor stated there were four other properties that were divided by the 201 boundary.

Dennis Kirtland stated the property should be in one process, but the area needs to have a study for the impacts on the plant and infrastructure capacity. He also felt the County could agree to let the City annex this property to solve the problem.

2366 H ROAD ADDITION (CONTINUED)

Mayor Bruce Hill stated it was unfortunate to have drawn a line in the middle of the property for the 201 boundary. He felt to narrow the scope, the properties should have been all in or all out. To him four houses do not require a study. He did not feel that the City should complicate the matter with annexation.

Jim Spehar stated there was a natural tendency to help the property owners, as they come before us, but he felt they need to weigh the impacts and the bigger issue. He also related that the boundary was not inadvertently drawn. There was public policy that needed to be followed and the long term planning process. The extension of the sewer was to solve a public health issue and that was not the case here.

Gregg Palmer stated it should be included in the 201, this was an odd situation and the bodies should correct the problem.

Dennis Kirtland stated the County could agree to the annexation and maintain the integrity of the public policy. The variance would add another step to the development process and it could be treated under one entity.

Commissioner Bishop stated he shared in Gregg Palmer's comments; this was frustrating that a line was to make the determination of whether or not the parcel was sewerred. He also understands the matter of public policy. He agreed with staff that a basin study should be required.

Commissioner Baughman stated that the property owner was partially in an existing 201 boundary and the state law does not allow a property to be split by annexation, and the property owner could request development on the southern portion of the property, but the whole property would have to be annexed. The developer would have to go through the City process, request a variance and the County would have to agree to allow the City to annex outside of the 201. He felt there was a better way to do this.

Chair Genova stated the logical way to do this was to amend the boundary. She related that there were possibly two other properties to the west that need to be amended. The two bodies should not make this any more cumbersome for a person to develop.

Jim Spehar stated the sewer line was 700 feet from the property, the law states 400 feet and you have to connect, he did not consider the line placement was an error.

2366 H ROAD ADDITION (CONTINUED)

Mayor Bruce Hill stated he felt the entire parcel should be added or deleted from the 201 boundary. Cindy Enos-Martinez concurred; she did not feel it was proper to make the petitioners go through more hoops just to live up to the line that was drawn.

GREGG PALMER MOVED, CINDY ENOS-MARTINEZ SECONDED, AND MOTION CARRIED TO AMEND THE 201 BOUNDARY TO INCLUDE THE PROPERTY UNDER DISCUSSION. (Favor: Cindy Enos-Martinez - aye; Gregg Palmer - aye; Harry Butler - aye; Bruce Hill - aye; Against: Jim Spehar - aye; Dennis Kirtland - aye)

TILMAN M. BISHOP MOVED, JAMES R. BAUGHMAN SECONDED, AND MOTION UNANIMOUSLY CARRIED TO INCLUDE THE PROPERTY OF 2366 H ROAD INTO THE SEWER SERVICE AREA BOUNDARY.

Commissioner Bishop stated that the other properties in the area with split boundaries should be looked at, correct if necessary, and then look at the entire basin.

2322 I-70 FRONTAGE ROAD ADDITION

This property is in the northeast quadrant of the 23 Road and I-70 intersection. The property is bounded by the 201 on the east, south, and west. The Growth Plan Future Land Use Map designates the property as commercial. The North Central Valley Plan has the property as a non-residential designation. The property owner also owns the two adjacent properties to the east that are also zoned commercial. The sewer is available approximately 800 feet to the east. There would be sufficient plant capacity to serve the property.

Sven Wedekin, Vice-President of GPD Global, stated they had acquired the property for the expansion of the business, which is currently on septic but were willing to go on the sewer if included in the 201.

Jim Spehar stated this addition makes sense, if the petitioner was required to provide the detailed studies requested by staff.

Commissioner Baughman concurred with Jim Spehar, as this should be included in the 201 boundary.

2322 I-70 FRONTAGE ROAD ADDITION (CONTINUED)

JIM SPEHAR MOVED, GREGG PALMER SECONDED, AND MOTION UNANIMOUSLY CARRIED TO APPROVE THE ADDITION OF THE 2322 I-70 FRONTAGE ROAD ADDITION TO THE 201 SEWER SERVICE AREA BOUNDARY, SUBJECT TO THE STUDY REGARDING FEASIBILITY FOR GRAVITY SERVICE AND THE CAPACITY OF THE OUTFALL SYSTEM.

JAMES R. BAUGHMAN MOVED, TILMAN M. BISHOP SECONDED, AND MOTION UNANIMOUSLY CARRIED TO APPROVE THE ADDITION OF PROPERTY AT 2322 I-70 FRONTAGE ROAD (GPD GLOBAL, PROPERTY) AS DEPICTED IN EXHIBIT 6 TO THE 201 BOUNDARY.

REPORTS

Greg Trainor, City Utility Manager, introduced Dan Tonello, Wastewater Services Superintendent.

Biosolids Composting Study

Dan Tonello presented a PowerPoint on the pilot study Persigo had undertaken with composting the sludge. All the biosolids had been taken to the Mesa County Landfill since January 1984. There was concern at the Landfill with the generation of methane gas and this was a contributor to that concern.

The treatment method the pilot study was using was called an "aerated static pile". This pilot study would run from June through August 2004. The process uses an air blower to ensure that the active compost pile maintains aerobic conditions at all times. The biosolids were mixed with woodchips. The biosolids remain in the active aerated pile for approximately 21 days, after which the biosolids would be placed in a final curing pile for another 30 days. There have not been any offensive odors produced with this procedure as of the end of July.

Persigo Grease Disposal

Dan Tonello presented a PowerPoint on the grease treatment technologies. The Persigo Plant was capable of handling 2,000 gallons of grease per day. From July 21 through August 18, 2004, plant staff would be testing a grease removal unit supplied by Lakeside Corporation. This unit allows tank haulers to discharge the grease loads directly into the device, which screens out large grease particles that float and cause problems in the wastewater treatment processes. The grease removal unit would cost approximately \$20,000, if the tests were found favorable.

Persigo Grease Disposal (Continued)

Chair Genova and Commissioner Baughman excused themselves from the meeting at 1:45 p.m. Chair Genova thanked the City Council and the staff.

Kelly Arnold stated that Persigo had been charging below market rates for the grease. The rates were raised from 3 cents to 19 cents per gallon, aligning with the market rates.

Commissioner Bishop questioned if the private sector was involved in this matter. It was stated that the Goodwin facility was taking more of the product to their site on the Delta County line. The Persigo staff was still exploring ways to deal with the grease in case the private sector was not available.

UPDATES

Mark Relph discussed the Duck Pond lift station at the Duck Pond Park on Orchard Mesa. Staff was looking at a gravity alternative that would eliminate the lift station. This would require a new 24-inch diameter line be installed from the existing lift station to the existing siphon located just east of the railroad bridge on the south side of the Colorado River. The line would need to be roughly 30 feet deep. It was asked if this improvement would be scheduled to coincide with the Park upgrades.

Dennis Kirtland requested if the combined staffs could work on a study for the north area as discussed by the two Boards today.

Robert Jasper requested to review the area of Job Site again as the Commissioners added the area to the Economic Development Incentive program, as much of the area was zoned commercial. At sometime the two bodies would have to deal with the sewer in the entire area.

Jim Spehar related that the scope of the study for the north area needs to imply this was not land use changes it was for the existing density.

ADJOURNMENT

There being no further business to come before the Grand Junction City Council and the Board of Mesa County Commissioners, Mayor Bruce Hill adjourned the meeting at 2:00 p.m.

Janice Ward
Mesa County Clerk and Recorder

Roberta Raley,
Clerk to the Board

Doralyn B. Genova,
Chair

(Verbatim files of the Proceedings of August 12, 2004, are on file in the Mesa County Clerk's Office.)