



# SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS

## Regular Meeting Agenda

Friday, 7 October 2016, 1:30pm – 4:00pm

1188 E 2<sup>nd</sup> Ave., Durango CO

- I. Introductions
- II. Consent Agenda
  - a. 2 September 2016 SWCCOG Meeting Minutes
  - b. August 2016 Financials
- III. Reports (Staff will be available for questions on the written reports)
  - a. Director's Report
  - b. Accountant's Report
  - c. Broadband Report
  - d. Transportation Report
  - e. VISTA Report
  - f. Community Updates
- IV. Discussion Items
  - a. CDOT Transit Funding Discussion

**For information and discussion from CDOT, the TPR will be discussing at 9-10am  
Friday, October 7, 2016**  
**Video Conference Info: <https://zoom.us/j/109670693>**  
**Phone Conference Info: 1-408-638-0968**  
**Meeting ID: 109 670 693**
  - b. 19 August 2016 Executive Committee Road Trip Notes – Ignacio & Bayfield
  - c. Fund Balance Policy Update
- V. Decision Items
  - a. 4CORE Under the SWCCOG
  - b. 2017 DoLA Technical Assistance Grant
  - c. NeoFiber Contract Amendments
  - d. DOLA Broadband Planning Contract Amendment
  - e. Purchasing Policy Update
  - f. 17 August 2016 Executive Committee Meeting Minutes
  - g. 2017 CEBT Renewal
  - h. DOLA TA 2016 Grant Amendment
- VI. Other Items

Video/Phone Conference Info:

<https://zoom.us/j/501744447>

1-646-558-8656, Meeting ID: 501 744 447

PO Box 963, Durango, CO 81301

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[www.swccog.org](http://www.swccog.org)

# Consent Agenda

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**Southwest Colorado Council of Governments**  
**September Board Meeting**  
**Friday, 2 September 2016, 1:30pm**  
**1188 E. 2nd Ave., Carnegie Building, Durango, CO 81301**

In Attendance:

Ron LeBlanc – City of Durango  
Michelle Nelson – Town of Bayfield  
Andrea Phillips – Town of Mancos  
Shane Hale – City of Cortez (via phone)  
William Tookey – San Juan County  
Mark Garcia – Town of Ignacio (via video)  
Greg Schulte – Town of Pagosa Springs  
Dick White – City of Durango  
Joe Kerby – La Plata County (via phone)  
Julie Westendorff – La Plata County

Staff in Attendance:

Miriam Gillow-Wiles – Southwest Colorado Council of Governments  
Jessica Laitsch – Southwest Colorado Council of Governments  
Dennis Wegienek – Southwest Colorado Council of Governments  
Sara Trujillo – Southwest Colorado Council of Governments

Guests in Attendance:

Roger Zalneraitis – La Plata Economic Development Alliance  
Eric Pierson – City of Durango IT  
Diane Kruse – NEO Fiber (via video)  
Ann McCoy-Harold – Senator Gardner's Office  
Morgan Murri – Pagosa Springs Community Development Corporation  
Chris Stebner – CEDAR Networks  
Ed Morlan – Region 9 (via phone)

**I. Introductions**

The meeting was called to order at 1:39pm, everyone introduced themselves.

Diane Kruse with NEO Fiber presented on the broadband planning project. She reported on discussions with CDOT involving CDOT asking NEO Fiber to send a letter detailing the broadband opportunity and NEO Fiber asking CDOT to provide a commitment contingent upon grant funding. NEO Fiber has added on remaining anchor institutions to the plan, created an FTTP pricing for the counties, and have updated pricing for the Silverton to Durango route. Diane then discussed the update to the capital cost projections for the middle mile. The cost estimation is with the assumption that the Bayfield to Ignacio route will be included in the Rural Healthcare grant at \$29 - \$52 million total costs, depending upon the construction method. Currently, the construction method is assumed to be fiber versus wireless. With the Rural Healthcare grant program, cost outlay can be reduced to \$10 - \$18 million where CDOT may be willing to pick up most of this cost except for non-priority routes. Diane said there is a possibility of partnership for the route from Rico to Telluride. Next steps include: finishing the written plan; providing a financial model; capital costs and funding opportunities; scheduling meetings with individual communities/counties for further discussion about last mile options; and creating a scope of work close out. Andrea Phillips asked if there have been any conversations with the 7

RFI respondents. Diane said no, that direction from the COG and additional information from the communities is needed for RFI response preparation.

## II. Consent Agenda

### a. 5 August 2016 SWCCOG Meeting Minutes

Dick White emailed Miriam prior to the meeting with grammatical corrections to the August meeting minutes. Being absent for the August meeting, Dick requested some clarification on 4CORE proceedings. With a 4CORE item further in the agenda, this conversation was held until later in the meeting. Dick asked why the fiber leasing revenues presented in the 2017 budget were reduced to all community participation for just ¼ of the year. Miriam said that item was reduced because it was unrealistic to expect all communities to be participating as of January 1, 2017; therefore, a very conservative approach was taken to prevent a budget shortfall.

### b. 5 August 2016 Broadband Meeting Minutes

There were no questions or comments.

### c. July 2016 Financials

Julie Westendorff said she met with Miriam Gillow-Wiles and Sara Trujillo to talk about her concerns from the August meeting surrounding the accounts that are over budget and how those items will be managed. Julie requested a follow-up to that meeting and asked what is being done to ensure the budget is balanced. Sara said she is currently working on a 2016 budget projection document to present at the October meeting that will include a comparison of the 2016 approved budget, budget actuals as of September 2016, and budget projections through December 2016. This document will show the board where some accounts are over budget and some are under, where money has shifted, and prepare the board for the 2016 final budget amendment that will be presented in January 2017 for approval.

**Julie Westendorff motioned to approve the consent agenda items, Michelle Nelson seconded, Dick White abstained as he was not present at the August meetings, all other members unanimously approved.**

## III. Reports

### a. Director's Report

Miriam reported that staff purchased a Grant Finder and Grant Tracker application that will be reimbursed by the DoLA 9038 shared services grant. There will be one login for interested members that can be shared with staff. When all point people are known, Miriam will send out login information. The application contract was signed for 3 years. The Grant Finder allows for a search of federal, state, and foundational grants. There will be a webinar available to demonstrate how the application works.

### b. 4CORE Report

Dick asked what the COG's intention is with 4CORE in regards to absorbing the organization or simply building a working relationship prior to an acquisition. Julie said with the City of Durango and La Plata County being large funders of 4CORE, this decision seems to heavily fall towards the city and county. The county would like to see 4CORE under the COG; however, 4CORE does not seem to have the same vision as the COG in regards to an acquisition. Dick said by having a government entity like the COG and a non-profit collaborate, there would be significant benefit to members through grant opportunities. 4CORE has concerns over losing their non-profit status. Greg Schulte commented that 4CORE has had difficulty in the last couple of years with staff and the day-to-day operations; coming under the COG would give them the administrative stability that they need. 4CORE seems to be hanging onto what it used to be and they are not able to do so. Miriam said she has not inquired with legal about the non-profit status with an acquisition because that cost was not budgeted for and with 4CORE's reluctance, it makes spending further time or



money on this endeavor less desirable. Miriam stated that 4CORE is having another 4CORE/COG discussion September 15; however, past conversations seem to be the same as the last 9 months and very circular. Dick said 4CORE has hired a lawyer and is expecting to receive a legal opinion on the non-profit status issue next week. Dick mentioned the fee for service previously proposed. Julie said she does not want COG staff to be hired out to do admin work unless the intent is for 4CORE to be acquired as the COG is not a bookkeeping service for non-profits and this would not be a good use of COG resources. When the bookkeeping was contracted with the AAA, there was an assumption that the AAA would eventually move under the COG. Greg said this item seems to be becoming more about turf and asked what the City of Durango and La Plata County considers value for their money. Joe Kerby pointed out 4CORE's lack of stability, lack of effectiveness, and financial sustainability without city and county funding. The county is supportive of 4CORE to partner with COG as this would increase 4CORE's effectiveness and a better partnership could expand programs. The financial picture is frustrating with heavy reliance on city and county funds. Joe said he felt we were working towards a partnership but it has turned adversarial. 4CORE's commitment of working with the COG is questionable. Andrea asked if there needs to be an action on this item. Julie said this item was simply a status update.

c. Broadband Report

This report was given by Diane at the beginning of the meeting.

d. Transportation Report

No questions or comments.

e. VISTA Report

Dennis Wegienek introduced himself as the new VISTA to do work for the COG over the next year. He described his background and education with CSU in Fort Collins in sustainability, reducing waste and recycling. Dennis reported that he is making a forward move with the website and has been talking with the marketing consultant as well as reaching out to the various recycling task force members. He is also working on grant writing.

f. Community Updates

This item was moved to the end of the agenda.

#### **IV. Discussion Items**

a. Meeting Location Rotation

Andrea discussed the past talk about moving meetings to other communities; however, with the video conference system, people no longer need to travel or have difficulty attending meetings due to weather. She asked what other members would like to see happen in 2017. All members who spoke said there are no issues with travel and they are willing to continue coming to the Durango location or move the meetings. Michelle said perhaps just moving the annual board retreat. William Tookey suggested the retreat be hosted by that year's board Chair. Andrea confirmed the regular meetings will be held in Durango with the retreat being hosted by the year's board Chair.

b. Fund Balance Policy Update with TABOR

Sara reported that she was in touch with David Liberman, COG legal counsel, about the inclusion of TABOR language in the Fund Balance Policy. Based on a series of questions and answers, legal suggested adding the TABOR language found in the past audit documents, which was the same general statement about the COG not be subject to TABOR. Sara updated the policy with this verbiage. Mark Garcia asked that the last sentence be struck as TABOR does not apply to the COG and is not something we need to be compliant with. Ron LeBlanc stated that the policy should say what we are doing and not what we are bound by. TABOR applies to taxation measure and the COG has no taxing power; therefore, this verbiage should

not be included in our policy. Julie asked staff to inquire with legal as to why this language should be added and if it can be taken out.

## **V. Decision Items**

### a. July 2016 SWCCOG Executive Committee Minutes

**Julie Westendorff motioned to approve the July Executive Committee Minutes, Andrea Phillips seconded, unanimously approved.**

### b. Transit Planning Grant

Jessica Laitsch reported that CDOT is accepting applications for federal monies to update transit plans. COG staff is looking to apply for a broad look at transportation in the Four Corners region including Utah, Arizona, New Mexico, and across tribal boundaries. Miriam said she talked to CDOT and received a positive response. Andrea asked if there will be a match requirement from member organizations. Miriam said no. Julie asked where the match would come from. Jessica replied \$80,000 will be the total request with \$20,000 match from DoLA and \$20,000 match from partner agencies. Miriam said COG staff would be working with other state's COGs on this grant and match funds. A consultant would be hired and there are funds for M&A for COG staff.

**Julie Westendorff motioned to approve COG staff apply for funding from the CDOT Transit Planning grant described in the staff report, Dick White seconded, unanimously approved.**

After the motion, Ron added that CDOT has proposed to change the formula for which 5311 funds are allocated that will be at the expense to the western slope and benefit transit between Colorado Springs and Fort Collins. This reallocation change would mean an approximate loss of \$800,000 - \$900,000 in annual funding for the Durango Transit system. This could mean the end of Durango Transit. Ron suggested that the COG take a stance against this proposal from CDOT. Miriam said that CDOT is looking at 4 different funding options and that the current proposal could damage Durango Transit and SUCAP's Roadrunner Transit; however, the change could positively impact Dolores, Archuleta County, and Dolores County. She added that at the state level, funds are limited coming from the federal government and as Colorado has gained transit agencies, there is less funding. Miriam said it seems like the transit agencies who have a history of receiving 5311 funds are on an auto renew each year for the same funding while new agencies are repeatedly denied funding, hence the change in formula so all transit agencies will receive funds and the distribution process more equitable. Jessica reported that she is serving on a focus group to talk about this change and she will be attending a transit conference later this month where the options will be presented. A decision will not be made until early next year to determine the allocation of funds. Greg suggested COG staff request our local CDOT representatives to present to the COG and TPR as to what the decision process is. Greg asked if CML or CCI are taking a position. Miriam said she is not sure about CML or CCI because the proposal is coming from within CDOT and is not at a legislative level. Sara said she can put this item on the next TPR agenda. Julie said it would be helpful to receive a recommendation from the TPR as far as a suggested stance.

### c. Contract for Marketing with Marketing Concepts Squared

Miriam said COG staff will be in charge of all marketing content and ensure the consultant visits each community and is aware of individual community situations. Andrea asked if there is a cash match requirement. Miriam said no and that she would update amendment B in the contract to read "COG" versus "contractor" to prevent confusion.

**Dick White motioned to approve the contract with Lucky Services dba Marketing Concepts Squared, Greg Schulte seconded, unanimously approved.**

d. DoLA Technical Assistance Program

Miriam said the application for the 2017 DoLA Technical Assistance Program is due October 14, 2016; therefore this item can be tabled or the board can elect to move forward now. There is \$500,000 for COGs in this funding. In the past, the SWCCOG has received \$75,000 - \$100,000; however, knowing that DoLA will be tightening up funds, Miriam plans to request between \$50,000 and \$75,000 with match requirements and put these funds to COG goals of broadband, recycling, transit, and shared services. Miriam said she would like to bring on a part-time broadband person to keep the broadband moving forward and to provide members with a point person. Julie requested a broadband person/program director detailed job description that member IT personnel can review and provide input. Andrea said this position could also be contracted versus making a person COG staff, will need a scope of work. Andrea requested that more detail be brought to the October meeting. This item was tabled until October.

e. New policy and Policy Updates

i) Capitalization Policy

Sara reported that the auditor suggested having a Capitalization Policy after the last audit. Sara created this policy and requested review from legal and the auditors who said it looks good.

ii) Purchasing Policy

(1) Credit Card

Sara reported that the previous verbiage addressed one credit card; however, the COG now has two, so the verbiage was updated as appropriate.

(2) Business Preference

Sara reported that during the last Homeland Security grants monitor visit, she was instructed to remove the local preference section of the policy as a local preference is not allowed by the federal government; therefore, the verbiage from the federal regulations replaced the local preference section. Ron said Durango is going through the same updates, if funds touch the federal level, you cannot use a local preference.

iii) Personnel Handbook updates

(1) Fraud Prevention

(2) Time Sheet

Sara explained that these updates were presented and board reviewed at the April meeting; however, quorum was not met so a decision was not made to accept the updates.

**Michelle Nelson motioned to approve the new policy and all policy updates, William Tookey seconded, unanimously approved.**

**I. Other Items**

Community Updates

Greg reported that Pagosa Springs is having the best sales tax summer. Dick said Durango's sale tax is down but started recovery in July. Durango did get funding for the sewer plant at 1.6% interest. Ron said the loan is considered a "green loan" with sustainability type of improvements. Durango did receive the maximum award available.

**End 3:28pm**

# August 2016 Financials

To: SWCCOG Board of Directors  
From: Sara Trujillo  
Date: 7 October 2016

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Comments: The following attachments include:

- August 2016 Balance Sheet
- August 2016 Profit & Loss
- January – August 2016 Profit & Loss Budget vs. Actual

***Fiscal Impact: High, Budget changes throughout the year***

***Staff Recommendation: Approve the August 2016 Financials***

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## Southwest Colorado Council of Governments

## Balance Sheet

As of August 31, 2016

	<u>Aug 31, 16</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
<b>Alpine Bank</b>	
Alpine Bank Account (UR)	38,401.89
Fiber Equip Fund - Restricted	9,754.25
<b>Total Alpine Bank</b>	<u>48,156.14</u>
<b>Petty Cash</b>	
AmeriCorps VISTA	362.60
Jessica Laitsch	356.00
Petty Cash - Other	10.07
<b>Total Petty Cash</b>	<u>728.67</u>
<b>Total Checking/Savings</b>	48,884.81
<b>Accounts Receivable</b>	
Accounts Receivable	52,777.06
<b>Total Accounts Receivable</b>	<u>52,777.06</u>
<b>Total Current Assets</b>	<u>101,661.87</u>
<b>TOTAL ASSETS</b>	<b><u>101,661.87</u></b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Credit Cards</b>	
Credit Cards	
Miriam	-397.70
Sara	1,120.56
<b>Total Credit Cards</b>	<u>722.86</u>
<b>Total Credit Cards</b>	<u>722.86</u>
<b>Total Current Liabilities</b>	<u>722.86</u>
<b>Total Liabilities</b>	722.86
<b>Equity</b>	
Retained Earnings	90,499.80
Net Income	10,439.21
<b>Total Equity</b>	<u>100,939.01</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>101,661.87</u></b>

## Southwest Colorado Council of Governments

## Profit &amp; Loss

August 2016

	<u>Aug 16</u>
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
CDOT Grants	
Transit LCC Grant	2,868.95
<b>Total CDOT Grants</b>	<b>2,868.95</b>
<b>Dues Revenue</b>	
Admin Position	146.00
COG Dues	1,362.00
<b>Total Dues Revenue</b>	<b>1,508.00</b>
<b>Grant Match</b>	
Non-COG Member Match	2,223.00
<b>Total Grant Match</b>	<b>2,223.00</b>
<b>Total Income</b>	<b>6,599.95</b>
<b>Gross Profit</b>	<b>6,599.95</b>
<b>Expense</b>	
Advertising and Promotion	20.28
<b>All Hazards Projects</b>	
All Hazards 2015 SHSP	
Grant 2015 Project 1	1,810.29
<b>Total All Hazards 2015 SHSP</b>	<b>1,810.29</b>
<b>Total All Hazards Projects</b>	<b>1,810.29</b>
Bank Service Charge	25.00
Consulting	23,578.38
Employee/Board Appreciation	175.07
<b>Information Technology (IT)</b>	
Software	5.00
<b>Total Information Technology (IT)</b>	<b>5.00</b>
<b>Insurance Expense</b>	
Health	1,828.00
<b>Total Insurance Expense</b>	<b>1,828.00</b>
<b>Internet Connectivity</b>	
Fast Track	900.00
Internet Connection (AT&T)	32.17
<b>Total Internet Connectivity</b>	<b>932.17</b>
<b>Meetings</b>	<b>251.63</b>
<b>Memberships</b>	<b>10,800.00</b>
<b>Professional Development</b>	<b>-397.70</b>

## Southwest Colorado Council of Governments

## Profit &amp; Loss

August 2016

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	<u>Aug 16</u>
<b>Professional Fees</b>	
Legal	1,310.40
Misc.	7.20
<b>Total Professional Fees</b>	<u>1,317.60</u>
<b>Salary and Wages</b>	
457 Retirement	270.38
Car Allowance	300.00
Cell Phone Allowance	520.00
Housing Allowance	2,700.00
Payroll Processing Fee	99.72
Payroll Tax	836.07
Salary and Wages - Other	10,646.55
<b>Total Salary and Wages</b>	<u>15,372.72</u>
<b>Software Maintenance e-TICS</b>	742.19
<b>Team Building</b>	160.00
<b>Travel</b>	<u>2,469.68</u>
<b>Total Expense</b>	<u>59,090.31</u>
<b>Net Ordinary Income</b>	<u>-52,490.36</u>
<b>Net Income</b>	<u><u>-52,490.36</u></u>

**Southwest Colorado Council of Governments**  
**Profit & Loss Budget vs. Actual**  
**January through August 2016**

09/27/16

Accrual Basis

	Jan - Aug 16	Budget	% of Budget
<b>Ordinary Income/Expense</b>			
<b>Income</b>			
<b>All Hazards</b>			
2014 SHSP	16,687.96		
2015 SHSP	71,451.35		
All Hazards - Other	0.00	203,803.00	0.0%
<b>Total All Hazards</b>	88,139.31	203,803.00	43.2%
<b>CDOT Grants</b>			
SWTPR Grant	13,049.50	21,100.00	61.8%
Transit LCC Grant	12,527.02	20,000.00	62.6%
<b>Total CDOT Grants</b>	25,576.52	41,100.00	62.2%
<b>DoLA Grants</b>			
DoLA 7645	40,747.04		
DoLA 8010	58,828.81		
DoLA 8011	23,024.41		
DoLA 9038	4,934.14		
DoLA Grants - Other	0.00	350,000.00	0.0%
<b>Total DoLA Grants</b>	127,534.40	350,000.00	36.4%
<b>Dues Revenue</b>			
Admin Position	12,347.00	12,200.00	101.2%
COG Dues	115,363.00	114,000.00	101.2%
SWTPR Dues	7,679.00	7,679.00	100.0%
<b>Total Dues Revenue</b>	135,389.00	133,879.00	101.1%
<b>Grant Match</b>			
COG Member Match	6,836.42	6,000.00	113.9%
Non-COG Member Match	12,223.00		
<b>Total Grant Match</b>	19,059.42	6,000.00	317.7%
<b>Misc. Income</b>	6,035.68		
RREO Grant	0.00	36,200.00	0.0%
<b>SCAN Services</b>			
Dark Fiber Leasing	15,192.00	20,560.00	73.9%
e-TICS	8,400.00	8,400.00	100.0%
Fiber Equipment Repair Fund	9,754.00	15,000.00	65.0%
Internet & Transport	6,210.00	8,280.00	75.0%
<b>Total SCAN Services</b>	39,556.00	52,240.00	75.7%
<b>SJB AAA</b>	3,375.50	4,500.00	75.0%
<b>Total Income</b>	444,665.83	827,722.00	53.7%
<b>Gross Profit</b>	444,665.83	827,722.00	53.7%
<b>Expense</b>			
<b>Advertising and Promotion</b>	419.54	400.00	104.9%
<b>All Hazards Projects</b>			
<b>All Hazards 2014 SHSP</b>			
Grant 2014 Project 1	1,081.00		
Grant 2014 Project 2	5,411.61		
Grant 2014 Project 5	495.00		
Grant 2014 Project 7	663.01		
Grant 2014 Project 8	8,528.69		
Grant 2014 Project 9	1,157.00		
<b>Total All Hazards 2014 SHSP</b>	17,336.31		
<b>All Hazards 2015 SHSP</b>			
Grant 2015 Project 1	5,892.86		
Grant 2015 Project 2	40,400.00		
Grant 2015 Project 4	14,300.00		
<b>Total All Hazards 2015 SHSP</b>	60,592.86		



**Southwest Colorado Council of Governments**  
**Profit & Loss Budget vs. Actual**  
**January through August 2016**

09/27/16

Accrual Basis

	Jan - Aug 16	Budget	% of Budget
All Hazards Projects - Other	0.00	194,607.00	0.0%
<b>Total All Hazards Projects</b>	<b>77,929.17</b>	<b>194,607.00</b>	<b>40.0%</b>
AmeriCorp VISTA	0.00	11,700.00	0.0%
Bank Service Charge	73.00	100.00	73.0%
<b>Broadband Expenses</b>			
Fiber Equip Repair - RESTRICTED	0.00	15,000.00	0.0%
SCAN Dark Fiber Lease	0.00	15,420.00	0.0%
<b>Total Broadband Expenses</b>	<b>0.00</b>	<b>30,420.00</b>	<b>0.0%</b>
Consulting	164,786.34	271,000.00	60.8%
Employee/Board Appreciation	360.68		
<b>Information Technology (IT)</b>			
Software	1,248.06	1,755.00	71.1%
<b>Total Information Technology (IT)</b>	<b>1,248.06</b>	<b>1,755.00</b>	<b>71.1%</b>
<b>Insurance Expense</b>			
General Liability	2,212.75	2,102.00	105.3%
Health	14,624.00	21,516.00	68.0%
HSA	4,000.00	4,000.00	100.0%
Worker's Compensation	1,674.00	1,674.00	100.0%
<b>Total Insurance Expense</b>	<b>22,510.75</b>	<b>29,292.00</b>	<b>76.8%</b>
<b>Internet Connectivity</b>			
Fast Track	8,100.00	10,800.00	75.0%
Internet Connection (AT&T)	256.95	660.00	38.9%
<b>Total Internet Connectivity</b>	<b>8,356.95</b>	<b>11,460.00</b>	<b>72.9%</b>
Match Refund	1,634.25		
Meetings	2,482.34	2,325.00	106.8%
Memberships	17,253.50	2,300.00	750.2%
Office Equipment	3,606.19	2,000.00	180.3%
Office Supplies	685.46	1,300.00	52.7%
Postage and Delivery	54.47	125.00	43.6%
Professional Development	430.40		
<b>Professional Fees</b>			
Accounting Software	0.00	150.00	0.0%
Audit	6,500.00	6,438.00	101.0%
Legal	3,174.86	3,000.00	105.8%
Misc.	915.75	250.00	366.3%
<b>Total Professional Fees</b>	<b>10,590.61</b>	<b>9,838.00</b>	<b>107.7%</b>
Rent	0.00	81.00	0.0%
<b>Salary and Wages</b>			
457 Retirement	2,298.23	3,487.00	65.9%
Car Allowance	2,400.00	3,600.00	66.7%
Cell Phone Allowance	1,885.00	2,340.00	80.6%
Housing Allowance	2,700.00		
Payroll Processing Fee	1,054.61	1,550.00	68.0%
Payroll Tax	7,184.47	12,956.00	55.5%
Salary and Wages - Other	85,117.54	151,541.00	56.2%
<b>Total Salary and Wages</b>	<b>102,639.85</b>	<b>175,474.00</b>	<b>58.5%</b>
Software Maintenance e-TICS	7,492.19	8,400.00	89.2%
Team Building	320.00		
Travel	11,353.12	17,000.00	66.8%
<b>Total Expense</b>	<b>434,226.87</b>	<b>769,577.00</b>	<b>56.4%</b>
<b>Net Ordinary Income</b>	<b>10,438.96</b>	<b>58,145.00</b>	<b>18.0%</b>

Southwest Colorado Council of Governments

Profit & Loss Budget vs. Actual

January through August 2016

	Jan - Aug 16	Budget	% of Budget
Other Income/Expense			
Other Income			
Interest Earned	0.25		
Total Other Income	0.25		
Net Other Income	0.25	0.00	100.0%
Net Income	10,439.21	58,145.00	18.0%

# Reports

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# Director's Report

To: SWCCOG Board of Directors  
From: Miriam Gillow-Wiles  
Date: 7 October 2016

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Comments: **DOLA Grant Funds**

On 26 Sept 2016 the Colorado Association of Regional Associations (CARO) met with Irv Halter regarding the impacts of the downturn in oil/gas and the severance tax issue from earlier in the year. Much of discussion centered on what should be expected in the next two years.

Local jurisdictions should anticipate continued low/oil gas extraction and thus a lower amount per cycle will be available. This amount is going to be 16-20 million per cycle for Dec 2016 and throughout 2017. The past few years were very plush for the DOLA Energy Impact Funds, they were closer to 35 million per cycle.

The Supreme Court Decision was somewhat of a surprise at a 7-0 in favor of oil/gas. The past taxes due back to the oil/gas plaintiffs is 40-100 million. The administration agreed to take reserves from Division of National Resources (DNR) and DOLA and put restrictions on said reserves. The money from DOLA and DNR was not moved into the general fund, but only frozen. The amount that was restricted from DOLA was 48 million. The Joint Budget Committee and DOLA worked together to have 19 million released for the most recent grant funding cycle. The upcoming legislative session will decide on any additional funding release and what to do with the restricted funds.

DOLA grant cycles are still expected to continue, direct distribution to local jurisdictions remains intact, additional programs such as planning grants, COG grant cycles, and emergency fund grants remain in place as well. If the December cycle of DOLA grant requests are higher than funding, DOLA will work with the Joint Budget Committee until the state legislature is in session to provide funding. DOLA is starting to work with CDPHE to address the water/sewer infrastructure needs, which account for about one third of the DOLA grant funding (not requests, but actual funding). Ideally, a partnership with CDPHE will identify additional funding to help with critical infrastructure.

In light of the Supreme Court decision, DOLA is working with the State Administration to discuss the severance tax system in the state. Colorado has the lowest severance tax in the nine western states that collect severance tax. DOLA and the Administration want to work with industry, communities, counties, COGs, legislators to try to develop some solutions. This may mean and increase in severance taxes; if there is no increase in severance taxes and oil/gas revenues and drilling stay at current levels, funding will likely become more challenged.

# Director's Report

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## **CIRSA**

The 2017 CIRSA renewal quotation was received, signed, and submitted to CIRSA on September 17, 2016. A summary of the quotation is below. Due to credits for not using either insurance, our rates will stay the same as 2017. Final documents requiring board approval will be in an upcoming Board Packet. This is for information only.

### Property/Casualty Preliminary Contribution

2016 Premium: \$2,201

2017 Quote: \$2,221

2016 Loss Control Audit Credit: \$20

Total 2017 Premium: \$2,201

### Worker's Compensation Pool

2016 Premium: \$1,668

2017 Quote: \$1,682

2016 Loss Control Audit Credit: \$14

Total 2017 Premium: \$1,668

## **PTO**

In an effort to use PTO before I lose it, I will be taking off Oct 10 – Oct 14. The DOLA TA Grant is due Oct 14<sup>th</sup>, this will be completed before I leave for PTO.

# Accountant's Report

To: SWCCOG Board of Directors  
From: Sara Trujillo  
Date: 7 October 2016

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Comments: **Homeland Security Monitor Visit**

Two representatives from the Department of Homeland Security and Emergency Management (DHSEM) Monitoring Team did a complete review of the All Hazards grants in December 2015. Monitor team suggestions and SWCCOG solutions are as follows:

- Revise the locality purchasing section in the purchasing policy – *This has been updated.*
- The accounting system should filter the grants by year – *Since the inception, these grants have been tracked under one class and use the same expense accounts for all projects. With this request from the monitor team, I have created separate classes for each grant year and separate project expense accounts. In addition, I went back through two years of accounting records to place a memo on each AH grant transaction indicating grant year and project number.*
- Track depreciation of all equipment over \$5,000 – *This is already in place.*
- Create a grant guide – *I revised the state's Grant Management Guide to resemble the SWCOCG's roles, responsibilities, and procedures and sent it to the state for review.*
- Make a formal review process of the Code of Ethics annually and ensure staff is aware of updates – *This is already in place.*

# Broadband Report

To: SWCCOG Board of Directors  
From: Miriam Gillow-Wiles  
Date: 7 October 2016

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Comments: In September NeoConnect worked on the Community Level Broadband Plans. As a result, we held meetings in Archuleta, La Plata, and Montezuma counties for the COG members to better understand the options for each community and how all the community level development fits into regional middle mile development. Silverton and San Juan County will be held later in October due to scheduling conflicts.

Regional middle mile development ties directly into community broadband development as it solves some of the issues that the SCAN initially was developed to solve. Regional middle mile work will help create connectivity in some cases and redundancy across the region. Without better inter and intra-regional infrastructure the communities and counties cannot work to develop broadband infrastructure within their jurisdictions. One of the major tenants of these discussions was the funding of last mile broadband infrastructure. Part of the regional planning process was the development and release of an RFI to private providers. As a result of the RFI, the SWCCOG had eleven respondents. These varied from management services to large capital investment firms. The responses that were most beneficial to the local jurisdictions were public-private partnership where both the public body and the private partner share in the capital risk of infrastructure development but also share in the revenues. I have sent these responses to those that have asked for them, but if any other COG member would like a copy, please ask.

The results from the community/county meetings will be in the final report. The final report should be out by the end of the month. We will likely have a special meeting to discuss the ins and outs of the regional plan, ideally on November 4<sup>th</sup> prior to the COG Board meeting.

# Transportation Report

To: SWCCOG Board of Directors  
From: Jessica Laitsch  
Date: 30 September 2016

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Comments: Transportation:

The next SWTPR meeting will be held Friday, October 7 at the Carnegie Building, 1188 E 2nd Ave., Durango, from 9:00 to 10:00 a.m. Representatives from CDOT will be discussing proposed changes to the distribution of 5311 transit funds. CDOT has been exploring options for modifying its distribution of Federal transit funding due to limited funding available combined with increasing funding requests. While these changes will not increase the available funding, CDOT is looking to ensure the available funding is distributed fairly and equitably. These changes have the potential to significantly impact the regional transit operators, both positively and negatively depending on the organization. Please join the conversation as your feedback is valuable.

As demonstrated by this effort to modify the distribution methodologies of these specific funding sources, the lack of funding available statewide for public transportation is becoming a serious issue. In the next year we hope to begin the discussion about identifying additional sources of funding in the future.

In September, staff attended a National Working Summit on Transportation in Rural America. Highlights included presentations on transportation safety in rural areas and discussions on rural transportation with respect to freight and economic development.

Transit:

The Transit Council met on Friday, 16 September, 2016 and discussed proposed changes to the distribution of 5311 transit funds and next steps for developing feedback to CDOT on these changes. The council also received an update on the intercity bus route.

Staff attended a Colorado Association of Transit Agencies conference in September. Highlights included an overview of the status of the redistribution of 5311 funding, a presentation on CDOT's Together We Go effort and a discussion related to Uber-type solutions for transit, and a ride on the RFTA rural/resort transit system.

The next Transit Council meeting will be held Friday, 11 November, 2016 at 9 a.m. at the Carnegie Building.

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# VISTA's Report

To: SWCCOG Board of Directors  
From: Dennis Wegienek  
Date: 30 September 2016

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Comments: **Recycling**

At the end of August Miriam and I sat down with our marketing consultant to develop our plan for the creation of our website. In September I collected useful links and other material that we want to include on the website and sent that over to our web designer. I have also written up preliminary content to feature on the website. We are trying to keep content to a minimum because of the time and effort required to update large amounts of information regularly. In addition to the website developments, I have started reaching out to elementary schools to take the temperature of the principals of some schools around the region to see if they are at all interested in our recycling education pilot program. I also received word from Snapple-Dr.Pepper that the recycle bins that Shannon acquired will be delivered in mid-October.

**Professional Development**

I have started taking a grant-writing and fundraising course online with hopes of contributing to the fundraising efforts of the COG. This course also teaches about proper planning and ethics when approaching potential donors.

**Household Hazardous Waste**

There were a couple of Household Hazardous Waste meetings in September. The Biennial Household Hazardous Waste collection takes place in Durango on October 7<sup>th</sup>. We have been involved in this event to see if we could bring the same idea to other communities in the region in the coming years.

## Discussion Items

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# CDOT Transit Funding

To: SWCCOG Board of Directors  
From: Jessica Laitsch  
Date: 3 October 2016

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Comments: At the end of 2015, CDOT announced its intent to modify the process for distributing Federal Transit Administration Funds, specifically the FTA Section 5310 (enhanced mobility for seniors and individuals with disabilities) and 5311 (non-urbanized formula assistance program for public transportation) programs.

CDOT is looking to ensure the available funding is distributed fairly and equitably, as there is not currently funding available for new entrants. These changes have the potential to significantly impact the regional transit operators, both positively and negatively depending on the organization. For example, if changes are made to allow new organizations be funded, the available funds for current grantees would be reduced and, in some cases, these reductions could be extreme. Additionally, proposed changes such as eliminating rural operating funding from the 5310 program would create more demand on the 5311 program as effected organizations seek replacement funding.

Initially CDOT sought feedback and developed a number of potential scenarios for revised formulas for implementation in 2017. Based on the feedback received, they have extended the timeframe for finalizing and implementing the proposed changes and will focus on policy questions such as “what is fair and equitable.” The Regional Transit Coordinating Council met on Friday, 16 September, 2016 to discuss these proposed changes and will be developing feedback for CDOT, initially on the policy questions with continued discussions to address specific recommendations for distribution.

Representatives from CDOT’s Division of Transit and Rail will attend the Southwest Transportation Planning Region (TPR) meeting on Friday, October 7 at the Carnegie Building, 1188 E 2nd Ave., Durango, from 9:00 to 10:00 a.m. to discuss the redistribution process. Please join the conversation as your feedback is valuable. If you are unable to join in person, please join us via video/phone conference. Connecting information below:

Video Conference: <https://zoom.us/j/109670693>

Phone Conference: 1 408 638 0968

Meeting ID: 109 670 693

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**COLORADO**  
Department of Transportation  
Division of Transit & Rail  
4201 East Arkansas Ave, Suite 227  
Denver, CO 80222

September 9, 2016

RE: 5310/5311 Distribution Methodology

Dear: Transit Agency Grant Partners,

The Colorado Department of Transportation is providing an update on the intent to make modifications to the current process for distributing Federal Transit Administration funds. This change would affect the FTA Section 5310 and 5311 programs, excluding 5311(b)3, RTAP, and 5311(f), Intercity Bus programs. Small changes are expected to be implemented for the April 2017 call-for-projects, effective for administrative and operating contracts as of January 1, 2018, to allow eligible new entrants to receive some level of funding. Larger programmatic changes require more time to cooperatively find long term fair and equitable solutions, and would not take effect before January 1, 2019.

The goal of this endeavor is to evaluate the current funding distribution methodology, and develop a revised methodology utilizing criteria that distributes rural operating funds in a fair and equitable manner, that rewards good performance, and provides stable funding through a transparent process. When this is accomplished, CDOT and FTA's overall mission of promoting a comprehensive, stable, efficient statewide transit system will be better fulfilled.

CDOT is in the midst of the early steps of the process. Written notice was first provided December 1, 2015. General discussion occurred during Transit Town Halls in March/April 2016. Since then focus group/working group efforts have started evaluating various criteria for potential use in a distribution methodology which will continue to be developed over the coming months. With that early work, it has become clear that even logical criteria taken independently without a comprehensive methodology (geographic area, population, revenue vehicle miles, revenue hours, and ridership) would suggest dramatic effects (50% or more) in fund allocations to certain individual agencies.

CDOT is taking to heart the sensitivity of potential reductions in funding for any agency, and are examining the process going forward to come to an agreeable conclusion. There will be ample opportunities for all stakeholders to provide input on the criteria and forthcoming methodology. There will be a status report given at the CASTA Conference later this month; including the process going forward, and an invitation to participate. In addition, any changes to the funding methodology will include planning for a transition period that will phase in any changes, allowing grant partners to adapt to any changes in funding levels over a period of time.

CDOT's approach, as has been done in the past, is first to work with our Grant Partners to solidify an approach that works for representative operators (rural, resort, small urban). CDOT will engage CASTA and CDOT advisory councils (STAC and TRAC) early for preliminary reactions and input, then later for endorsement on a draft set of recommendations. Finally, CDOT will take the staff recommendations and relevant endorsements to the Transportation Commission's Transit & Intermodal Committee for further review, input and, finally, full Transportation Commission approval. As needed, this will be an iterative process through STAC, TRAC, and the TC T&I Committee.

CDOT's expectation is that a short term interim approach to allow new rural entrants into the funding distribution will be implemented by March 2017 for the 2018 distribution of funds, followed by further discussion for a long term approach to be enacted for future years. Please provide any feedback to Jeff Sanders ([jeffrey.sanders@state.co.us](mailto:jeffrey.sanders@state.co.us)) with your comments. He is supported by a team of DTR staff to be responsive to all grant partner / transit agency interests. Thank you.

Sincerely,

  
Mark Imhoff

Director - Division of Transit & Rail



## **FAQ's about 5311 Funding Distribution Proposed Policy Changes in Colorado September 2016**

**1. What is the driving factor for this effort? Please describe how CDOT sees the current status as well as the future issues that you see coming.**

The most immediate concern is there is no funding available for new entrants. In recent years CDOT has distributed all of the funding it has available for operating projects. CDOT has heard from at least six agencies that intend to request an operating grant in the next few years. There is not a good policy basis to deny funding to eligible applicants. Federal program requirements and Title VI (Civil Rights) require that all eligible populations be served.

Additionally, CDOT desires a distribution method that is transparent. Many of the decisions that shape the current funding arrangement were made by incremental decision over the last two decades. Because so many decisions occurred in the past, there is very little transparency in current operating awards. Other than a policy priority on stability of funding (i.e. same as last year plus inflation adjustments), there is little basis now to explain why one agency receives a relatively large award, while another similar agency—similar in size and operating characteristics—receives a much smaller grant.

Lastly, CDOT desires to discuss the opportunity to include performance as part of the 5311 funds distribution process. Performance-based management is encouraged by both State and Federal policy.

**2. Has there been any transportation commission direction on how to prioritize transit funding distribution?**

The Commission was very involved in establishing policy for the FASTER transit program that dedicated funds for local and statewide purposes. However, the Commission has not been involved in policy for distributing FTA funds. DTR first discussed the current issue with the Transportation Commissioners on September 14<sup>th</sup> and they requested follow up meetings to provide input on policy development.

**3. How does this effort dovetail with the FTA review from 2015?**

There is no direct connection between the 2015 FTA review and this effort to evaluate the 5311 distribution policy. However, as part of the review, the FTA did request that CDOT update its State Management Plan (SMP), the document that describes the state's policies and procedures for administering the state-managed federal programs. This current effort can be viewed as an update to the 5311 portion of the SMP.

**4. Would CDOT consider using a combination of formula and merit for this distribution?**

Yes, CDOT is open to considering any variety of methodologies to arrive at a distribution that is equitable, fair, and transparent.

**5. Please outline the process for approving this policy: (ie STAC > TRAC > TC). Who are the stakeholders and how are they involved?**

CDOT will first work with affected stakeholders, our Grant Partners, to discuss the policies, criteria, and methodologies associated with this effort. Following that, CDOT will then engage the Statewide Transportation Advisory Committee (STAC), the Transit and Rail Advisory Committee (TRAC), the Transit and Intermodal Committee of the Transportation Commission, and finally the full Transportation Commission. This issue will be discussed at multiple meetings in each of these policy bodies during the course of the project. This will be an iterative process where feedback from Grant Partners will inform discussions at higher levels and vice versa.

**6. How will you present this to the Transportation Commission? Will you include information on the impact to the highway system?**

DTR will discuss many policy issues related to the 5311 distribution with the Transportation Commission, the transit impacts on the highway system being one of them. Because of the purposes of FTA's programs for rural public transportation, congestion mitigation is not a key factor in decision-making. Transportation Commission policy at the State level has focused on connectivity, ridership, and vehicle/facility asset condition.

**7. How will CDOT go about developing the value statements embedded in the policy? Specifically, selecting some communities over others?**

CDOT will engage with stakeholders (ie, Grant Partners) and CDOT policy bodies to identify the value statements embedded in the distribution of federal transit program funding. Based on this policy framework, CDOT will develop criteria that guide the distribution of federal funds in a fair and equitable way. CDOT will then develop a transparent methodology based on the criteria. Any discussion of which communities will be affected will not occur until much later in the process.

**8. The increase in funding came from including performance measures in the 5311 formula. How is this federal policy reflected in the state distribution for 5311?**

As defined in the US Code, the formula for 5311 is based on four factors: land area, population, vehicle revenue miles, and low income population. The vast majority of the formula—88 percent—is based on land area. Vehicle revenue miles accounts for 5 percent of the formula. Currently, revenue miles is not reflected in the state distribution of 5311. However, it has been proposed as one of the criteria to use in a future formula.

**9. How much funding is going to Bustang from 5311(f) that used to go to the 5311 program?**

None of the 5311(f) intercity funds go to Bustang, which is funded out of FASTER funds. As required by the FTA, the state sets aside 15 percent of 5311 funds to sustain the intercity bus network. This money is awarded to private intercity bus carriers and non-profits to operate intercity bus routes which must make a "meaningful connection" to the national network.

**10. How does CDOT plan for the interaction between the new 5311 policy and the new 5310 policy? Do you have a sense of how agencies will change their grant strategy with the new policies in place?**

CDOT recognizes that changes in the 5310 program may affect the 5311 program. For instance, if CDOT eliminates operating projects as an eligible activity, some of those organizations may seek 5311 funding. As part of this redistribution project, CDOT plans to evaluate how changes in one program may affect other federal programs.

**11. This new policy seems to pull transit out of the transportation planning process, while we have worked so hard to bring transit into the transportation planning process. Is this true? If this is not true, please explain how it is tied to the planning process.**

CDOT completed its Statewide Transit Plan in 2014 that identified transit goals at a statewide level. CDOT does not view this effort as a deviation from that plan or a substitute for it. Rather, this effort is a way to convert the high-level goals in the Plan into real-world actions. “System Preservation and Expansion” is the first goal listed in the Statewide Transit Plan, with three of the supporting goal statements as follows: (1) Expand transit services based on a prioritization process, (2) Allocate resources toward both preservation and expansion, and (3) Identify grant and other funding opportunities to sustain and further transit services statewide.

**12. Which agencies are potential 'new' agencies? How much do you anticipate these agencies requesting? How long does an agency stay in the 'new' pot?**

There are several agencies that have approached CDOT about obtaining an operating grant in the next couple of years: Archuleta County, Telluride, rural Weld County, Bent County, Black Hawk City, Estes Park, and Woodland Park.

CDOT cannot comment on the size of an award to one of these agencies until we see the request. However, most of these agencies are small and would offer limited services. Currently, the smallest operating award CDOT gives is around \$75,000. CDOT does not have a policy around how long a new agency stays “new” and therefore hopes to develop a policy during this project.

**13. Once the potential new players are included, what is the revised shortfall?**

CDOT estimates the shortfall to be between \$500,000 and \$1.5 million, annually. Additionally, there are two agencies – Winter Park and Clear Creek County – that received an operating award for the first time in 2016. These awards were very small given the size of their operation and we expect them to request more funding.

**14. What is the chain of command for this project? Who does what within the DTR/other CDOT staff?**

Mark Imhoff, as Director of the Division of Transit & Rail, is ultimately responsible for the project and is supported by his staff. The project lead is Jeff Sanders who regularly coordinates with other staff members.

**15. Who developed the proposed formula?**

There is no proposed formula. CDOT is still in the process of developing criteria that would be used in any kind of methodology or formula. CDOT did develop five “scenarios” that used a variety and combination of several different criteria. However, CDOT staff warned that the

scenarios should not be interpreted as policy options, but rather as tools to explore the consequences of including or excluding various criteria.

**16. How are CDOT staff coordinating with other departments within CDOT? Specifically, using the planners to verify with Statewide plan, the PR staff to put together your public process and the government relations staff for the policy questions.**

CDOT plans to work with our colleagues in the Division of Transportation Development (DTD) Statewide Planning team, to include Region Planning staff, and Policy and Communications Office staff. Consultant assistance will support the effort. Policy development will occur through interaction with the STAC, TRAC, and Transportation Commission. The Transit & Rail Advisory Committee (TRAC) includes representatives of CASTA, ColoRail, COPIRG, and many transit agency representatives (rural, resort, small urban, large urban) who are expected to communicate through their memberships and organizations.

**17. Can COTRAMS data be used for the spreadsheets?**

Yes, COTRAMS data can be used in the process. Like all other data sources, to the extent the data are available and useful, they will be used to develop the distribution methodology.

**18. Would it be possible for CDOT to provide FTA 5311 circular training for agencies?**

Yes, CDOT and/or FTA will consider such training in upcoming events such as Transit Town Halls and CASTA Conferences.



# Executive Committee Road Trip Notes

To: SWCCOG Board of Directors

From: Miriam Gillow-Wiles

Date: 7 October 2016

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Comments: Attached are the notes from the Executive Committee road trip to Bayfield and Ignacio on 19 August 2016.

Southwest Colorado Council of Governments  
Executive Committee visit to Archuleta County  
19 August 2016

Executive Committee member in attendance:

Julie Westendorff - La Plata County

Others in Attendance:

Miriam Gillow-Wiles - Southwest Colorado Council of Governments

Sara Trujillo - Southwest Colorado Council of Governments

9:58 a.m.

Julie Westendorff and COG staff met with Town of Ignacio Manager Mark Garcia. The topics discussed included:

- Ignacio's SCAN fiber and use, leasing fiber to cover internet and some IT costs; shared services for an IT contractor between all smaller communities and working with Ignacio's schools.
- Natural partnerships with AAA and 4CORE but issues with taking on existing programs
- RHA meeting with communities to discover needs and gaps
- Large housing shortage in Ignacio; Mark pointed out on a map the property owned throughout the town by the Southern Ute Indian Tribe, Ignacio, and the school. The town has 5 acres of undeveloped property they are working with DoLA for funding. A developer is needed; development costs are high. Miriam suggested a Brownsfield grant with Region 9 that could help with cleanup of acreage in preparation for development.
- The school annexations; elementary school is already at 20 year capacity.
- Utility fees in Ignacio are highest in the county due to tribal impact and influence. Sewer fees are, conservatively, 36% conservatively higher than they should be and this is just to treat water.
- Town reserves are low and much debt is being carried. Need ordinance for fund balance before considering staff raises.
- Recycling proposal from Transit Waste; recycling education efforts by the COG will help Ignacio residents learn about recycling. Miriam suggested Mark call Phoenix Recycling.
- Shared services in regards to equipment and the challenges that come with sharing of heavy equipment, transportation, and operators (i.e., storm drain cleaning equipment, mosquito equipment); COG is putting out an RFP for a contractor to work on a shared services menu and how this will be managed.

12:03 p.m.

Julie and COG staff departed Ignacio Town Hall.

1:50 p.m.

Julie and COG staff arrived at Bayfield Town Hall and met with manager Chris La May. The topics discussed included:

- Broadband and ISP's interested in leasing fiber; Marshals office moved to a new records management system that involves cameras and digital records that will increase the band width needed. VOIP also needed.
- RHA representative presented housing policy and programs to Bayfield; Bayfield is currently meeting the demand and price needed for housing.
- Bayfield participates in transportation and TPR; feeling a bit leery of taking federal money because management is not easy. Currently trying to get off-system bridge money; dealing with critical habitat and restrictions. Design is almost complete which then goes back to CDOT and FHA (highway administration), hoping for a start this fall.
- Support of 1A resolution passed 4 to 3. Followed up with deed restrictions in Fox Farm requiring sale to someone that makes 120% variant medium income
- The town was approached by a county property owner that wants to do marijuana grow operations within 3 miles of town. The owner requested a variance and lift of the current 3 mile restriction. Board voted to reconsider the restriction.
- Bayfield requested recycling curb-side pickup; however, residents not using the service would still be charged, which is an issue. Consideration is being given to opening a central location on Saturdays for drop off.
- Bayfield has finished up their branding efforts and have issued an RFP for the 2nd phase to do wayfinding.
- A DoLA grant has been received to create a master plan involving parks and recreation; an RFP will be put out soon. Bayfield completed a storm water master plan, water master plan, and sewer master plan. Bayfield residents want rural lifestyle but with a Durango atmosphere. There is discussion of a larger recreation district.
- Shared services – Chris said this is a difficult item because all communities are at too different of evolution stages and mindset to make a commitment.
- IT – Bayfield recently switched over to Thin Client. The financial software has issues communicating with new system at times. Currently Bayfield is deciding what to do with an 8-year server; options include becoming cloud-based or updating the server.
- SCAN – Could be more useful with a program administer with technical background where small communities and managers in charge of SCAN and broadband could ask COG SCAN administer for help. Chris said lease proceeds would pay for this position but that it would take some time to generate enough revenues to pay for this position.

The meeting adjourned at 3:08 p.m.

# Fund Balance Policy Update

To: SWCCOG Board of Directors  
From: Sara Trujillo  
Date: 2 September 2016

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Comments: **Fund Balance Policy**

After speaking with legal about the TABOR language concerns from the September meeting, legal confirmed removing the TABOR language entirely is acceptable. The TABOR language has been removed from the policy.

**Legal Review:** Reviewed by Legal

**Fiscal Impact:** None

**Staff Recommendation:** Review the Fund Balance Policy update.

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## Southwest Colorado Council of Governments

### FUND BALANCE POLICY

#### **PURPOSE OF FUND BALANCE**

The purpose of this policy is to establish a key element of the financial stability of the SWCCOG by setting guidelines for the fund balance. It is essential that the SWCCOG maintain adequate levels of unreserved fund balance to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures and similar circumstances. The fund balance also provides cash flow liquidity for the SWCCOG general operations.

#### **POLICY**

It is the goal of the SWCCOG to maintain an unassigned fund balance equal to four months of operating expenditures. In the event that the fund balance is less than the policy anticipates, the SWCCOG shall plan to adjust budget resources in the subsequent fiscal years to restore the balance. Except in extraordinary circumstances, unassigned fund balance should not be used to fund any portion of the ongoing and routine year-to-year operating expenditures of the SWCCOG. It should be used primarily to ensure adequate assigned balances, to respond to unforeseen emergencies, to provide cash flow, and to provide overall financial stability.

#### **DEFINITIONS**

***Fund Balance.*** Net assets are considered Fund Balance.

The Governmental Accounting Standards Board (GASB), which establishes financial reporting rules for governments, separates fund balance into five classifications that comprise a hierarchy based primarily on the restrictions placed on the funds.

1. **Nonspendable.** This classification represents funds that are inherently nonspendable. Resources that must be maintained intact pursuant to legal or contractual requirements are nonspendable, such as the capital of a revolving loan fund. This can include assets that will never convert to cash such as inventory, or will not convert to cash within the current fiscal year such as the long term portion of accounts receivable.
2. **Restricted.** These funds are limited by externally enforceable limitations on use. This includes limitations from the entity providing the money, such as grantors. Also, this classification includes funds with limitations placed by law or enabling legislation, such as charter or state law.
3. **Committed.** Funds in this classification are those with limitations the government places on itself. The purpose of these funds is decided by SWCCOG action and also requires SWCCOG action to change the purpose.
4. **Assigned.** Assigned fund balance has limitations based on the intended use of the funds. The assigned use can be established by the SWCCOG as described in the financial statements, such as self-insurance assignments and fund balance to be used in the subsequent year's budget.
5. **Unassigned.** Residual net resources, or the balance after restricted, committed and assigned, are classified as unassigned fund balance. This is the amount of fund balance, formerly referred to as "unreserved, undesignated" fund balance that is available to address emergencies and provide fiscal stability. This is the classification governed by this Fund Balance Policy.

***Administrative Responsibilities.*** The Accountant shall be responsible for monitoring and reporting the SWCCOG's various assignments. The SWCCOG Board is directed to make recommendations to the Executive Director and Accountant on the use of unassigned funds both as an element of the annual operating budget submission and from time to time throughout the year as needs may arise.

***Annual Report.*** The Accountant shall annually submit a report to the SWCCOG Board of Directors outlining the status of the SWCCOG's various components of the fund balance. This report shall be submitted within thirty days of the receipt

of the annual financial audit. The Accountant shall also provide status reports at other times to the SWCCOG Board of Directors as may be requested.

***Original adopted by the SWCCOG Board of Directors on December 4, 2015.***

# Decision Items

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# 4CORE - SWCCOG

To: SWCCOG Board of Directors  
From: Miriam Gillow-Wiles  
Date: 7 October 2016

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Comments: I attended the 15 September 2016 4CORE Board meeting. At this meeting they discussed the legal opinion from their attorney. I found the opinion interesting as it was exceptionally similar to what the 4CORE Program Director, Laurie, presented at the June 2016 SWCCOG Board meeting. After the September 15<sup>th</sup> meeting, where the Board went into executive session but apparently did not come to a consensus about the SWCCOG, they met again the following week to make a decision. At that meeting, the 4CORE Board voted to come under the SWCCOG with the stipulation that we sort out the non-profit status question.

While, I am not a lawyer, and the Board has not directed staff to spend money on legal opinions, many COGs have a non-profit under the COG umbrella. For example, Northwest Colorado Council of Governments has a foundation, the NWCCOG Foundation that is a 501c3, the Executive Director of the NWCCOG Foundation is also the Executive Director of the NWCCOG. The NWCCOG Foundation Board of Directors is small, at just three, but all of the Foundation Board of Directors are on the NWCCOG's Board. Also, from the NWCCOG website:

- NWCCOG Foundation provides member jurisdictions use of an IRS 501(c)(3) public foundation to facilitate fundraising

The SWCCOG has previously discussed the COG Board becoming the 4CORE Board of Directors, and appointing a small advisory committee to help guide the direction of 4CORE and making 4CORE a program/department of the SWCCOG.

The purpose of this discussion and subsequent decision is to hopefully provide direction to staff as to what the Board wishes to do regarding 4CORE and the non-profit designation.

**Documents Attached:**

- Memo to Board Chair on 4CORE's decision
- 4CORE's Legal Opinion
- Analysis of 4CORE's financial position (done by SWCCOG Staff)

**Legal Opinion:** Not yet obtained for SWCCOG

**Fiscal Impact:** Potentially high. Could help in obtaining additional funding for SWCCOG Members to pursue sustainability initiatives as well as regional sustainability projects.

**Staff Recommendation:** Decide to either move forward or not with bringing 4ORE under SWCCOG umbrella.



To: Andrea Phillips  
SWCCOG Board Chair  
CC: Miriam Gillow-Wiles

From: Werner Heiber  
4CORE Board Chair

Date: September 22, 2016

**Summary of 4CORE's Board of Director's Vote to join the SWCCOG**

**Introduction:**

On Thursday, Sept. 15<sup>th</sup> and Tuesday, Sept. 22<sup>nd</sup> the 4CORE board held two Executive Sessions discussing the potential merger of our organization with the SWCCOG. At the second date we held a final binding vote with a quorum present of seven board members out of a total of nine. We also have received proxy votes from the two absent board members. The vote recorded below was influenced by a legal decision we obtained on Monday, Sept. 19<sup>th</sup> from Attorney Kelly Berg (see attached legal opinion), who was recommended by Mountain States Employers Council.

**Outcome of the board vote:**

The following motion was made and approved by the 4CORE board on Tuesday, Sept. 21<sup>st</sup>: "The 4CORE Board voted to join the COG with the understanding of the benefits to both organizations for maintaining 4CORE's 501(c)(3) status. Doing our due diligence, 4CORE has obtained a legal opinion from Kelly Berg, a non-profit attorney, indicating our non-profit status would be lost when joining, an issue that needs to be reconciled".

We appreciate your consideration and wait for further word from the SWCCOG regarding this vote by the 4CORE board.



## MEMORANDUM

TO: Board of Directors of Four Corners Office for Resource Efficiency (4CORE)  
FROM: Tuthill & Hughes LLP, Kelly R. Berg  
DATE: September 12, 2016  
Re: Summary of Options re 4CORE's Relationship with the Southwest Colorado Council of Governments (SWCCOG)

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Below is a list of three options for how 4CORE can structure its relationship with SWCCOG, together with descriptions of the effect of each option on 4CORE's operations. As you will see, under the second option, in which 4CORE becomes a program or department of SWCCOG:

- 4CORE would cease to exist as a separate legal entity, which means it would lose its 501(c)(3) status and become part of SWCCOG, a governmental entity; and
- The 4CORE board would cease to have control over 4CORE programs. The 4CORE board could be an advisory board, but the advisory board could only make recommendations to the SWCCOG Board, which would have the final decision-making authority.

### OPTIONS

	<b>Services agreement (the "PDC/ECCOG" Model)</b>	<b>4CORE becomes a program/department of SWCCOG</b>	<b>Memorandum of Understanding</b>
<b>How to accomplish?</b>	Negotiate a written agreement to purchase services/office space from SWCCOG	Either: (i) A statutory merger whereby 4CORE merges into SWCCOG, or (ii) 4CORE transfers all of its assets to SWCCOG and dissolves	Negotiate a written agreement whereby the two entities agree to work together in particular partnerships and programs, share office space, etc.

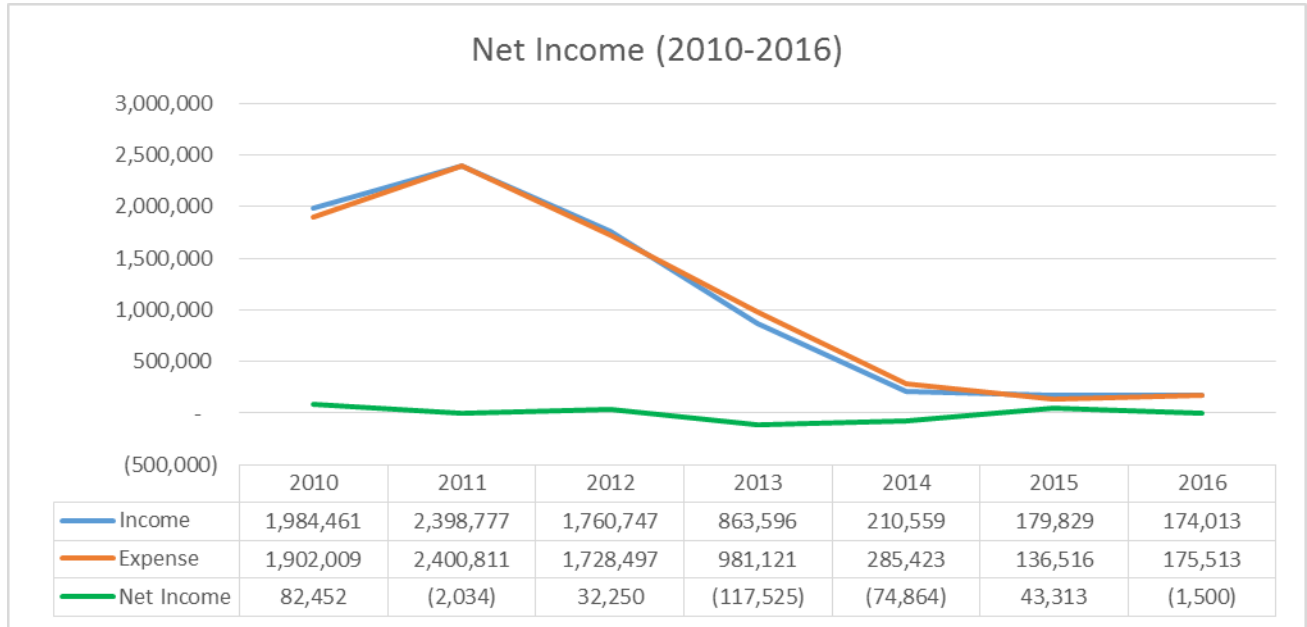
<b>Flexibility?</b>	High – 4CORE can determine its needs and negotiate with SWCCOG to purchase only the services/office space it needs; services agreement can be easily terminated	Very low – once 4CORE becomes a program of SWCCOG, it loses its corporate existence and 501(c)(3) status, and will continue to exist as a program of SWCCOG only so long as the SWCCOG opts to continue funding the program. If it wants to go back to the way it was, it will need to reincorporate and re-apply to the IRS	High – 4CORE can determine the terms of its collaboration with SWCCOG; MOU can be easily terminated
<b>Corporate/Governance Issues - Will 4CORE:</b>			
<i>A. Continue to exist as legal entity?</i>	YES	NO	YES
<i>B. Retain its 501(c)(3) tax-exempt status</i>	YES	NO – becomes part of SWCCOG, a governmental entity	YES
<i>C. Own assets?</i>	YES	NO	YES
<i>D. Have employees?</i>	YES	NO – staffers would be employees of SWCCOG	YES
<i>E. Have a board of directors with decision-making authority?</i>	YES	NO – but could have an advisory board that makes <i>recommendations</i> to SWCCOG Board, which has the decision-making authority	YES
<i>F. Be subject to government open records laws?</i>	NO	YES	NO
<b>Fundraising Issues:</b>			
<i>A. Who fundraises for 4CORE activities?</i>	4CORE Board and staff	Unclear – either staff of SWCCOG or 4CORE advisory board	4CORE Board and staff

<i>B. Would 4CORE be able to receive funding from sources that require a 501(c)(3) determination letter?</i>	YES	NO	YES
<i>C. Would 4CORE be able to receive funding from sources that fund only governmental entities</i>	NO	YES	NO
<i>D. Be able to maintain donor privacy?</i>	YES	Maybe – depends on government open records laws	YES
<i>F. Be able to have fundraising events?</i>	YES	Yes, if SWCCOG authorizes, and staff of SWCCOG or 4CORE advisory board executes (with net revenue going directly to SWCCOG, restricted for 4CORE programming)	YES
<i>G. Be able to get corporate sponsorships</i>	YES	Yes, but corporate sponsors sometimes leery of giving money to a governmental entity, and foundations generally prefer 501(c)(3)s	YES
<i>H. Be allowed to have its own marketing budget, branding, website, newsletter?</i>	YES	Yes, if SWCCOG authorizes and funds, and staff of SWCCOG or 4CORE advisory board executes	YES
<b>Cost Issues</b>			
<i>A. Cost savings?</i>	Maybe – if purchasing services from SWCCOG is cheaper than either purchasing the services from a third party or hiring a full/part-time employee	Maybe – would eliminate some duplicative costs such as D&O insurance and preparation of IRS Form 990. Depends on whether SWCCOG staff working on	Maybe – partnerships between 4CORE and SWCCOG may lead to increased efficiencies

		4CORE would be paid more or less than current 4CORE staff	
<i>B. Cost of implementing?</i>	3-4 hours of attorney time – start with the PDC/ECCOG agreement and customize terms; negotiate with SWCCOG on terms	8-10 hours of attorney time – draft merger or distribution documents, and corporate resolutions. Negotiate with SWCCOG. SWCCOG may prefer a distribution of assets rather than a statutory merger, which would require staff/attorney time to identify and transfer assets	4-6 hours of attorney time – work with 4CORE board and staff to identify particular partnerships and programs; negotiate with SWCCOG; draft MOU.

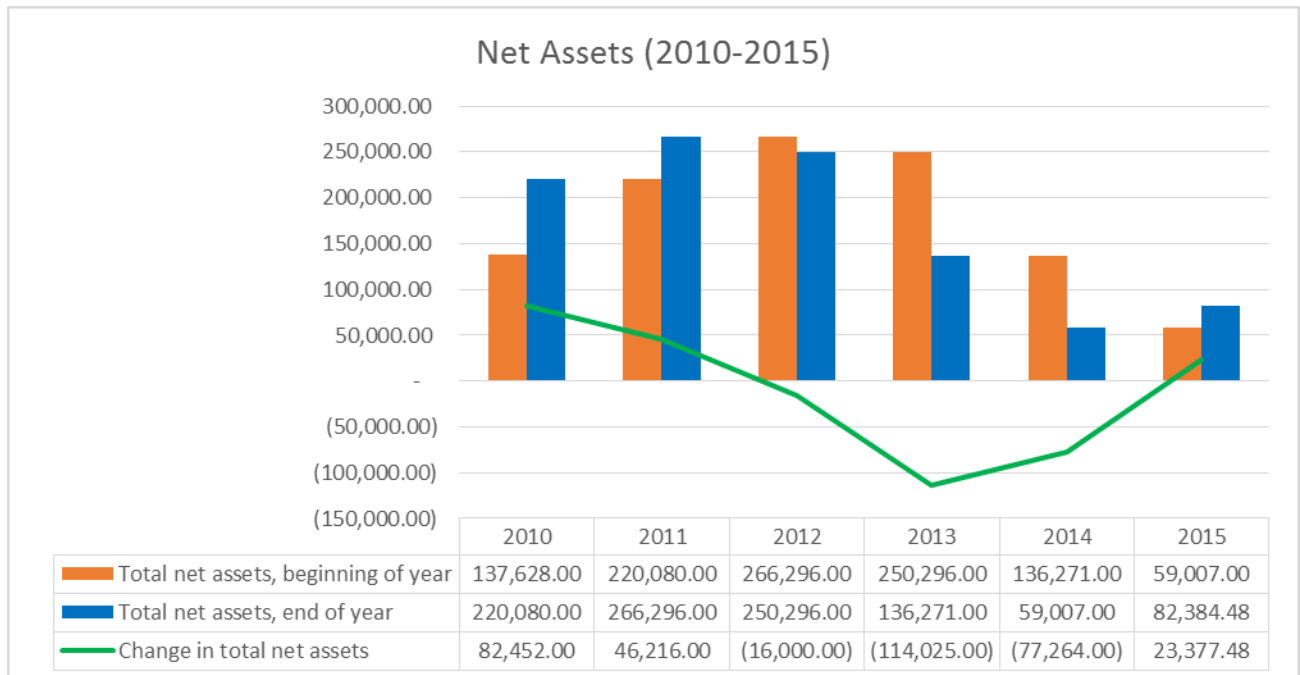
## Net Income

Below is a chart showing 4CORE's change in net income from 2010, including the estimated income and expense for 2016 (budgeted).



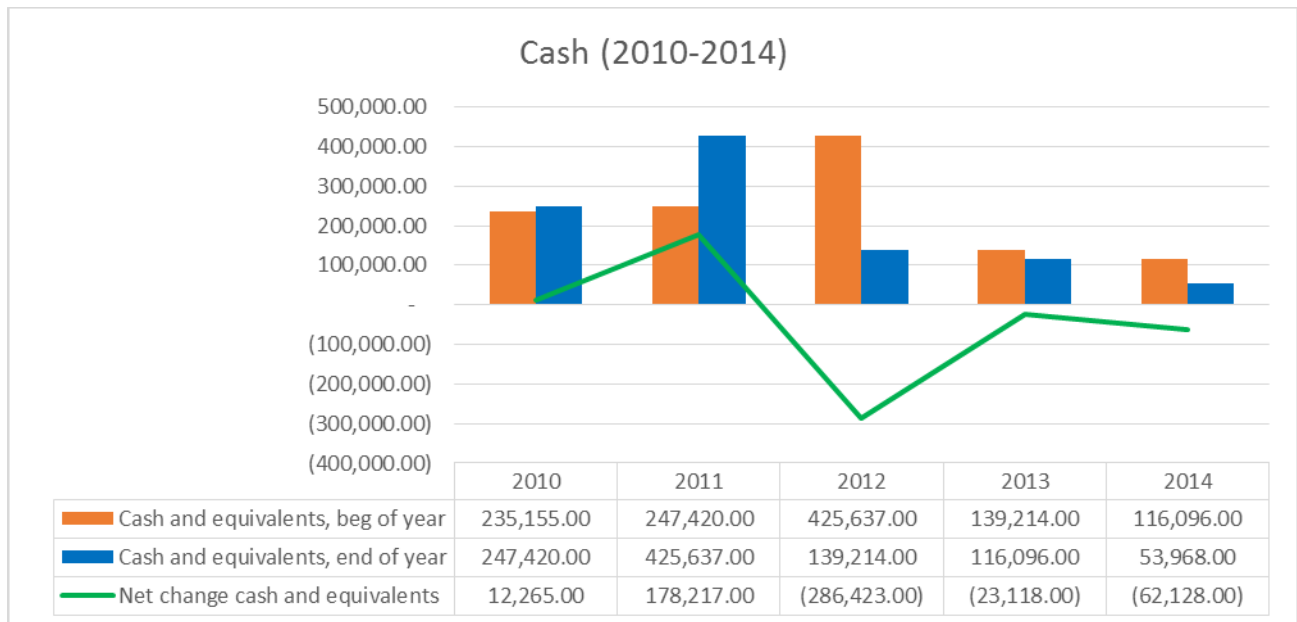
## Net Assets

Below is a chart showing 4CORE's change in net assets from 2010-2015. This answers the question: "Did the organization live within its means during the year?"



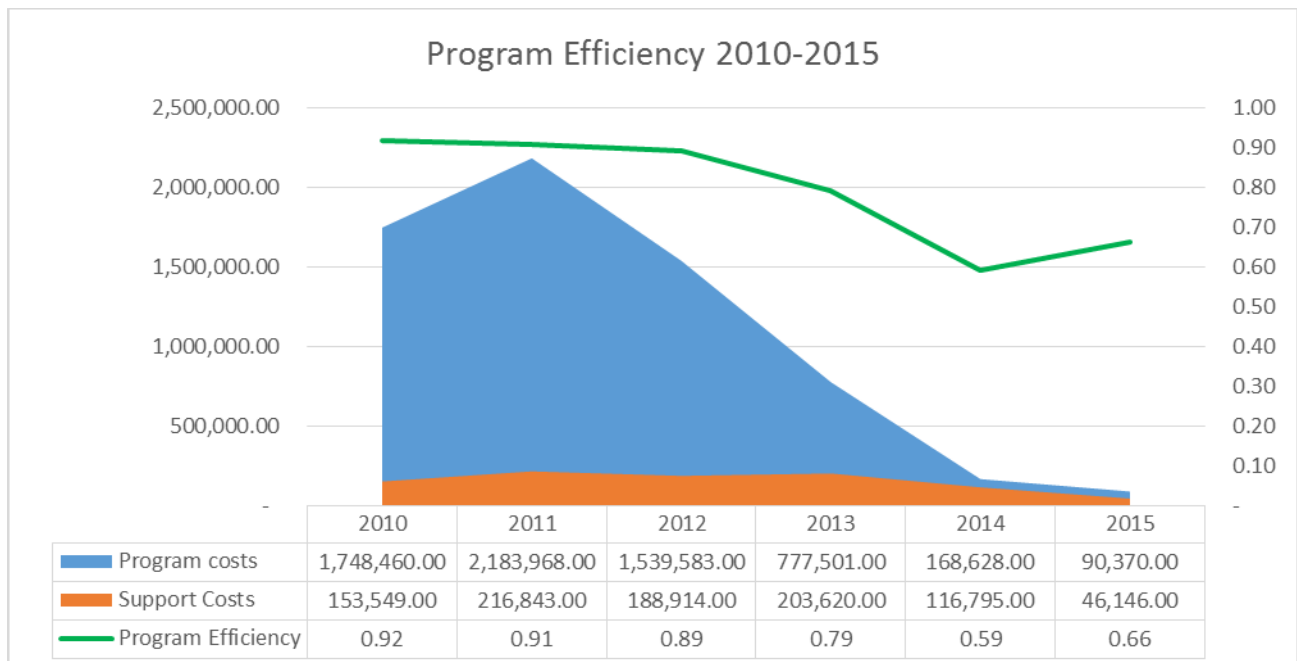
## Cash and Cash Equivalents

Below is a chart showing 4CORE's change in cash and cash equivalents from 2010-2014.



## Program Efficiency

Below is a chart showing 4CORE's program efficiency for 2010-2015. This compares program expenses to total expenses, and therefore how efficient the organization is in fulfilling its mission. Support costs in this period remained fairly stable, dropping in 2014 then again in 2015, with program costs dropping dramatically after 2011.



**Operating Reserve**

Current budgeted reserves total \$32,000, which would allow for approximately 66 days (slightly over 2 months) at current operating levels. Including cash on hand estimated for the 2016 budget, these estimates rise to \$81,200 and 169 days (over 5 ½ months).



# 2017 DOLA Technical Assistance Grant

To: SWCCOG Board of Directors  
 From: Miriam Gillow-Wiles  
 Date: 7 September 2016

Comments: The DOLA Technical Assistance Grant is due October 14. Based on what the COGs goals and needs are staff proposes to seek grant funding for the Four Corners Transit Planning and a Broadband Coordinator. While there are many other needs, the Transit Planning grant is a small match which allows us to request more for Broadband person. Through the Broadband Planning Process it has become painfully apparent we need a point person for broadband. DOLA will not allow the SWCCOG to increase FTEs with grant funding, so we will have to create or maintain a relationship with a contractor. Below are two different scenarios for funding this position. The first is with 2017 Grant Match as the cash match; the second option is to use the Broadband restricted funds. There is a third option (not presented below), and that is to use staff time as in-kind to match the grant. However, this option is the least favorable option as staff time is not reimbursed in that scenario. A few things to note about these spreadsheets:

- \$40,000 cash match is the funding requested from CDOT 5304 Transit Planning (approved at September 2016 Board meeting)
- DOLA will not pay for existing staff with grant funds with this grant
- Total amount for contractor includes Broadband and Transit Planning

## Option 1

SWCCOG DOLA TA 2017 Grant				
Using SWCCOG Grant Match				
Project	DOLA	Cash Match	In Kind	Total Per Project
4 Corners Transit Planning	\$ 10,000	\$ 40,000	\$ -	\$ 50,000
Broadband Contractor	\$ 55,000	\$ 25,000	\$ -	\$ 80,000
<b>Total</b>	<b>\$ 65,000</b>	<b>\$ 65,000</b>		<b>\$ 130,000</b>
Contractor	\$ 65,000	\$ 55,000	\$ -	\$ 120,000
Staff	\$ -	\$ 10,000	\$ -	\$ 10,000
<b>Total</b>	<b>\$ 65,000</b>	<b>\$ 65,000</b>	<b>\$ -</b>	<b>\$ 130,000</b>

## Option 1 Details:

- Broadband Contract: \$70,000
  - o At an estimated \$150/hour, this contract will provide 38 hours/month (on average) for 2017.
  - o Does not calculate travel, which will impact number of hours per month.

# 2017 DOLA Technical Assistance Grant

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- M&A and Staff work on Broadband: \$10,000
  - o Executive Director hours/month: 14.5
  - o Accountant hours/month: 4
  - o M&A is 2.9% for Option 1

## Option 2

<b>SWCCOG DOLA TA 2017 Grant</b>				
Using SWCCOG Broadband Restricted Fund				
Project	DOLA	Cash Match	In Kind	Total Per Project
4 Corners Transit Planning	\$ 10,000	\$ 40,000	\$ -	\$ 50,000
Broadband Contractor	\$ 60,000	\$ 30,000	\$ -	\$ 90,000
<b>Total</b>	<b>\$ 70,000</b>	<b>\$ 70,000</b>		<b>\$ 140,000</b>
Contractor	\$ 70,000	\$ 60,000	\$ -	\$ 130,000
Staff	\$ -	\$ 10,000	\$ -	\$ 10,000
<b>Total</b>	<b>\$ 70,000</b>	<b>\$ 70,000</b>	<b>\$ -</b>	<b>\$ 140,000</b>

### Option 2 Details:

- Broadband Contract: \$80,000
  - o At an estimated \$150/hour, this contract will provide 44 hours/month (on average) for 2017.
  - o Does not calculate travel, which will impact number of hours per month.
- M&A and Staff work on Broadband: \$10,000
  - o Executive Director hours/month: 14.5
  - o Accountant hours/month: 4
  - o M&A is 2.5% for Option 2

### Broadband Contract (not limited to):

- Part time, contract
- Identify funding opportunities for regional infrastructure development
- Help with grant writing and obtaining other funding for infrastructure development
- Provide support for community level broadband development
- Negotiate with organizations (Tri-State, LPEA, Empire, CDOT, etc) on behalf of SWCCOG

# 2017 DOLA Technical Assistance Grant

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- Serve as liaison between counties, municipalities, state agencies, private services providers, and other private companies
- Visits to region to help coordinate funding, infrastructure development, meetings, and other in-person needs.

**Legal Review:** Not applicable at this time

**Fiscal Impact:** High. Will use Grant Match or Broadband Restricted Fund

**Staff Recommendation:** Allow staff to apply for the DOLA Technical Assistance grant due October 14 with either consensus for use of Grant Match or Broadband Restricted Fund as match for the DOLA 2017 Technical Assistance grant.

# NeoConnect Contract Amendment

To: SWCCOG Board of Directors  
From: Miriam Gillow-Wiles  
Date: 7 October 2016

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Comments: Attached is the amendment for the NeoConnect contract which includes the Ute Mountain Ute and the Community Level Broadband Planning aspects. These were outside the original contract.

#### Ute Mountain Ute

- Work will be done in November and will tie into the rest of the regional plan, including regional redundancy
- Board approved the contract with UMUT at August 2016 Board Meeting.

#### Community Level Broadband Planning

- The Board had asked for this work at the August Broadband Meeting. This will help the communities be able to move forward with community specific planning and solutions to increase broadband within each jurisdiction.
  - o This ties into regional plan, as just having middle mile planning does not specifically help the state of broadband within the jurisdictions.

**Legal Review:** No, does not change terms and conditions of initial contract

**Fiscal Impact:** High. Increases the amount of money paid to NeoConnect. Impacts the DOLA Broadband Planning Grant amendment.

**Staff Recommendation:** Approve the contract amendment with NeoConnect.

**Additional Task Order One**  
**Addendum C and D**  
**Adding on to the Scope of Work to the Agreement**  
**Independent Contractor Agreement Between**  
**The Southwest Colorado Council of Governments and NEO Fiber**

This Task Order One is issued pursuant to the terms and conditions of that certain agreement between the Southwest Colorado Council of Governments ("Customer") and NEO Fiber, ("NEO") dated approximately November 23, 2015 (the "Agreement").

SERVICE DESCRIPTION, LOCATION(S) AND FEE(S).

1.1. This Task Order One shall be effective on \_\_\_\_\_ and shall be completed no later than (\_\_\_\_\_) days from the time contract is signed (the "Task Order Term"). Each party shall have the right for its convenience to terminate this Task Order One, during the Task Order Term, or any extension thereof, by giving the other party written notice of termination. Any notice of termination given by Customer shall specify the extent to which this Task Order One is terminated and the nature and scope of the services, if any, NEO shall continue to perform until the effective date of termination.

1.2. The services and deliverables NEO shall provide are described in the Agreement. The purpose of this Task Order One is to expand the service area of the Regional Broadband Plan. The service area of that Agreement is expanded to include the following jurisdictions:

Ute Mountain Ute Tribe – Addendum C, Estimated Scope of Work and Activities

Additionally, the scope of work will be expanded to include providing a preliminary estimate of capital costs for building a Fiber to the Premise network in each member community and county participating in the plan and to discuss findings and strategies on a per community basis with each member community.

Expanded scope of work – Addendum D, Community Level Broadband Planning Estimates and Follow up with Communities/Counties participating in the plan

Estimated Scope of Work				
NEO Estimate of Consulting Services for SWCCOG				
Regional Broadband Plan, Addendum C, Adding on the Ute Mountain Ute Tribe				
<b>NEO Connect</b>				
<b>Ute Mountain Ute, Estimate</b>				
Activities	# of hours	# of people	Hourly Rate	Total Cost
Meeting with Econ Dev, community anchor institutions	4	2	\$ 150	\$ 1,200
Meeting with Tribal Council	4	2	\$ 150	\$ 1,200
Planning, design engineering	10	1	\$ 150	\$ 1,500
Partner and grant collaboration	8	1	\$ 150	\$ 1,200
Reports	4	1	\$ 150	\$ 600
Meetings	4	2	\$ 150	\$ 1,200
Subtotal				\$ 6,900
Travel hours and reimbursed expenses				\$ 600
Administrative Fee				\$ 750
<b>Total scope of work budget, to add in Ute Mountain Ute to the Existing SWCCOG budget</b>				<b>\$ 8,250</b>
Travel hours are billed at \$75 per hour.				

And

Estimated Scope of Work				
NEO Estimate of Consulting Services for SWCCOG				
Regional Broadband Plan, Addendum D: Community Level Broadband Development				
<b>NeoConnect</b>				
<b>Community Level Broadband Development and Follow Up with each Jurisdiction</b>				
Activities	# of hours	# of people	Hourly Rate	Total Cost
Community Level BB Development Estimates	20	1	\$ 150	\$ 3,000
Planning, design, capital cost estimates, mapping	20	1	\$ 150	\$ 3,000
Reports for each community and meetings	40	1	\$ 150	\$ 6,000
Subtotal				\$ 12,000
Travel hours and reimbursed expenses				\$ 1,200
<b>Total expanded scope of work budget</b>				<b>\$ 13,200</b>
Travel hours are billed at \$75 per hour				

6 **ADDITIONAL TERMS AND CONDITIONS.**

This Task Order One and the Agreement shall be read so as to complement each other. However, in the event of an irreconcilable conflict in the terms thereof, the provisions of the Agreement shall have precedence over the terms of this Task Order One.

**NEO Fiber, Inc.**

**Southwest Colorado Council of  
Governments**

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Signature

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Signature

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Diane Kruse

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Name Typed or Printed

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Name Typed or Printed

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CEO

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Title

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Title

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Date

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Date

# DOLA Broadband Planning Contract Amendment Request

To: SWCCOG Board of Directors  
From: Miriam Gillow-Wiles  
Date: 7 October 2016

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Comments: Attached is the amendment to DOLA for additional funding for Broadband Planning. The total request is for \$28,212. We have worked with Ken to develop this request to help the likelihood of success.

The attached request covers the following:

- SCAN Operations, funding, and reconciling with additional middle mile broadband infrastructure development
- Ute Mountain Ute Tribe broadband planning
- Community Level Broadband Planning – including additional anchor institutions that are not connected via SCAN
- Additional COG legal costs for development and creation of contracts (including initial contract development and UMUT contract development)

**Legal Review:** Not needed at this time

**Fiscal Impact:** High. Increases the amount of money from DOLA for Broadband Planning

**Staff Recommendation:** Approve the request to DOLA for additional funding.





# SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS

29 September 2016

Ken Charles  
DoLA Regional Manager  
1000 Rim Drive  
Durango, CO 81301

Re: EIAF contract #8010 –Southwest Colorado Council of Governments

Dear Mr. Charles,

The SWCCOG is writing to request an amendment to increase the DOLA funding by \$28,212 for EIAF Grant 8010 due to additional work needed to reconcile SCAN operations and regional broadband planning, the addition of the Ute Mountain Ute Tribe, to develop community level broadband plans for connectivity of additional Community Anchor Institutions, and finally for an increase in contract legal fees for the above additions.

**Project Status:**

The Southwest Colorado Council of Governments (SWCCOG) is nearing the end of the Southwest Colorado Region Broadband Planning process. All project deliverables and final public meetings should be finished by December 1, 2016.

**Reasons for request:**

- The broadband planning process started in earnest in December 2015. At that time it was obvious we could not move forward with regional broadband planning until there was consensus regarding the SCAN operations and funding. NeoConnect was tasked with developing an operations plan that created a positive financial outlook, which will be incorporated as part of the final plan. As a result the SWCCOG Board amended the NeoConnect contract to include SCAN operations (please see Exhibit 1 – Amendment B) for an increased cost of \$6,900 total.
- The Ute Mountain Ute Tribe has approved to join the regional broadband planning partnership. The Ute Mountain Ute Tribe is located in the far Southwest corner of the state and due to the remoteness and issues with ISPs infrastructure ownership on sovereign nations, they have been essentially ignored by the Internet Service Providers. The Tribe passed a resolution in early August approving expenditures for this project (please see Exhibit 2 – Amendment C). The total cost for

Ute Mountain Ute addition to the original grant is \$8520, additional DOLA funding request is \$6,188.

- Additional work for community level broadband planning was needed to identify a significant number of community anchor institutions which were not connected via SCAN. This project also developed plans to connect the community anchor institutions via middle mile connectivity, while helping the communities expand networks within their jurisdictions. In this, the COG membership benefits greatly by having all the anchor institutions connection, as well additional connections within their jurisdictions to reach all of the anchor institutions. The additional cost for this is \$13,200 (please see Exhibit 2 – Amendment D).
- Finally, these additional elements to the Southwest Colorado Regional Broadband Planning project has added significant increases in legal fees with the SWCCOG's contract legal services. The SWCCOG has spent over \$2,500 on legal expenses related to broadband planning. Much of these additional costs can be attributed to developing contracts with the Ute Mountain Ute Tribe for broadband planning within the exterior boundaries of the Reservation. In an effort to maintain the 75% - 25% ratio, the SWCCOG will be paying a portion of the legal costs from the match. The additional amount requested to cover the unanticipated costs identified through the development of this project is \$1,924.

With this amendment, the SWCCOG is contributing a 33% match to the project, still exceeding the required 25% match for this grant. Further, the total requested from DOLA maintains the DOLA contract at 75% of the total cost of the regional broadband planning project. Please see the attached spreadsheet for more detailed financial information.

We appreciate your consideration of our request.

Sincerely,

Andrea Phillips  
Board Chair  
Southwest Colorado Council of Governments

### DOLA 8010 Amendment Request

Total Project Cost	75% of Total Cost
\$ 137,616	\$ 103,212

Project	DOLA Request*
Amend B - SCAN	\$ 6,900
Amend C - UMUT**	\$ 6,188
Amend D - Community Broadband Development Planning	\$ 13,200
Additional Grant Request - Legal Fees	\$ 1,924
<b>Total</b>	<b>\$ 28,212</b>
Previous DOLA Funding	\$ 75,000
<b>Total DOLA Request(s)</b>	<b>\$ 103,212</b>

Grant Match	Amount
Alliance	\$ 12,000
CDOT	\$ 10,000
COG Members	\$ 6,000
Region 9	\$ 4,000
UMUT	\$ 2,062
<b>Total</b>	<b>\$ 34,062</b>

Grant Match % 33%

\*Match is from the original match amount

\*\* UMUT provided 25% match for their portion of the project

**Exhibit 1**

<b>Estimated Scope of Work</b>				
<b>NEO Estimate of Consulting Services for SWCCOG</b>				
<b>Regional Broadband Plan, Addendum B: SCAN Reivew</b>				
<b>NeoConnect</b>				
<b>Community Level Broadband Developent and Follow Up with each Jurisdiction</b>				
<b>Activites</b>	<b># of hours</b>	<b># of people</b>	<b>Hourly Rate</b>	<b>Total Cost</b>
Dark Fiber Leases, Existing Revenue Model and Operating Expenses Review existing revenue models for dark fiber leases and collocation. Provide recommendations of potential changes to current revenue model and suggestions and strategies for operational expenses.	46	1	\$ 150	\$ 6,900
<b>Total expanded scope of work budget</b>				<b>\$ 6,900</b>

## Exhibit 2

**Additional Task Order One  
Addendum C and D  
Adding on to the Scope of Work to the Agreement  
Independent Contractor Agreement Between  
The Southwest Colorado Council of Governments and NEO Fiber**

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**NEO Fiber, Inc.**

**Southwest Colorado Council of  
Governments**

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Signature

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Signature

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Diane Kruse

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Name Typed or Printed

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Name Typed or Printed

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CEO

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Title

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Title

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Date

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Date

# Fund Balance Policy Update

To: SWCCOG Board of Directors  
From: Sara Trujillo  
Date: 2 September 2016

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Comments: **Purchasing Policy**

The conference room speakers were recently replaced due to conference room size and audible issues. The older speakers were purchased for under \$400 and staff would like to donate this equipment to member communities that can utilize the speakers in more appropriate smaller meeting spaces. The Purchasing Policy does not specify disposal by donation or a dollar threshold. Staff can add verbiage to the policy stating, "If equipment is valued under \$500, the Executive Director has the authority to determine the disposal process. This process includes donation to member communities or non-profit organizations with regional service areas as well as public auction." Or Staff can include verbiage that will ensure all equipment disposal goes through the board. Please review the current policy verbiage in the following document highlighted on page 4.

**Legal Review:** Will review when new language is added.

**Fiscal Impact:** None

**Staff Recommendation:** Approve language, or direct staff to carry out a different course of action.

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Southwest Colorado Council of Governments

# Purchasing Policies

Adopted 10 January 2014

## PURPOSE

The purpose of this policy is to establish procedures to maximize the value of public funds spent for purchasing goods or services. This process allows the establishment of safeguards for maintaining a system of quality and integrity.

## GENERAL GUIDELINES

All purchases of materials and supplies shall be made in accordance with the following guidelines:

1. The SWCCOG Accounting is responsible for monitoring purchases, for establishing purchasing systems, and for providing assistance to departments making purchases. In the absence of an accountant the Executive Director is responsible.
2. If the Executive Director is the employee making a purchase, the Executive Committee of the Board of Directors shall oversee within the same guidelines as the Executive Director oversees employee purchasing.
3. All purchases must be made with funds that have been appropriated by the SWCCOG Board for the intended purpose. To the greatest extent possible, purchases shall be made in accordance with funds budgeted for that purpose.
4. Purchase Orders are required for any purchases totaling more than \$500.00
5. The Executive Director may approve normal budgeted utilities, insurance, debt service and other established payments (to include memberships, uniforms, and other identified expenditures) without further review or approval.
6. The SWCCOG Board and/or Executive Director may, from time to time, restrict any or all budgeted purchases if there is a shortage of available cash.
7. Vendor quotations for materials, equipment, services, and supplies may be rejected on the basis of inferior quality or unacceptable delivery time.
8. Quotes may be provided by vendors verbally, but must be followed by written confirmation. Documentation of all written quotations shall be forwarded to the SWCCOG Accounting, where a master file of quotations will be maintained.
9. In general, quotations or bids should be awarded to the lowest qualified, responsive bidder or vendor.
  - a. *Lowest qualified bidder* means the bidder with the lowest price and the highest qualifications, based on the following criteria: (1) the ability, capacity and skill of the bidder to perform the contract or furnish the supplies required; (2) whether the bidder can perform the contract or furnish the supplies promptly or within the time specified, without delay or interference; (3) the character, integrity, reputation, judgment, experience and efficiency of the bidder; (4) the quality of performance on previous contracts; (5) previous and existing compliance by the

bidder with all laws and ordinances relating to the contract or service; (6) sufficiency of financial resources and ability of the bidder to perform the contract or furnish the supplies; (7) the ability of the bidder to provide future maintenance and service; and (8) the response to the invitation for bids. *Responsive bidder* means a person or firm that has submitted a bid which conforms in all material respects to the invitation for bids.

- b. Having received a low quotation or bid, department heads are enabled to negotiate the price further with the vendor, if necessary, to bring purchases into the range of the approved budget.
10. Purchase of quantities of materials and supplies shall not be broken down with the intent of applying a less restrictive purchasing procedure.
  11. It shall be the policy of the SWCCOG to seek a minimum of three written quotes wherever possible. These can be provided digitally from the potential vendor. If reasonable attempts are made by the department head to obtain quotes from vendors and is unable to obtain three quotes due to the unresponsiveness of vendors contacted or the lack of potential vendors for the product or service, this requirement may be waived by the Executive Director, in consultation with the appropriate department head.
  12. All commonly used materials, supplies and equipment will be standardized as much as possible for better prices through quantity (bulk) purchase of fewer varieties of material and to increase proficiency in the SWCCOG evaluation of product performance. Selection of specific products that have been rated high in product performance evaluations may be classified as best buy.

The SWCCOG reserves the right to reject any and all bids, to waive any informalities and minor irregularities in bids, and to accept the bid deemed, in the opinion of staff, to be in the best interest of the SWCCOG.

### AUTHORIZATION LEVELS AND REQUIRED PROCUREMENT PROCEDURES

In order to fully implement a SWCCOG purchasing policy that will provide sufficient standardization and accountability, as well as to ensure a sufficient degree of operational flexibility to the SWCCOG's various departments, the following levels of authorization and procedures are hereby established:

#### BUDGETED PURCHASES

<i>Amount</i>	<i>Required Procedures</i>
Less than \$1,000	Purchase of budgeted items shall be approved by the appropriate department head or the Executive Director. Items shall be purchased at their discretion, with a goal of cost containment.
\$1,001-\$5,000	Purchase of budgeted items shall be approved by the department head, Accounting and Executive Director. A minimum of three (3) written quotes shall be provided.

\$5,001-\$10,000	Purchase of budgeted goods or items shall be approved by the department head, Accounting, Executive Director and Board of Directors. A minimum of three (3) written quotes shall be provided.
\$10,001 and over	Budgeted project, service or item will be advertised for public bids through a formal requisition process. This may take the form of an RFP, or similar process.

### NON BUDGETED PURCHASES

Any non-budgeted purchase over \$1,000 shall receive prior approval from the department head, Accounting, Executive Director and the Board of Directors and a minimum of three (3) written quotes shall be provided.

Any non-budgeted purchase exceeding \$10,000 shall receive approval from the aforementioned individuals and shall be advertised for public bids.

### COOPERATIVE PURCHASE

The SWCCOG may participate in joint bidding with other governmental agencies and or the Rocky Mountain E-Purchasing System if it is deemed in the best interest of the SWCCOG to do so.

### SOLE SOURCE PURCHASE

A sole source purchase may be made without receiving requests for bids or quotations if it has been determined that only one vendor is capable of meeting all specifications and purchase requirements. Written justification for waiving the competitive bid process shall be provided by the department head.

### EMERGENCY PURCHASE

Emergency conditions requiring purchases are defined as situations in which health, welfare and/or safety of employees or the public are endangered. This includes, but is not limited to, the immediate repair of property or vehicles as necessary under circumstances described above. Emergency purchases of capital equipment/services shall be pre-approved by the Executive Director.

### CREDIT CARD PURCHASES

The SWCCOG has two credit cards. One is in the possession of the Executive Director and the other in the possession of the Accountant. When a card is needed, employees shall receive prior authorization from the Executive Director. Employees may make travel arrangements with an existing card and request a petty cash purchasing card while traveling on official SWCCOG business if approved by the Executive Director. Its use shall be in accordance with SWCCOG travel policies.

### BUSINESS PREFERENCE

Per 2 CFR 200.319, the non-Federal entity must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or

proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference. Nothing in this section preempts state licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

### OUTSIDE FUNDING

In the case of goods and services procured with aid from any grant funding source and/or other federal or State of Colorado funds, the SWCCOG's procurement and local preference policies shall defer to the procurement rules (if any) of the grantor or funding entity.

### CONFLICT OF INTEREST

Board members and staff shall disclose at the earliest stage possible any personal or private interest in any purchase or award of contract proposed before the Board of Directors. Board members may not vote on these matters and shall refrain from attempting to influence the other members of the Board of Directors in voting on the matter. Staff and Board Members shall comply with applicable state law concerning conflict of interest and disclosure requirements, including C.R.S. 24-18-10 et seq., C.R.S. 31-4-404, C.R.S. 24-18-201, C.R.S. 18-4-301, C.R.S. 18-4-401, and C.R.S. 18-8-308 and any related protocols of the SWCCOG Board of Directors.

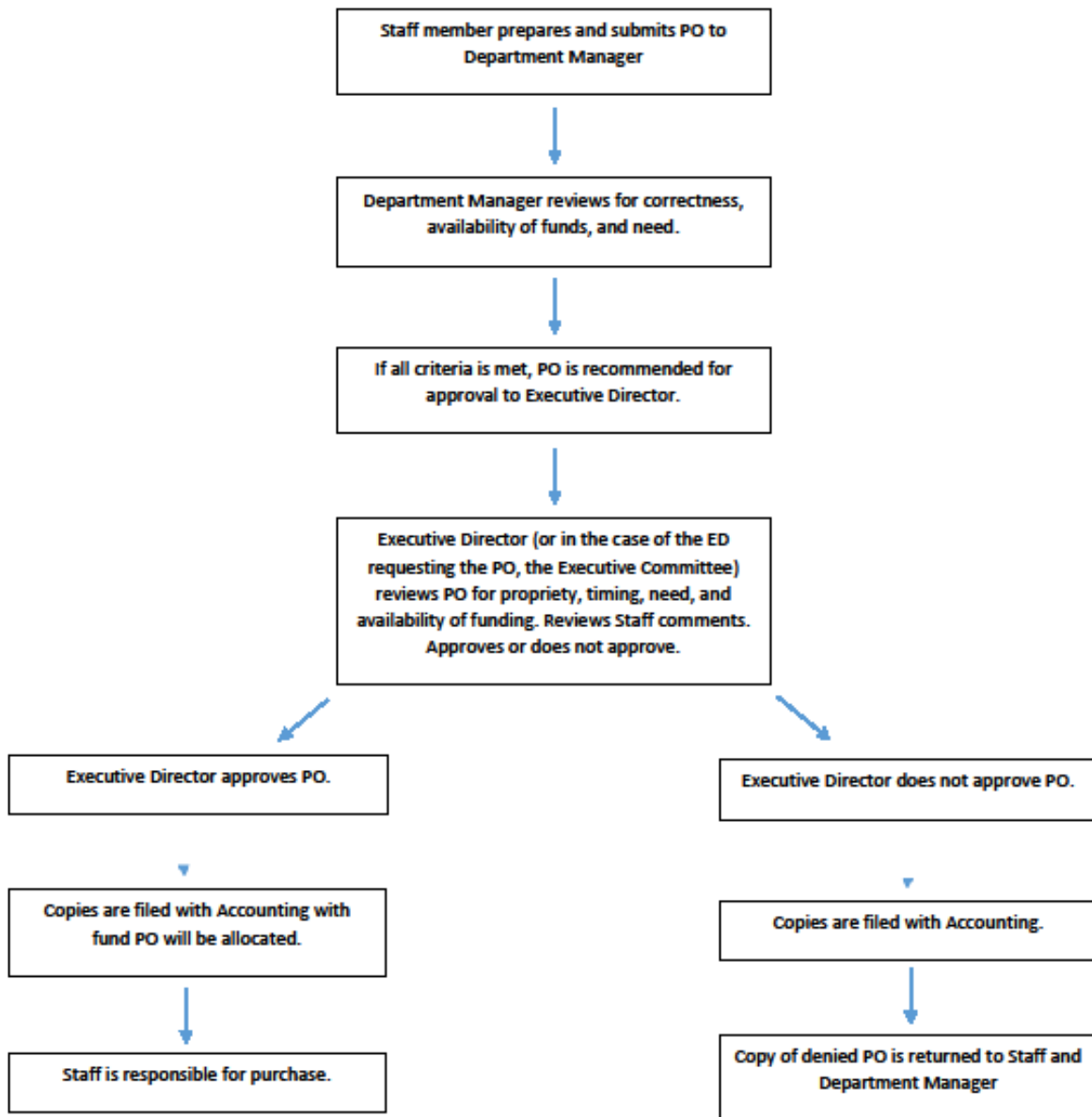
### SURPLUS SUPPLIES AND EQUIPMENT

The SWCCOG Accounting shall work with the appropriate department head to oversee and administer the disposition of surplus inventory, including supplies and equipment that has been identified as no longer used or has become worn out. The Executive Director, in conjunction with the SWCCOG Accounting, may cause from time to time, any surplus supplies or equipment to be destroyed or sold after advertisement to the highest bidder, and the proceeds of the sale deposited into the appropriate fund of the SWCCOG.

### EMPLOYEE REIMBURSEMENTS

Employees may be reimbursed for out of pocket expenses under \$50.00 from the SWCCOG's Petty Cash Fund by providing an approved "Request for Reimbursement," which shall include a copy of the receipt. Over \$50.00, the employee may be reimbursed via check with an approved "Request for Reimbursement." Generally, employees should not pay out of pocket for expenses, but should utilize SWCCOG accounts established with vendors for supplies and services wherever possible.

# PURCHASE ORDER FLOW CHART



# SWCCOG Executive Committee Minutes

To: SWCCOG Board of Directors

From: Miriam Gillow-Wiles

Date: 7 October 2016

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Comments: Executive Committee Minutes for approval.

**Legal Review:** None

**Fiscal Impact:** None

**Staff Recommendation:** Executive Committee approve the attached Minutes from August 2016.

**Southwest Colorado Council of Governments  
Executive Committee Meeting  
Wednesday, 17 August 2016, 2:00 p.m.  
Telephone Conference**

In attendance:

Julie Westendorff – La Plata County

John Egan – Town of Pagosa Springs

Miriam Gillow-Wiles – Southwest Colorado Council of Governments

Sara Trujillo - Southwest Colorado Council of Governments

The meeting began at 2:07 p.m.

Miriam Gillow-Wiles read the consent agenda items pointing out that the August 5 Broadband Meeting Minutes would be added.

Miriam said a grant application for transit planning would be added to the decision items. This application will be for 5304 funding and build upon what the current region transit plan has. The grant will be approximately \$25,000. Jessica Laitsch is working on an outline and should have this document emailed to the Executive Committee by Friday, August 19. Julie asked if the SWTPR was made aware of the COG's application. Miriam said she will inform the SWTPR but that the grant is specific to transit versus transportation. Miriam added that staff will use the DoLA grant application in October as the match for this grant. Miriam said that the COG was not awarded funds from the Transit Coordinator Grant application and will be talking to Rob Andresen with CDOT via phone August 18 to find out why as Miriam suspects political agendas were involved. John Egan stated that his community was not awarded funds either and will be in communication with the appropriate people at the CASTA meeting to find out why. John offered to be involved if need be with Miriam and Rob's conversation.

Miriam discussed the purchasing/procurement policy update to include a property disposal section. With COG equipment coming up for replacement, i.e. computers, the COG needs to have a disposal policy in place. Julie asked what other entities do with their property. Miriam said most have a 3-year replacement policy and go out for bid when property needs to be disposed of. Julie said going out for bid takes much time and money that sometimes it is not worth the value of the equipment. Miriam said the COG would plan to donate versus go out for bid and that this option is written into the policy.

With last meeting's budget questions, Miriam said there is a 2016 budget projection document that staff can present that will help prepare the board for the year-end amendment. This document was emailed to the Executive Committee earlier in the afternoon for review. Julie requested the item be put under the discussion section.

Miriam asked if the Executive Committee would like to move the September meeting to Silverton. Both John and Julie felt being this close to the meeting, there is not enough notice time. Julie requested meeting location rotation be put on the agenda for board discussion. With the conference system available for those that need to travel a location rotation may not be necessary. In addition, it is convenient having the same location every meeting. John stated that he will be absent at the September meeting.

The meeting was adjourned at 2:29 p.m.



# 2017 CEBT Renewal

To: SWCCOG Board of Directors  
From: Sara Trujillo  
Date: 7 October 2016

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Comments: The 2017 CEBT renewal documents have been received and signature is requested by October 14, 2016. Health rates increased 3.5%, dental rates increased between 0-10% depending on dependents, and vision rates increased 0%. The 2017 approved budget allocated \$41,649 for health, dental, and vision for Miriam, Sara, and Jessica with Sara and Jessica paying a portion for dependents. Staff has requested to no longer use an H.S.A. in order to have a lower deductible plan. Selection of medical plan PPO4 with a \$1,500 deductible versus PPO6 with a \$3,000 is requested that will lower costs to \$40,353. The dental and vision plans would remain the same. The plan and rate information is attached for your review.

**Legal Review:** Not required.

**Fiscal Impact:** High.

**Staff Recommendation:** Approve the 2017 CEBT renewal with medical plan change from PPO6 to PPO4 with dental and vision plans remaining the same for 2017

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SIGNATURE REQUIRED FOR RENEWAL

BRANCH  
AAN4

**Southwest Colorado Council Of Governments**  
Renewal and Optional Monthly Rates Effective January 01, 2017

PPO6; Dental A; Vision B  
Life Coverage: \$125k Base; Life A  
Employee Life Rate: 0.14

		EE Only	EE +Spouse	EE + Child	EE +Children	EE +Family	Percent change
Medical (PPO 2) (\$600 deductible)	current	\$785	\$1,570	\$1,453	\$1,453	\$1,886	
	<b>renewal</b>	\$812	\$1,625	\$1,504	\$1,504	\$1,952	3.50%
Medical (PPO 3) (\$1,000 deductible)	current	\$679	\$1,385	\$1,281	\$1,281	\$1,663	
	<b>renewal</b>	\$703	\$1,433	\$1,326	\$1,326	\$1,721	3.50%
Medical (PPO 4) (\$1,500 deductible)	current	\$605	\$1,232	\$1,139	\$1,139	\$1,480	
	<b>renewal</b>	\$626	\$1,275	\$1,179	\$1,179	\$1,532	3.50%
Medical (PPO 5) (\$2,500 deductible)	current	\$559	\$1,139	\$1,054	\$1,054	\$1,369	
	<b>renewal</b>	\$579	\$1,179	\$1,091	\$1,091	\$1,417	3.50%
Medical (PPO 6) (\$3,000 deductible)	current	\$515	\$1,049	\$970	\$970	\$1,259	
	<b>renewal</b>	\$533	\$1,086	\$1,004	\$1,004	\$1,303	3.50%
Medical (PPO 7) (\$4,000 deductible)	current	\$473	\$964	\$892	\$892	\$1,159	
	<b>renewal</b>	\$490	\$998	\$923	\$923	\$1,200	3.50%
Medical (EPO 3) (\$1,000 hospital copay)	current	\$701	\$1,428	\$1,390	\$1,390	\$1,785	
	<b>renewal</b>	\$726	\$1,478	\$1,439	\$1,439	\$1,847	3.50%
Medical (EPO 4) (\$1,500 hospital copay)	current	\$626	\$1,276	\$1,243	\$1,243	\$1,596	
	<b>renewal</b>	\$648	\$1,321	\$1,287	\$1,287	\$1,652	3.50%
Medical (EPO 5) (\$2,500 hospital copay)	current	\$595	\$1,212	\$1,181	\$1,181	\$1,516	
	<b>renewal</b>	\$616	\$1,254	\$1,222	\$1,222	\$1,569	3.50%
Medical (HD2600) (\$2,600 deductible)	current	\$653	\$1,333	\$1,232	\$1,232	\$1,601	
	<b>renewal</b>	\$676	\$1,380	\$1,275	\$1,275	\$1,657	3.50%
Medical (HD5000) (\$5,000 deductible)	current	\$543	\$1,107	\$1,024	\$1,024	\$1,331	
	<b>renewal</b>	\$562	\$1,146	\$1,060	\$1,060	\$1,378	3.50%
Medical (HRP)	current	\$275					
	<b>renewal</b>	\$275					
Dental Plan A (w/ortho) (\$1750 Annual Max)	current	\$41	\$81	\$97	\$97	\$130	
	<b>renewal</b>	\$41	\$85	\$107	\$107	\$143	0% 5% 10%
Dental Plan B (w/ortho) (\$1500 Annual Max)	current	\$33	\$70	\$95	\$95	\$128	
	<b>renewal</b>	\$34	\$71	\$97	\$97	\$131	2.00%

Dental Plan C (w/o ortho) (\$1500 Annual Max)	current	\$33	\$70	\$63	\$63	\$107	
	<b>renewal</b>	\$34	\$71	\$64	\$64	\$109	2.00%
Vision Plan A	current	\$6	\$13	\$14	\$14	\$18	
	<b>renewal</b>	\$6	\$13	\$14	\$14	\$18	0.00%
Vision Plan B (VSP) (12/12/24)	current	\$10	\$14	\$13	\$13	\$24	
	<b>renewal</b>	\$10	\$14	\$13	\$13	\$24	0.00%
Vision Plan C (VSP) (12/12/12)	current	\$13	\$18	\$17	\$17	\$31	
	<b>renewal</b>	\$13	\$18	\$17	\$17	\$31	0.00%

—Your signature below acknowledges receipt of the CEBT Renewal and Optional Rates, but does not bind your renewal.  
 —To complete your group's renewal, the CEBT Employer Plan Selection and Benefit Changes forms must be signed and returned to Willis Towers Watson no later than October 14, 2016.  
 —In accordance with your participation agreement, written notice of termination must be received by November 1, 2016 or run-out claims will not be paid by CEBT.

Received by \_\_\_\_\_

Date \_\_\_\_\_

Title \_\_\_\_\_

AAN4

# DOLA 2016 TA Budget Amendment

To: SWCCOG Board of Directors  
From: Miriam Gillow-Wiles  
Date: 7 October 2016

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Comments: The attached letter request an amendment to the DOLA 2016 Technical Assistance Grant. This grant provides funding for Shared Services, Transit Marketing, and Recycling Education/Website Development. The original grant request was for \$100,000 and had \$34,000 for personnel service costs and \$66,000 for consultant services. The awarded grant had a budget of \$100,000 for consultant services. Since the total grant budget did not change, this was unfortunately overlooked. After review of the budget and grant, staff has asked DOLA to update the budget to reflect \$73,000 for consulting services and \$27,000 for personnel service costs, but not to change the overall match, or total budget. We have worked with our DOLA regional manager to develop this amendment.

**Legal Review:** Not at this time

**Fiscal Impact:** High.

**Staff Recommendation:** Approve the Budget Amendment Request for DOLA 2016 Technical Assistance Grant, number 9038.

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# SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS

4 October 2016

Ken Charles  
DOLA Regional Manager  
1000 Rim Drive  
Durango, CO 81301

Re: EIAF contract #9038 –Southwest Colorado Council of Governments

Dear Mr. Charles,

We respectfully request a budget amendment to DOLA 9038, 2016 Technical Assistance Grant for the Southwest Colorado Council of Governments to move \$27,000 of the \$100,000 awarded from consulting services to personnel services. This change will offset the cost of work performed by existing personnel on the Shared Services, Transportation/Transit, and Recycling projects included in this grant, per DOLA’s guidelines.

The original grant request included \$66,000 towards Consultant Services, and \$34,000 towards staff for the three projects outlined in the grant request. However, in the DOLA contract (Exhibit B), the entire \$100,000 award was allocated to Consultant Services.

### SWCCOG DOLA 2016 TA Grant Budget - Requested

Project	Revenue		DOLA	Total
	Match			
	Cash	In Kind		
Shared Services	\$ 8,400	\$ 23,400	\$ 65,000	\$ 96,800
Transportation/Transit	\$ 40,000		\$ 20,000	\$ 60,000
Recycling	\$ 36,000		\$ 15,000	\$ 51,000
	\$ 84,400	\$ 23,400	\$ 100,000	\$ 207,800

	Expenditures		DOLA	Total
	Match			
	Cash	In Kind		
Consultant Services	\$ 44,400		\$ 66,000	\$ 110,400
Personnel Service Costs	\$ 40,000	\$ 23,400	\$ 34,000	\$ 97,400
	\$ 84,400	\$ 23,400	\$ 100,000	\$ 207,800

In the Budget above, the SWCCOG proposed both in-kind and cash match and identified approximately one-third of the funds to offset staff time for the creation of the foundations of regional shared services, support for regional recycling education and coordination of marketing for the transit agencies. The funding requested for staffing was intended to help set the projects up for long-term success, as staff will be able to manage/maintain the work instead of relying only on consultants for maintenance and future support. The different aspects to this grant have different personnel service costs associated with them. Some of the tasks for each aspect include, but are not limited to:

- Shared Services
  - Regional commercial driver’s license program development
  - Sourcing grant management software for regional use
  - Work with COG Membership to identify shared services, shared trainings, and other projects that will have regional benefit for both municipalities and counties
  - Contract Negotiation for CDL program
  - Contract Negotiation for grant management software
  - Supporting and moving broadband asset management forward
- Transportation/Transit
  - Coordinating the transit agencies and the marketing consultant Writing and managing the Transit marketing request for qualifications
  - Ensuring all marketing documents are factual and the marketing consultant has access an visitation to the agencies
- Recycling
  - Writing and managing Recycling request for qualifications
  - Contract negotiation with marketing consultant
  - Website and marketing material staff involvement and decision making
    - ensuring consultant captures correct information
    - working with consultant to design and develop website
    - meetings with consultant to develop logos, social media, and management of website
    - working with Recycling Taskforce and COG Member to meet needs of multiple organizations

The DOLA Contract included the budget below. This budget allocated all the grant funds to Consultant Services, which was different than the budget submitted in the application. Unfortunately, this change was overlooked since the total budget numbers remained the same.

**DOLA Budget**

**Exhibit B**

Budget Line Item(s)	Total Cost	Grant Funds	Matching Funds	Matching Funds Source
Consultant Services	\$ 184,000	\$ 100,000	\$ 84,400	Grantee
Personnel Services Costs	\$ 23,400	\$ -	\$ 23,400	Grantee
<b>Total</b>	<b>\$ 207,400</b>	<b>\$ 100,000</b>	<b>\$ 107,800</b>	

Upon review of the current status of the three projects included in the 9038 grant, the SWCCOG is able to shift \$7,000 from the Personnel line to the Consultant line item. With this adjustment, the total amount paid by the DOLA 9038 grant towards SWCCOG staff is reduced to 27% from the 34% originally requested. Again, these funds are to support existing staff in developing these three specific projects, and the funding is not for general administration or management of the grant.

**Amended Budget Request**

**Amended Exhibit B**

Budget Line Item(s)	Total Cost	Grant Funds	Matching Funds	Matching Funds Source
Consultant Services	\$ 184,000	\$ 73,000	\$ 84,400	Grantee
Personnel Services Costs	\$ 23,400	\$ 27,000	\$ 23,400	Grantee
<b>Total</b>	<b>\$ 207,400</b>	<b>\$ 100,000</b>	<b>\$ 107,800</b>	

In conclusion, the SWCCOG requests an amendment to the DOLA 9038 2016 Technical Assistance grant to reallocate \$27,000 from Consultant Services to the Personnel Services line item.

We appreciate your consideration of our request.

Sincerely,

Andrea Phillips  
 Board Chair  
 Southwest Colorado Council of Governments