



Regular Board Meeting Agenda

Thursday, 12 December 2019
1:30 – 4:00 pm
295 Girard Street, Durango, CO 81303

- I. Introductions
- II. Public Comment – 5 minutes per person
- III. Presentation: CCI and CML about what to expect regarding TABOR and Gallagher in 2020
- IV. Consent Agenda
 - a. October 2019 SWCCOG Meeting Minutes
 - b. November 2019 Financials
- V. Discussion Items
 - a. Retreat Follow-Up: SmartSheets
 - b. Calendar for education series in 2020
- VI. Public Hearing
 - a. 2020 Budget
- VII. Decision Items
 - a. 2020 Budget
 - b. Fiscal Administration Policies
 - c. Mobility for All Grant Application
 - d. Management of San Juan RC&D and Appointment of SWCCOG Member to SJRC&D Board
 - e. Executive Committee Selection
- VIII. Reports (Staff will be available for questions on the written reports)
 - a. 2019 Attendance Report
 - b. Director's Report
 - c. Broadband Report
 - d. Grant Updates
 - e. Transportation/Transit Report
- IX. Community Updates (time permitting)

Introductions

Public Comment

Please limit comments to 5 minutes per person

Colorado Counties Inc. and Colorado Municipal League

TABOR and Gallagher Updates and What To Expect

Consent Agenda

**Southwest Colorado Council of Governments
September Board Meeting
Thursday, 24 October, 1:30 p.m.
295 Girard Street, Durango, CO 81303**

In Attendance:

Karen Sheek – City of Cortez
David Black – Town of Bayfield
Steve Garchar – Dolores County
Gwen Lachelt – La Plata County
Ronnie Maez – Archuleta County (by phone)
Andrea Phillips – Town of Pagosa Springs (by phone)

Staff in Attendance:

Miriam Gillow-Wiles – Southwest Colorado Council of Governments
Jessica Laitsch – Southwest Colorado Council of Governments

Guests in Attendance:

Ed Mills – Colorado Broadband Office (by phone)
John Whitney – Senator Bennet’s Office
Ann McCoy-Herald – Senator Gardner’s Office

Introductions

The meeting was called to order at 1:37 p.m.

Public Comment

None.

Presentation from Colorado Office Information Technology about Regional Broadband:

Ed Mills gave an overview of the Colorado Broadband Office and presented information about progress made on connectivity in Colorado and potential funding options. David asked if Project THOR is already in the ground. Miriam replied yes, they were utilizing CDOT fiber along I-70, and connecting into the communities. She added that SCAN was a leading broadband project, now the region is being surpassed by other regions. Karen asked about the status of attaching fiber to electric poles. Miriam described the nature of the partnership between FastTrack, LPEA and Empire Electric. Miriam described some of the challenges with building broadband in southwest Colorado. There was discussion about funding inequities related to broadband. There was discussion about challenges and cost of building infrastructure.

Consent Agenda

September 2019 SWCCOG Meeting Minutes and September 2019 Financials

David Black motioned to approve the consent agenda, Steve Garchar seconded, unanimously approved.

Discussion Items

Retreat Follow-Up: Update on Board Structure and Bylaws:

Andrea summarized the information she had collected regarding the funding and board structure of other COGs. She found that having a combined COG and economic development district was most common. Additionally counties tend to be the primary members, with possibly one municipality from each county represented. Most include services such as AAA, elevator inspection and Head Start. Many require elected officials to serve on the board. Most base dues

upon population, with some include factors such as highway miles. No COGs that she spoke with had associate members, but some allowed members from outside the region. Karen asked if any of them had jurisdictions in the region that are not members. Andrea replied that this was not uncommon. Miriam mentioned that she could ask the national organization how COGs outside of Colorado handle associate memberships and memberships across state lines.

Retreat Follow-Up: 2020 Proposed Meeting Dates:

Miriam described the various proposed changes to the meeting schedule. There was discussion about the benefit of a reduced number of meetings. The item was moved to the decision agenda.

Retreat Follow-Up: Committee Structure:

Miriam explained that one item for follow-up was the structure of committees. David mentioned that it would be useful to have the legislative committee meet before the session begins to have an idea of what to do during the session. There was discussion about having a legislative/TABOR/Gallagher committee, executive/engagement committee, and other committees as needed.

Decision Items

2020 Proposed Meeting Dates:

Gwen Lachelt motioned to approve Option B as the meeting dates for 2020, David Black seconded, unanimously approved.

Grant Writer Contract:

Miriam explained that this would be an open contract to support staff and the communities with grant writing as needed.

David Black motioned to approve the contract for grant writing services between the SWCCOG and Martina LLC, Steve Garchar seconded, unanimously approved.

Office365 and IT Support Implementation Contract:

Miriam explained that this entails moving to cloud storage rather than local data storage. This would include five licenses and serve as a pilot project. Karen asked if this would be more secure from a ransomware standpoint, and if so, if all the jurisdictions should use it. Miriam replied yes to both questions, and that it will be easier to manage if a computer is hacked. She added that the intent is to test it out with the COG and later add more licenses. Gwen asked about the annual cost. Miriam replied that the five licenses are approximately \$1100 per year, but there are different types of licenses that are lower cost.

David Black motioned to approve a contract for Office 365 implementation with Element Consulting LLC, Ronnie Maez seconded, unanimously approved.

Employee ROTH IRA Approval:

Miriam explained that this would be at no cost and would add a benefit to employees, it would allow retirement benefits for part time employees and an additional option for all employees. There is no match by the COG and contributions are post tax, so is not taxed when used.

David Black motioned to approve the creation of an ICMA sponsored ROTH IRA for SWCCOG employees, Steve Garchar seconded, unanimously approved.

USDA Solid Waste Management Grant:

Miriam explained this could provide funding for recycling initiatives. Karen asked if food could be considered solid waste. Ronnie mentioned that the cost of separating food waste is significant and it does decompose more quickly than other items. Steve mentioned that they just signed a

new waste management contract and have saved a significant amount of money. Miriam asked about including a presentation on trash and recycling at a meeting in 2020.

David Black motioned to allow staff to apply for the USDA Solid Waste Management Grant, Steve Garchar seconded, unanimously approved.

DOLA Broadband Grant:

Miriam explained that this is for match to the USAC Rural Healthcare funding and would be used for administration of the grant. Gwen asked when the COG would be notified about the funding. Miriam replied they should make announcements early next year.

David Black motioned to direct staff to apply for DOLA Broadband funding for up to \$1 million, Ronnie Maez seconded, unanimously approved.

Reports

Director's Report:

Miriam reported that housing had been a major topic during the retreat. The best way to move forward will be to work together with Housing Solutions, a major need will be land. There was discussion about finding locations for building affordable units. Miriam will be attending a couple conferences.

Broadband Report:

Miriam reported there is a new FCC ruling related to placing antennas. The Cable Franchise Fee issue is going through the court system. A Small-Cell Rulemaking is estimated next spring. Miriam and Karen discussed the value of a public education session about broadband.

Grant Updates:

Written report only.

Transportation Report:

Gwen asked highlights. Jessica mentioned the review of priority corridors at the last TPR meeting and that prioritizations of projects would be at the December meeting. Steve asked if the multimodal funding program has changed. Jessica replied that the planning process changed to include all aspects of transportation, but this should not change funding.

Community Updates:

Ronnie reported that Archuleta County received funding for a human services building. They are on schedule and budget for building the jail and are looking to house the Sheriff's Department and dispatch next to the jail. They adopted a model traffic code. They are looking at revising the land use code. They are hoping to get glass crusher in 2020.

Steve reported that Dolores County had land donated to build a social services center. They redid the transfer station. They are working on issues related to the Gunnison Sage Grouse and several fish species.

David reported that the Town of Bayfield adopted an ordinance to use bear resistant containers, the cost increase should be approximately \$1.50. They are dealing with a spring in an intersection. The contracted finance model has been working well.

Gwen reported that La Plata County is wrapping up the 2020 budget, had public service agencies attend a public hearing to provide an overview of their services. They recently opened

a homeless camp on La Posta Road, so far it has been working well. They are working with landowners on debris flows from the 419 fire.

Karen reported that the City of Cortez is working on fixing medians. They are working through issues with finance department, and are preparing serious work on the budget.

The meeting ended at 4:11 p.m.

November 2019 Financials

To: SWCCOG Board of Directors
From: Jessica Laitsch
Date: 8 December, 2019

Comments: The following reports are attached:

- Balance Sheet as of 30 November, 2019
- January-November 2019 Profit and Loss

Items to note:

While the net income looks good, this is due to the receipt of an upfront payment for the DOLA 2020 Census grant. It should be noted that expenditures for this grant will be spent almost exclusively in 2020.

The prepaid expense is for the Zoom software, the contract was goes to 2020.

Fiscal Impact: High, overall financial status of the organization

Legal Review: Not applicable

Staff Recommendation: Approve the November 2019 Financials

SWCCOG

BALANCE SHEET

As of November 30, 2019

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
Alpine Bank	0.00
Alpine Bank Account (UR)	109,960.43
Fiber Equip Fund - Restricted	0.00
Total Alpine Bank	109,960.43
Petty Cash	22.97
AmeriCorps VISTA	110.54
Jessica Laitsch	0.00
Total Petty Cash	133.51
Total Bank Accounts	\$110,093.94
Accounts Receivable	
Accounts Receivable	111,944.79
Total Accounts Receivable	\$111,944.79
Other Current Assets	
Prepaid Expense	1,999.00
Undeposited Funds	0.00
Total Other Current Assets	\$1,999.00
Total Current Assets	\$224,037.73
TOTAL ASSETS	\$224,037.73
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
Accounts Payable	193.39
Total Accounts Payable	\$193.39
Credit Cards	
Credit Cards	67.45
Jessica	2,163.73
Miriam	831.80
Sara	0.00
Total Credit Cards	3,062.98
Total Credit Cards	\$3,062.98
Other Current Liabilities	
Accrued Wages	6,159.07
Deferred Revenue	0.00
Payroll Liabilities	
457 Retirement Due	2,251.78
CEBT Health Insurance Due	83.75
Total Payroll Liabilities	2,335.53
Total Other Current Liabilities	\$8,494.60

	TOTAL
Total Current Liabilities	\$11,750.97
Total Liabilities	\$11,750.97
Equity	
Opening Balance Equity	0.00
Retained Earnings	32,243.47
Net Income	180,043.29
Total Equity	\$212,286.76
TOTAL LIABILITIES AND EQUITY	\$224,037.73

SWCCOG

PROFIT AND LOSS

January - November, 2019

	TOTAL
Income	
All Hazards	
2016 SHSP	20,341.34
2017 SHSP	49,178.84
2018 SHSP	48,912.60
Total All Hazards	118,432.78
CDOT Grants	
SWTPR Grant	10,041.26
Transit 5304	0.00
Total CDOT Grants	10,041.26
DoLA Grants	
Census 19-079	73,607.00
DoLA 8330	0.00
DoLA 8573	83,321.93
REDI19-165	18,000.00
Total DoLA Grants	174,928.93
Dues Revenue	
COG Dues	111,929.00
SWTPR Contributions	5,926.00
Total Dues Revenue	117,855.00
Forethought	7,080.00
Grant Match	
COG Member Match	14,317.00
Non-COG Member Match	30,000.00
Total Grant Match	44,317.00
Misc. Income	2,166.11
RHA	10,024.00
SCAN Services	
Dark Fiber Leasing	37,092.00
e-TICS	0.00
Internet & Transport	6,620.00
Total SCAN Services	43,712.00
Services	84,427.00
SWIMT	26,280.00
Total Income	\$639,264.08
GROSS PROFIT	\$639,264.08
Expenses	
Advertising and Promotion	10.53
All Hazards Projects	
All Hazards 2016 SHSP	
Grant 2016 Project 1	186.28
Grant 2016 Project 7	20,843.40

	TOTAL
Total All Hazards 2016 SHSP	21,029.68
All Hazards 2017 SHSP	
Grant 2017 Project 1	8,768.66
Grant 2017 Project 4	23,694.91
Grant 2017 Project 7	12,994.50
Total All Hazards 2017 SHSP	45,458.07
All Hazards 2018 SHSP	
Grant 2018 Project 3	50,828.20
Total All Hazards 2018 SHSP	50,828.20
Total All Hazards Projects	117,315.95
Bank Service Charge	325.62
Conference Fee	527.70
Consulting	109,657.88
Forethought.	11,065.00
Information Technology (IT)	16.17
Software	15,180.43
Total Information Technology (IT)	15,196.60
Insurance Expense	
General Liability	3,295.23
Health	14,751.00
Worker's Compensation	-17.00
Total Insurance Expense	18,029.23
Internet Connectivity	
Fast Track	8,098.49
Internet Connection (AT&T)	303.90
Total Internet Connectivity	8,402.39
Meetings	386.50
Memberships	5,098.00
Office Equipment	256.46
Office Supplies	244.59
Postage and Delivery	39.06
Professional Development	500.40
Professional Fees	
Accounting Software	210.00
Audit	6,100.00
Legal	2,289.60
Misc.	68.08
Total Professional Fees	8,667.68
Rent	7,000.00
Salary and Wages	104,805.93
457 Retirement	4,974.69
Car Allowance	3,300.00
Cell Phone Allowance	1,100.00
Payroll Processing Fee	1,533.41
Payroll Tax	8,325.12
Total Salary and Wages	124,039.15
SWIMT 2018-2019	22,783.67
SWIMT 2019-2020	5,653.51

	TOTAL
Travel	4,020.87
Total Expenses	\$459,220.79
NET OPERATING INCOME	\$180,043.29
NET INCOME	\$180,043.29

Discussion Items

Retreat Follow-Up: SmartSheets

To: SWCCOG Board of Directors
From: Miriam Gillow-Wiles
Date: 12 December 2019

Comments: During the retreat Paul and Karen referenced the software SmartSheets. SWCCOG Staff signed up for a 30-day trial. Staff will open SmartSheets and show the Board what it looks like and how it can help the COG Staff and Board Members track the Key Performance Indicators from the Strategic Plan (page 41 in the plan).

Legal Opinion: Not Applicable

Fiscal Impact: None

Staff Recommendation: This is a discussion item.

2020 Education Series

To: SWCCOG Board of Directors
From: Miriam Gillow-Wiles
Date: 12 December 2019

Comments: At the October Board Meeting, the Board asked Staff to put together a schedule for the pre-Board Meeting education series.

Based on items in the Strategic Plan, plus what is available at low to no cost, the Staff have put together the following tentative schedule.

February 13th – Continuum of Housing
April 9th – Demography Office
June 11th – Colorado Water Plan
August 13th – 2020 State Ballot
October 8th – Local Foods Movement
December 10th – 2021 Legislative Session – What to Expect

Legal Opinion: Not Applicable

Fiscal Impact: None

Staff Recommendation: This is a discussion item.

Public Hearing for 2020 Budget

Decision Items

2020 Final Budget

To: SWCCOG Board of Directors
From: Miriam Gillow-Wiles and Jessica Laitsch
Date: 5 December, 2019

Comments: Attached is the FY2020 Budget. The attachments include a high-level overview of the General Fund, the General Fund revenues and expenditures with three years comparison, and the Fiber Fund revenues and expenditures with three years comparison.

Some notes and assumptions:

- We did not include dues revenue from Mancos or Durango, though we did include Dolores and Silverton.
 - To the extent possible, we avoided including grants that have not yet been awarded, this is to avoid artificially inflating the numbers and ensure a clear picture of the organization's finances.
 - Employee Benefits:
 - Health Insurance
 - 25% cost of employee paid by employee, 75% paid by COG
 - 50% cost of dependents paid by employee, 50% paid by COG
 - This will save significant amounts of money and is accepted by both employees
 - Salaries:
 - This budget assumes the addition of a part time Administrative Assistant, estimated at 10 hours per week
 - The Executive Director's salary remains flat with 2019.
 - Jessica's hourly rate is budgeted at \$25/hr to match the significant increase in duties.
 - The retirement match remains at 4%.
 - The cell phone allowance has been removed for 2020, and we have budgeted for an office phone at a lower cost than the cell allowance.
 - The SWTPR funding has increased for FY19-20.
 - The Grant Match is budgeted and we expect to use it in 2020. This is due to the increasing number of grants that will not fund the administrative overhead to manage grant funded projects, which creates a financial burden on the organization.
-

2020 Final Budget

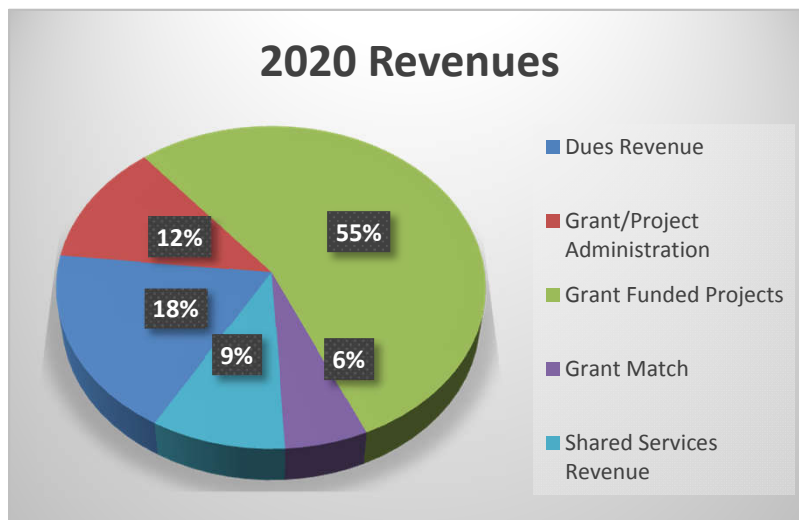
- The Board will note that in 2020, expenditures are projected to exceed revenues. The reason for this is related to the timing of two grants that were recently awarded. The SWCCOG was awarded funding from the grants below.
 - DOLA 2020 Census for \$73,706
 - Colorado Health Foundation for the Southwestern Colorado Food Systems and Health Equity Planning Project for \$84,427

The SWCCOG will be serving as fiscal administrator for both these projects. The revenues for these projects were anticipated in 2020, but were received in 2019. However, the expenditures for both these projects will be spent almost exclusively in 2020. This means that we received an unexpected \$158,034 in 2019, but are budgeted to overspend by \$89,410 in 2020.

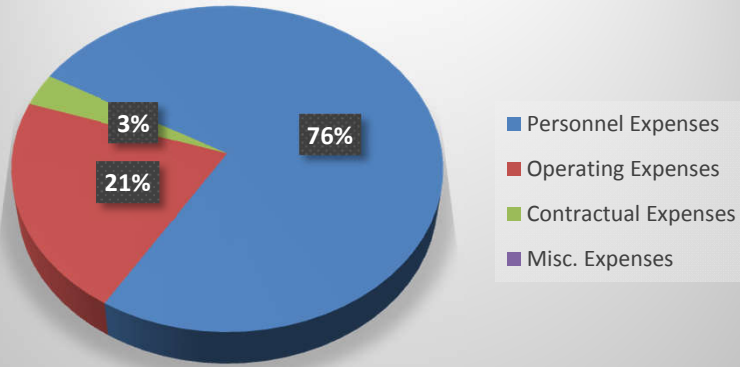
SWCCOG 2020 Final Budget Overview

Revenue	<u>2020 Budget</u>
Dues Revenue	128,389.00
Grant/Project Administration	86,099.00
Grant Funded Projects	380,428.00
Grant Match	40,000.00
Misc. Revenue	0.00
Shared Services Revenue	64,686.00
Total Revenue	699,602.00

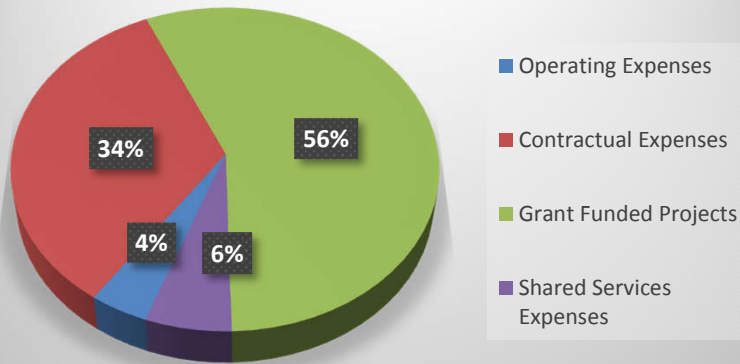
Expenses	
Administrative	
Personnel Expenses	175,724.71
Operating Expenses	49,686.00
Contractual Expenses	7,500.00
Misc. Expenses	0.00
Projects	
Operating Expenses	22,500.00
Contractual Expenses	187,878.00
Grant Funded Projects	312,517.00
Shared Services Expenses	33,206.00
Total Expenses	789,011.71



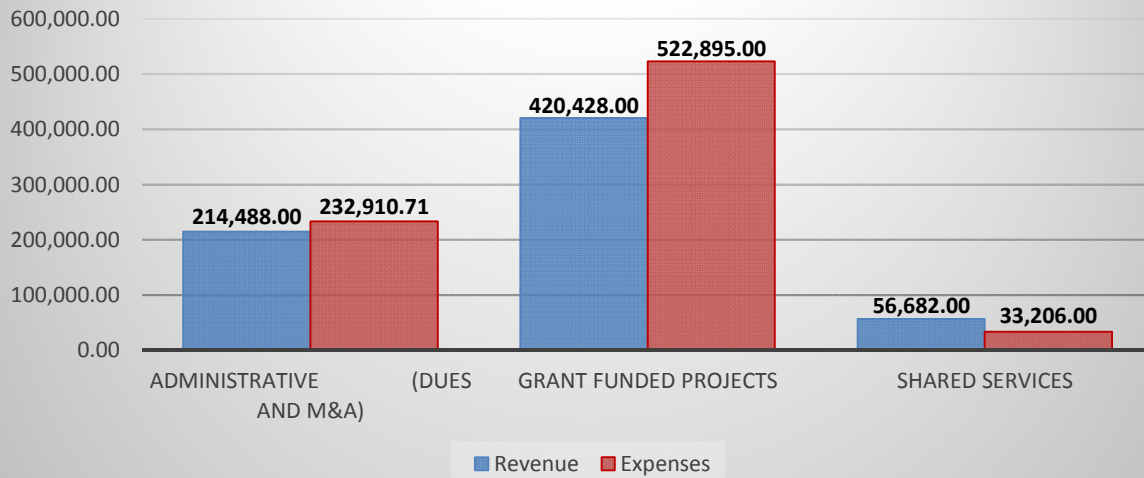
2020 Administrative Expenses



2020 Project Expenses



2020 Rev/Exp by Category



GENERAL FUND

	2017 (ACTUAL)	2018 (ACTUAL)	2019 (BUDGET)	2019 (ESTIMATE)	2020 (FINAL)
Beginning Fund Balance	85,735.00	67,836.60	33,191.49	33,191.49	175,275.75
Revenue					
Dues					
COG Dues	126,200.00	150,970.00	118,192.00	111,929.00	121,547.00
SWTPR Contributions	7,607.00	6,842.00	7,607.00	5,926.00	6,842.00
Total Dues Revenue	133,807.00	157,812.00	125,799.00	117,855.00	128,389.00
Grant/Project Administration					
All Hazards	3,629.05	2,021.27		2,848.32	2,500.00
DoLA Impact Assistance Program	22,826.60	2,263.34	0.00	5,076.30	0.00
DOLA Other				6,692.00	0.00
Local Food Planning				3,825.00	
Recycling	13,123.01				22,717.00
Regional Housing Alliance		10,000.00	10,000.00	10,024.00	10,000.00
SJRC&D					10,000.00
SWIMT		1,751.31		1,222.71	1,000.00
SWTPR	12,074.61	16,667.44	11,050.00	11,004.00	11,050.00
Transit Coordination					28,832.00
Total Grant/Project Administration	51,653.27	32,703.36	21,050.00	40,692.33	86,099.00
Grant Funded Projects					
All Hazards	220,122.95	86,501.39	160,000.00	157,151.68	157,500.00
Broadband	0.00	0.00	7,833,334.00	0.00	0.00
CDOT Grants					
SWTPR Rural Assistance	9,606.39	4,722.18	11,050.00	11,096.00	21,050.00
FTA 5304 Transit Planning	0.00	39,981.00	0.00	0.00	0.00
Total CDOT Grants	9,606.39	44,703.18	11,050.00	11,096.00	21,050.00
CDPHE Grant	0.00	0.00	106,054.50	0.00	0.00
DoLA Grants					
DoLA Impact Assistance Program	94,026.40	39,612.59	133,600.00	46,923.70	125,000.00
DoLA Other	0.00	0.00	0.00	84,915.00	48,000.00
Total DoLA Grants	94,026.40	39,612.59	133,600.00	131,838.70	173,000.00
Local Food Planning				80,602.00	0.00
Recycling (RREO) Grant	15,038.59	0.00	0.00	0.00	19,878.00
SWIMT	0.00	28,338.64	26,280.00	25,057.29	9,000.00
Total Grant Funded Projects	338,794.33	199,155.80	8,270,318.50	405,745.67	380,428.00
Grant Match					
COG Member Match	21,039.00	14,923.00	0.00	14,317.00	25,000.00
Non-COG Member Match	0.00	8,000.00	0.00	15,000.00	15,000.00
Total Grant Match	21,039.00	22,923.00	0.00	29,317.00	40,000.00

GENERAL FUND

	2017 (ACTUAL)	2018 (ACTUAL)	2019 (BUDGET)	2019 (ESTIMATE)	2020 (FINAL)
Revenue					
Miscellaneous Revenue					
Miscellaneous Revenue	5,870.00	9,498.80	0.00	2,166.11	0.00
Total Miscellaneous Revenue	5,870.00	9,498.80	0.00	2,166.11	0.00
Shared Services Revenue					
Dark Fiber Leasing	21,287.00	33,822.00	33,822.00	24,624.00	46,902.00
Telecom Services (IP addresses)	8,280.00	8,280.00	8,280.00	8,280.00	1,200.00
Aggregation of Connectivity				7,080.00	15,084.00
Contract Sharing		460.00			1,500.00
Total Shared Service Revenue	29,567.00	42,562.00	42,102.00	39,984.00	64,686.00
Total Revenue	580,730.60	464,654.96	8,459,269.50	635,760.11	699,602.00

GENERAL FUND

	2017 (ACTUAL)	2018 (ACTUAL)	2019 (BUDGET)	2019 (ESTIMATE)	2020 (FINAL)
Expenses					
Administrative Costs					
Personnel Expenses					
Payroll Expense					
Salary and Wages	140,766.00	147,728.69	151,074.00	123,218.19	135,262.40
Payroll Tax	11,628.00	12,136.01	12,917.00	10,510.41	11,564.94
Payroll Processing Fee	1,721.00	1,772.41	1,750.00	1,850.00	1,850.00
458 Retirement	7,476.00	7,621.77	5,675.00	5,551.17	5,077.70
Car Allowance	3,900.00	3,300.00	3,600.00	3,600.00	3,600.00
Cell Phone Allowance	2,990.00	2,100.00	2,400.00	1,350.00	0.00
Total Payroll Expense	168,481.00	174,658.88	177,416.00	146,079.77	157,355.04
Insurance Expense					
General Liability	2,235.00	3,644.75	18,576.00	3,295.23	1,873.67
Health	26,214.00	25,704.00	32,175.00	16,000.00	15,141.00
Worker's Compensation	1,668.00	0.00	1,496.00	1,496.00	1,355.00
Total Insurance Expense	30,117.00	29,348.75	52,247.00	20,791.23	18,369.67
AmeriCorp VISTA					
AmeriCorp VISTA	8,000.00	3,250.00	9,750.00	9,750.00	0.00
Housing Allowance	0.00	0.00	2,400.00	0.00	0.00
Total AmeriCorp VISTA	8,000.00	3,250.00	12,150.00	9,750.00	0.00
Total Personnel Expenses	206,598.00	207,257.63	241,813.00	176,621.00	175,724.71
Operating Expenses					
Advertising and Promotion	110.00	3,201.84	240.00	100.00	240.00
Bank Service Charge	0.00	158.16	200.00	242.60	200.00
Conference Fee	199.00	1,550.40	0.00	527.70	1,500.00
Employee/Board Appreciation	79.00	195.85	100.00	100.00	100.00
Information Technology					
Hardware	50.00	0.00	50.00	0.00	1,400.00
Software	3,253.00	1,273.74	1,724.00	1,724.00	1,804.00
Total Information Technology	3,303.00	1,273.74	1,774.00	1,724.00	3,204.00
Internet Connection	388.00	364.60	390.00	292.50	0.00
Meetings	1,316.00	899.69	5,000.00	450.00	1,000.00
Memberships	5,673.00	6,423.00	6,048.00	5,098.00	5,698.00
Office Equipment	493.00	1,536.73	1,400.00	256.46	0.00
Office Supplies	481.00	880.34	850.00	300.00	850.00
Office Telephone	0.00	0.00	0.00	0.00	564.00
Postage and Delivery	67.00	57.87	80.00	50.00	80.00
Professional Development	2,569.00	0.00	4,000.00	200.00	2,000.00
Professional Fees					
Audit	6,750.00	5,900.00	6,100.00	6,100.00	6,100.00
Legal	3,929.00	11,381.56	7,000.00	4,000.00	7,000.00
Misc.	331.00	24.43	500.00	100.00	250.00
Total Professional Fees	11,010.00	17,305.99	13,600.00	10,200.00	13,350.00

GENERAL FUND

	2017 (ACTUAL)	2018 (ACTUAL)	2019 (BUDGET)	2019 (ESTIMATE)	2020 (FINAL)
Expenses					
Administrative Costs					
Operating Expenses					
Rent	91.00	271.00	8,500.00	8,400.00	8,400.00
Travel	9,180.61	12,211.29	12,500.00	6,000.00	12,500.00
Total Operating Expenses	34,959.61	46,330.50	54,682.00	33,941.26	49,686.00
Contractual Expenses					
Consulting	0.00	44,630.00	0.00	0.00	7,500.00
Total Contractual Expenses	0.00	44,630.00	0.00	0.00	7,500.00
Miscellaneous Expenses					
Miscellaneous Expense	3,640.00	522.00	0.00	0.00	0.00
Total Miscellaneous Expenses	3,640.00	522.00	0.00	0.00	0.00
Total Administrative Costs	245,197.61	298,740.13	296,495.00	210,562.26	232,910.71
Project Costs					
Operating Expenses					
SWTPR Travel	9,606.39	4,722.18	12,500.00	2,000.00	22,500.00
Operating Expenses	9,606.39	4,722.18	12,500.00	2,000.00	22,500.00
Grant Funded Contractual Expenses					
Grant Funded Consulting	92,018.00	54,630.25	7,933,354.00	69,157.59	187,878.00
Total Contractual Expenses	92,018.00	54,630.25	7,933,354.00	69,157.59	187,878.00
Grant Funded Projects					
All Hazards Projects	220,523.00	88,648.15	156,000.00	156,000.00	156,000.00
Census	0.00	0.00	0.00	0.00	66,915.00
Local Food Planning	0.00	0.00	0.00	0.00	80,602.00
SWIMT	0.00	27,303.86	21,024.00	27,500.00	9,000.00
Total Grant Funded Projects	220,523.00	115,952.01	177,024.00	183,500.00	312,517.00
Shared Services Expenses					
Dark Fiber Revenue Share	5,322.00	8,455.50	8,456.00	8,456.00	8,456.00
Aggregation of Connectivity	0.00	2,000.00	0.00	8,000.00	12,300.00
Telecom Services (IP addresses)	10,800.00	10,800.00	10,800.00	8,000.00	3,900.00
Shared Software Maintenance	15,162.00	4,000.00	4,000.00	4,000.00	8,550.00
Total Shared Services Expenses	31,284.00	25,255.50	23,256.00	28,456.00	33,206.00
Total Project Costs	353,431.39	200,559.94	8,146,134.00	283,113.59	556,101.00
Total Expenses	598,629.00	499,300.07	8,442,629.00	493,675.85	789,011.71
Net Profit/-Loss	-17,898.40	-34,645.11	16,640.50	142,084.26	-89,409.71
Ending Fund Balance	67,836.60	33,191.49	49,831.99	175,275.75	85,866.04
Fund Balance Reserve (4 month operating expense)	79,606.00	88,509.00	96,348.00	96,348.00	75,606.00
Fund Balance Excess/-Deficit	-11,769.40	-55,317.51	-46,516.01	78,927.75	10,260.04

FIBER FUND

	2017 (ACTUAL)	2018 (ACTUAL)	2019 (BUDGET)	2019 (ESTIMATE)	2020 (FINAL)
Beginning Fund Balance	9,754.57	19,496.29	19,498.24	19,498.24	19,500.14
Revenue					
Fiber Income					
Fiber Income	9,740.00	0.00	0.00	0.00	0.00
Total Fiber Income	9,740.00	0.00	0.00	0.00	0.00
Other Income					
Interest Earned	1.72	1.95	0.00	1.90	0.00
Total Other Income	1.72	1.95	0.00	1.90	0.00
Total Revenue	9,741.72	1.95	0.00	1.90	0.00
Expenses					
Fiber Expenses					
Fiber Expenses	0.00	0.00	0.00	0.00	0.00
Total Fiber Expenses	0.00	0.00	0.00	0.00	0.00
Total Expenses	0.00	0.00	0.00	0.00	0.00
Net Profit/-Loss	9,741.72	1.95	0.00	1.90	0.00
Ending Fund Balance	19,496.29	19,498.24	19,498.24	19,500.14	19,500.14

Fiscal Administration Policies

To: SWCCOG Board of Directors

From: Miriam Gillow-Wiles

Date: 12 December 2018

The SWCCOG is currently the fiscal agent for All Hazards (Homeland Security Funding), Colorado Health Foundation funding, DOLA Census funding, Regional Housing Alliance of La Plata County (RHA), Southwest Incident Management Team (SWIMT), and Southwest Transportation Planning Region (SWTPR).

The state funding for All Hazards, SWIMT, and TPR are set per the state, other funding, such as RHA and Colorado Health Foundation, and DOLA Census are not, allowing for negotiation for fiscal agent fees and some recreating of documents and process for each grant. As a result the SWCCOG Staff realized that we needed to have standards for fiscal agent fees based on different requirements, as well as standard reporting, timesheets, mileage reimbursement and reimbursement requests to streamline our processes and to make clear what and when items are required.

This is a living document and will be updated from time to time. In addition, the SWCCOG Board may choose to negotiate a lower fiscal agent fee as desired to ensure project viability.

Attached is the draft document with the following forms:

- Reimbursement Request Cover Sheet
- Reporting Template
- Mileage Reimbursement Template
- Time Sheet Template

Legal Review: Not applicable at this time

Fiscal Impact: Minor

Staff Recommendation: Approve the Fiscal Administration Policies

Southwest Colorado Council of Governments

Fiscal Management Policies

ADOPTED:

Purpose:

The Southwest Colorado Council of Governments (SWCCOG) is the fiscal agent for multiple grants and entities. In order the SWCCOG to manage, process payments, and ensure fiscal compliance with various grantors and audits, the SWCCOG standardized procedures.

The following is the set of procedures and requirements for timely processing of funding, pay reimbursements, and other fiscal management services the SWCCOG provides. This document is meant to be a comprehensive as possible and to create efficiencies for the fiscal agent (SWCCOG) and the project/program/entity utilizing the SWCCOG's fiscal management. There may be items that come up that are not outlined in this document, those will be dealt with on a case by case basis.

Important Dates and Information

- Reimbursement requests and supporting documents due: 10th of every month
- Reimbursements issued: 25th of every month.
- Send all reimbursement requests, supporting documentation, and required project updates to: Jessica Laitsch, info@swccog.org

Reporting Requirements

While every grant is different, most require the grantee to provide monthly status updates. As a requirement for reimbursements, each project shall provide monthly status updates to the SWCCOG so we can fulfill the grant requirements successfully. The SWCCOG has provided a template to submit monthly reporting on project activities.

Reimbursement Requirements

All reimbursements must include the Reimbursement Coversheet and the Reporting Template and all associated documents (such a receipts) to be processed. Mileage and Time Sheets may not apply to all projects managed by the SWCCOG, but must accompany other documentation for reimbursements if required.

Documents are in Microsoft Word and Excel formats. SWCCOG can make them available in Google Doc and Google Sheets for those that do not have access to Microsoft.

Management and Administration

The SWCCOG's management and administration fee is 10% of the total cost of the project. However, if the Board chooses, they are able to set a different cost structure based in the project and impact to the region. If based on an hourly rate, SWCCOG will use an indirect cost hourly rate.

Each project will vary, as will the Management and Administration needs, as a result the SWCCOG's contract will reflect the expected tasks in the Scope of Work Exhibit. The Scope of Work is typically basic administrative tasks such as supporting meetings or development of reports. Fiscal administration is usually bookkeeping, processing reimbursement requests, creating financial statements, and working with grantors.

SWCCOG will not, unless otherwise stated in the contract, write interim and final reports for the projects managed by the SWCCOG.

Under no circumstances are projects allowed to submit funding request under the SWCCOG's name or tax ID. The SWCCOG must be able to review and approve use of the organization's name, tax ID, and/or tax status for any and all funding requests.

Contract

SWCCOG will use a Fiscal Management Contract template with modifications as needed. All contracts must be approved by the SWCCOG Board and the organization/entity's governing body before any work can begin. Any issues that may arise will be handled through the SWCCOG contract which outlines processes and procedures.

Documents and Templates

Attached are the basic reporting templates the SWCCOG expects the project to submit on a monthly basis during the project. These include, but are not limited to:

- Grant Reimbursement Coversheet
- Grant Reporting Template
- Mileage Reimbursement Template
- Time Sheet Template

SWCCOG will need the following documents to ensure compliance with state and federal regulations:

- Contact information, including name, email, phone, and mailing address.
- Fully executed contract including a scope of work
- Certification of compliance with prohibition of employ or contract of illegal aliens
- Proof of liability insurance
- Provision of Worker's Compensation
- W9 Form(s)
- Federal Employer ID or Social Security Number
- Any other items needed for the successful management and administration of the project

Document Control

Issue Control			
Issue		Date	12/12/2019
Classification		Author	MGW
Document Title	Fiscal Management Policies		
Approved by			
Released by			

Issue Control			
Issue		Date	
Classification		Author	
Document Title			
Approved by			
Released by			

Owner Details	
Name/Title	MGW
E-mail Address	director@swccog.org

Revision History			
Issue/Section	Date	Author	Comments
v1 Draft	12/12/2019	MGW	Draft for Board Approval



SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS

Reimbursement Request - Cost Detail

Time period of request: _____ Total Request Amount: \$ -

Organization or Agency: _____ Grant or Program: _____

Name and Address for Payment: _____

Supplies, Equipment and Other Expenses (Attach any invoices and/or receipts)

Item	Budget/Grant Line	Description	Quantity	Cost per Unit	Total Cost
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
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					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
				Total	\$ -

Detail activities and accomplishments in this time period: _____



SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS

NAME OF GRANT REPORTING TEMPLATE

Fill out your activities for each month under the appropriate header in bullet points or small paragraphs. Please include any metrics needed to fulfill the grant, including hours worked, costs of items, community members served etc.

Entity/Person Name Here

January 2020

February 2020

March 2020

April 2020

May 2020

June 2020

July 2020

August 2020

September 2020

October 2020

November 2020

December 2020



SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS

Reimbursement Request - Travel Cost Detail

Time period of request: _____ Total Request Amount: \$ -

Organization or Agency: _____ Grant or Program: _____

Name and Address for Payment: _____

Travel Cost (Attach any invoices and/or receipts)

Date	Departure Location	Arrival Location	Number of Miles	Rate per Mile	Meal (Select)	Meal Cost	Total Cost
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
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							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
							\$ -
Total							\$ -

Detail purpose of travel in this time period: _____



SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS

Reimbursement Request - Staffing Cost Detail

Time period of request: _____ Total Request Amount: \$ -

Organization or Agency: _____ Grant or Program: _____

Name and Address for Payment: _____

Staffing Cost (Use 24 hour time format)

Date	Hours						Total Hours	Rate	Task or Project	Total Cost
	Start	End	Start	End	Start	End				
							0:00			\$ -
							0:00			\$ -
							0:00			\$ -
							0:00			\$ -
							0:00			\$ -
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							0:00			\$ -
							0:00			\$ -
							0:00			\$ -
							0:00			\$ -
Total										\$ -

Detail tasks, projects and accomplishments in this time period: _____

Mobility for All Program

To: SWCCOG Board of Directors

From: Jessica Laitsch

Date: 5 December, 2019

The Federal Transit Administration has issued a Notice of Funding for a Mobility for All Pilot Program. The program seeks to improve mobility options through strategies to enhance mobility and access to community services for older adults, individuals with disabilities, and people with low incomes. Eligible projects include employing mobility management strategies, vehicle purchase, IT purchase, leasing equipment or a facility for use in public transportation etc. Funds are intended be used for capital projects that are derived from Coordinated Public Transit-Human Services Transportation Plans. There is no minimum or maximum grant award amount and projects require a minimum 20% match.

This funding is not available for operating costs, it is strictly to be used for capital, which may include technology equipment. The most recent Coordinated Transportation Plan in SW Colorado included goals such as:

- Seek funding to support and sustain an online, searchable database of community resources.
- Update and enhance RCC's Regional Transit Guide to be more user-friendly and accessible to the target populations.
- Develop wide distribution network for the Regional Transit Guide.
- Establish a mobility management function within the RCC to provide a one-stop shop/clearinghouse of information.

Based on this, staff requests authorization to submit an application to pursue the development of a one-stop shop/single point of transportation information for visitors and residents throughout southwest Colorado. We expect to request no more than \$80,000 for this project, which would require a \$20,000 match for a project total of \$100,000. Grant applications are due January 6, 2020.

Pros:

- Would be a significant step in meeting the goals established by the Regional Transit Council

Cons:

- Would require staff time, which would not be reimbursable through the grant

Legal Review: Not applicable at this time.

Fiscal Impact: Would require identification of match up to \$20,000

Staff Recommendation: Approve staff to apply for Mobility for All Pilot Program funding for up to \$80,000.

San Juan RC&D

To: SWCCOG Board of Directors
From: Miriam Gillow-Wiles
Date: 12 December 2019

Comments: As you will remember, Staff brought up the idea of the SWCCOG bringing on management of a regional 501c3, the San Juan Resources Conservation and Development Council (SJRC&D) from an initial discussion this summer, with approval to move forward with more info and data gathering in September. Attached is a contract between the SWCCOG and SJRC&D an overview of the organization, current status, and a few of the various organizations that are supported, and in turn support our communities, by SJRC&D.

Staff as been reviewing financials, and the expected revenues from SJRC&D amount to about \$15,000 for FY18-19 (they operate on a Federal fiscal year). We expect this to be slightly less for the upcoming fiscal year, as some projects left after the non-profit announced it was potentially shutting down. This may also go up once that ripple effect and organizations realize SJRC&D is still alive and well with administrative/fiscal support under the COG creates stability.

SJRC&D operates as a non-profit umbrella for organizations or entities without a 501c3 status. Operational money comes from a 5-10% management and administration (M&A) fee leveraged on all funds going through the organization, including grants and donations. Some projects have been with SJRC&D for many years and were grandfathered in at 5%, while some newer projects are able to bring in 10% M&A per their funding source (typically state or federal funding). Staff would like to explore a fee for service with the SJRC&D Board, as it would be easier for SWCCOG budgeting, as well as ensure the services needed are able to be provided – for example grant writing.

There have been a few challenges over the last few years for the organization, including losing all electronic information when a computer crashed, so much was recreated, and data back up has been put in place. In addition they have had several staff, and now a Board Member, maintaining the books as the total of administrative fees was not enough for full time employment. The SWCCOG's stability should help overcoming the staff churn issue as well as, the SWCCOG's cloud based system will also help with data back-up to prevent a total loss of information in the future.

The SWCCOG-SJRC&D Contract is based off the other management and administration work the SWCCOG provides such as RHA and Colorado Health Foundation grant management for Good Food Collective. Please see the scope of work in the Contract for specifics to COG M&A of SJRC&D. The COG will bill on an hourly rate for work, up to \$10,000 and any funding over \$10,000 will be billed at a higher rate.

San Juan RC&D

- Regular hourly rate of \$37/hour was calculated by taking both Miriam and Jessica's time and combining it based on expected percentage time worked on the project.
- Regular hourly rate provides up to 3.5 hours/month for Miriam and 19.25 hours/month for Jessica.

Attached:

- SWCCOG-SJRC&D Contract (fiscal policies not attached as they are also in the Board Packet).
- FY2018-2019 Financials
- List of various projects
- FY2016-2017 990EZ The whole 15 page 990 and supporting documentation (as well as previous FYs) can be found here:
http://sanjuanrcd.org/blog/?page_id=1578

Legal Review: Contract written by Legal

Fiscal Impact: High, provides revenues of ~\$10,000 for SWCCOG and ensures funding for various projects and programs in southwest Colorado.

Staff Recommendation: Approve the contract for Management and Administration of SJRC&D and appoint a SWCCOG Board Member to sit on the SJRC&D Board.

**AGREEMENT BETWEEN
SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS AND
THE SAN JUAN RESOURCES AND CONSERVATION DISTRICT**

THIS AGREEMENT (the “Agreement”) is entered into this ___ day of _____ 2019, by and between the SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS, (hereinafter referred to as the “SWCCOG” or “Contractor”) whose address is 295 Girard St, Ste B, Durango, CO 81303, and the San Juan Resource Conservation and Development Council, a _____ 501c3 Corporation, whose address is _____ (hereinafter referred to as the ”SJRC&D”) (and collectively, the “Parties”).

RECITALS

WHEREAS, the SJRC&D is in need of certain administrative support, meeting support, and book-keeping services as set forth in Exhibit A and whereas SWCCOG would provide those SJRC & D administrative support, book-keeping support, and meeting support services; and

WHEREAS, it is the mutual desire of the Parties to set forth their understanding and agreement, in writing, with respect to said obligations:

NOW, THEREFORE, the parties agree as follows:

1. *Retention of Contractor.* SJRC&D hereby retains SWCCOG to provide certain Services on the terms herein provided.

2. *Term of Agreement.* Unless terminated earlier by either party hereto, the period during which Contractor shall provide services to SJRC&D under this Agreement shall be from **_1 January 2020_ until _31 December 2020_** (the “Initial Term”). This Agreement shall automatically renew for up to five additional one-year terms unless terminated in writing. For such extensions, the scope of work and compensation may be amended.

3. *Termination.* This Agreement may be terminated by either Party, with or without cause, by providing at least 90 days’ written notice to the other Party. In addition, SJRC&D may terminate this Agreement immediately without prior notice if any of the following occurs:

- a. Contractor commits a material breach of any provision of this Agreement and fourteen days’ notice and an opportunity to cure, without curing lapses; or
- b. Contractor commits an act of fraud, dishonesty or any other act of gross negligent, reckless or willful misconduct in providing the services to the SJRC&D violates any other provision of law; or
- c. Contractor fails to commence the work within the SJRC&D calendar dates, Exhibit B, attached to the Contract or in the opinion of SJRC&D the Contractor fails to perform the work with sufficient workers and equipment or with sufficient materials to assure the prompt completion of said work; or
- e. Contractor discontinues the work; or

- f. Contractor fails to resume work which has been discontinued within a reasonable time after notice to do so.

Upon termination, SJRC&D shall issue SWCCOG any payments owed for the annual period, however pro-rated to the date of termination, and SWCCOG shall return to SJRC&D all of SJRC&D property, correspondence and records (including copies of SJRC&D computer files), and the parties shall thereafter be relieved from further obligations under this Contract.

4. *Contractor's Duties.* Contractor shall furnish the Services to SJRC&D as described in Exhibit A, Scope of Services. The SJRC&D agrees that it will at any time, and from time to time, execute and deliver all documents and instruments, and take all actions as may reasonably be required by the SWCCOG in order for the SWCCOG to effectuate and fully carry out its obligations in accordance with the terms of this Agreement

5. *Compensation and Invoices.* The compensation paid to the Contractor is to be paid on a schedule and at rates as described in Exhibit A. SWCCOG's obligation to perform is condition on SJRC&D payment.

6. *Agreement to Perform Services as an Independent Contractor.* It is understood through this contract that SJRC&D is contracting with Contractor to provide specific services and this contract should in no way be interpreted that Contractor is an employee of SJRC&D.

Contractor shall perform said services in its own way in the pursuit of its independent calling and not as an employee of SJRC&D, and shall be solely responsible for the means and methods and the proper performance of the services in compliance with the terms, requirements, and specifications of this Agreement. Contractor and any persons employed or retained by Contractor for the performance of services hereunder shall be independent contractors and not employees or agents of SJRC&D. Contractor shall not be under the control of SJRC&D or its employees as to the means or manner by which such result is to be accomplished.

Contractor shall have no claim against SJRC&D hereunder or otherwise for vacation pay, sick leave, retirement benefits, social security, worker's compensation, health or disability benefits, unemployment insurance benefits, or employee benefits of any kind. Contractor shall be solely responsible for meeting all applicable withholding, tax, and insurance requirements.

7. *Notices.* Any notice this Agreement requires must be written and hand- delivered or sent by U.S. Certified mail, return receipt requested, to the parties at the address listed above and also via email, to the following e-mail addresses:

If to SWCCOG: director@swccog.org AND info@swccog.org

If to SJRC&D: _____(insert e-mail notice address)

8. *Assignment.* Neither party shall have the right to assign this Agreement except with the express written consent of the other.

9. *Enforceability.* If any term or provision of this Agreement shall be adjudicated to be invalid, illegal or unenforceable, this Agreement shall be deemed amended to delete the term or provision thus adjudicated to be invalid, illegal or unenforceable and the validity of the

other terms and provisions of this Agreement shall not be affected thereby so long as the purposes of this contract can be met.

10. *Governing Law and Enforcement.* The terms and conditions of this Agreement shall be construed, interpreted and enforced in accordance with the applicable laws of the State of Colorado. Any dispute concerning the performance or interpretation of the agreement which cannot be resolved by the designated points of contact or their immediate superiors shall be referred to the party's board of directors. If the matter is not resolved within 45 days after referral, either party may file legal action. If any legal action is necessary to enforce the terms and conditions of this Agreement, the parties agree that the jurisdiction and venue for bringing such action shall be in the appropriate court in La Plata County, Colorado.

11. *Entire Agreement.* The parties agree that this Agreement constitutes the entire Agreement between the parties and supersedes any and all prior oral representations, promises, covenants, understandings and other agreements, if any, between the parties and their agents, and this Agreement may not be modified in any manner except by an instrument in writing executed by both parties.

12. *Waiver.* No failure by either party to exercise any right it may have shall be deemed to be a waiver of that right or of the right to demand exact compliance with the terms of this Agreement.

13. *Construction.* This Agreement's final form resulted from review and negotiations among the parties and/or their attorneys and no part of this Agreement shall be construed against any party on the basis of authorship.

14. *Signatory's Authority.* Each person signing this Agreement in a representative capacity expressly represents that the signatory has the subject party's authority to so sign and that the subject party will be bound by the signatory's execution of this Agreement.

15. *Funding availability.* Financial obligations of the SJRC&D and performance obligations of SWCCOG are contingent upon annual appropriation of funds by their organizations to pay for the scope of work defined in this agreement. The Parties understand and accept that SJRC&D obligations to make any payments, and SWCCOG obligations to perform services are contingent on annual appropriation of funds. The parties represent that funds have been appropriated for the initial term.

16. *Third Party Beneficiaries.* The parties to this Agreement do not intend to benefit any person not a party to this Agreement. No person or entity, other than the parties to this Agreement shall have any right, legal or equitable, to enforce any provision of this Agreement.

17. *Breach of Contract.* The prevailing party to any litigation arising out of this agreement shall be entitled to all costs of that action, including reasonable attorney's fees. Notwithstanding, neither party shall be liable for any damages for loss of profits, loss of revenues, loss of goodwill, loss of anticipated savings, loss of data or cost of purchasing, replacement services, or any indirect, incidental, special, consequential, exemplary or punitive damages arising out of its performance or failure to perform under this agreement. Additionally,

any damages against SWCCOG shall be capped at the amount of funds that SWCCOG has received from the SJRC&D during the fiscal year in which such liability or damage accrued.

18. *Liability Insurance.* SWCCOG shall maintain its CIRSA insurance coverages in the amount presently held (at the time of execution of this Agreement) by the SWCCOG and SJRC&D shall maintain its policy in the amount of _____, during the term of this contract.

19. *Indemnification.* Each party, to the extent authorized by law, shall indemnify and hold the other harmless, their agents, employees, and Directors from and against any claim, damages, losses and expenses, including but not limited to attorney's fees and court costs, arising out of or related to that party's own failure to properly perform under this agreement, but only to the extent the failure to perform is caused in whole or in part by the negligent acts or omission of that party, or anyone directly or indirectly employed by that party, and so long as that party did not cause, in whole or in part, the other party not to properly perform. SJRC&D to the extent authorized by law, shall indemnify and hold the SWCCOG harmless from any claims made against the SWCCOG arising from SJRC&D's actions or inactions that are either negligent or a breach of their contract with others, including reasonable attorney's fees and court costs.

20. It is the intent of the Parties that all contractual and statutory obligations of the SJRC&D remain those of the SJRC&D, and are not assigned to the SWCCOG and do not become the obligation of the SWCCOG. This Agreement does not create a joint venture or partnership or merger of the Parties. SJRC&D is and shall remain a separate and distinct entity from the SWCCOG. The business operations of SJRC&D shall in no way combine with the business operations of the SWCCOG. The role of the SWCCOG is merely to assist the SJRC&D Board by supplying it with administrative support, meeting support, and book-keeping support, as set forth in this Agreement. The SWCCOG is not responsible for the SJRC&D's actions or inactions.

21. By executing this agreement, SWCCOG does not waive any immunity or limit liability contained in the Colorado Governmental Immunity Act, does not create a multi-year financial obligation, and does not create any other financial obligation not supported by a current appropriation.

22. List of Exhibits

- Exhibit A – Scope of Services and Compensation
- Exhibit B – Grant Management and Fiscal Agent Tasks
- Exhibit C – SJRC&D Calendar
- Exhibit D – SWCCOG Fiscal Policies and Procedures

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement the day and year first above written.

San Juan Resource Conservation and Development Council

Title, Date

Southwest Colorado Council of Governments

Title, Date

EXHIBIT A: SCOPE OF SERVICES & COMPENSATION

Administrative Services are limited to:

- Filing any necessary papers at SJRC&D board's direction to renew SJRC&D's insurance policy(s) in the amount of _____, including errors and omissions coverage, to ensure no lapse in coverage, the costs of the same to be paid by SJRC&D.
- Collecting and opening mail and email correspondence forwarded by SJRC&D to SWCCOG, and forwarding the correspondence to SJRC&D's Board Chair. The SWCCOG will reasonably assist SJRC&D in transmitting SJRC&D Board responses to correspondence. SJRC&D will maintain the existing PO Box, including cost associated with the PO Box.
- Supporting SJRC&D Board Meetings set forth in Exhibit B, which shall include the following:
 - Per the direction of the SJRC&D Board President, creating an agenda and supporting documentation.
 - Distributing the agenda to the Board.
 - Taking minutes and drafting minutes of the meeting which will be sent to the SJRC&D Board Chair within 30 days of a Board Meeting.
- Maintaining SJRC&D board meeting minutes and financial records obtained during the time of this Agreement. SWCCOG does not know the status of the SJRC&D's records prior to the execution date hereof and is not responsible therefor.
- SWCCOG shall be the official Custodian of the SJRC&D's records kept by SWCCOG. SWCCOG will assist SJRC&D in responding to any record requests made of the non-profit under applicable Colorado law. The cost of the same, including the payment of any necessary legal fees or court costs in complying with same or replying to record requestss shall be promptly paid by SJRC&D to SWCCOG in addition to the annual payments. Files provided by SJRC&D to SWCCOG shall be kept in a locked and secure location.
- Assisting SJRC&D in meeting its deadlines as specified in Exhibit C: SJRC&D Calendar.
- Providing a quarterly report to the SJRC&D Board that includes a report on activities, and upcoming tasks to be performed under this Agreement.

Book-Keeping Services limited to:

- Performing the duties of Office Manager and Book-Keeper as described in Exhibit D Financial Policies and Procedures, and as amended. The duties of Office Manager and Bookkeeper shall, to fullest extent possible, be performed by different people.
- Providing bookkeeping services and assist SJRC&D in complying with their audit and auditor's requests for information
- Maintaining SJRC&D books in QuickBooks from date of execution of this Agreement.

- Providing quarterly financial statements and bank reconciliation to the SJRC&D Board.
- Assist the SJRC&D Board in scheduling the annual audit, as necessary, to be performed by an Audit Firm selected by SJRC&D Board. Facilitate the audit by providing records in its possession as requested. Costs of audit and auditor contract to be the responsibility of the SJRC&D Board.
- Assisting the SJRC&D Board in preparing an annual budget for approval by the Board, when approved by the SJRC&D Board file the budget and budget amendments with any additional agencies or persons as directed by SJRC&D.
- Processing payroll and reimbursements for the community organizations supported by SJRC&D.

Administration and Book-keeper Services provided in this scope of work shall include labor costs, rent, liability insurance, utilities, telephone, office supplies, and computer hardware and software. Other costs that the SJRC&D may incur including, but not limited, to legal fees and costs, audit fees, PO Box costs, postage, mileage and travel (as authorized by the SJRC&D Board), liability insurance renewal, payment of SJRC&D Vendors and SJRC&D invoices, are the responsibility of the SJRC&D.

SJRC&D shall pay SWCCOG an hourly rate of \$37.00 made in monthly payments, up to \$10,000 annually. Compensation anticipates up to 22 hours of SWCCOG staff time spent performing the functions outlined herein. If additional time is required, that shall be compensated by SJRC&D to SWCCOG at the rate of \$50.00 per hour, to be paid monthly.

EXHIBIT B

Grant management and Fiscal Agent asks:

- Get appropriate signatures on grant document and mail back to grantor according to instruction
- Ensure contract signatures are correct; all current authorities have signed, and be aware of grant start and end dates
- Understand all eligible and ineligible expense items - review contract as needed
- Create grant tracker to ensure:
 - Grant funds are being spent in the appropriate budget line item
 - Remaining balances and funds spent to date are known
 - Percent of grant spent is known
- Review vendor and contractor invoices to ensure invoice dates are within grant contract timeframe, expenses are eligible, work complete is within the scope of the grant contract, and payment amount is within budget
- Send all invoices received to appropriate approver for review
- Process vendor and contractor payments for approved invoices
- Ensure contractor pay does not exceed grant regulations
- Ensure contractors are adhering to contract agreement, submitting progress reports along with payment requests, and staying within budget
- Create and submit budget amendments when necessary
- Create and submit scope change amendments when necessary
- Create and submit monthly or quarterly reports depending upon contract requirements
- Create and submit monthly or quarterly grant reimbursement requests depending upon contract regulations and cash flow
- Track and file supporting documentation for all expenses including receipts, invoices, credit card statements, time sheets, payroll reports, benefit invoices, bill pay confirmation, emails, etc.
- Track all staff hours spent on individual grants and break total hours into percentages per grant
- Track and calculate equipment depreciation
- Create purchase orders
- Receive equipment purchase requests and make purchases
- Receive and process reimbursement requests from contractors (grant coordinators), sub-contractors or others ensuring all supporting documentation is included
- Receive and respond to all emailed, phone, or mailed correspondences from grantors, contractors, and grantees
- Work closely with grantor to ensure high level of communication, understanding, and accuracy
- Work closely with contractors and grant coordinators to ensure high level of communication, understanding, and accuracy
- Develop exceptional working relationships with grantors, contractors, staff, and vendors

Project Status - November 2019

12/9/19 Updated

Project	Contact	Grant Information				Cash Balance In Account	Admin Fees %	Admin Fees Current Month	YTD Admin Fees 2018-2019	Comments and Status
		Grant #/Admin Fees	Grant Term	Grant Amt	Grant Balance					
Animas River Stakeholders Group (ARSG)	Peter Butler	SWCD and other donations	ongoing	\$0.00	\$0.00	\$ 10,781.32	7%	\$0.00	\$0.00	Received final invoice and am currently processing it; will close out this project after final payment. Opportunity exists to work with new CAG in the future.
AWP - ARC Forum/Russian Olive	Melissa May, Carrie Padgett, Darren Olsen - State					\$ 75.00	7%	\$0.00	\$0.00	No update since August
AWP - Donations	Melissa May, Carrie Padgett, Darren Olsen - State					\$ 3,702.15	7%	\$0.00	\$280.00	No update since August
CWOA Dist 2	Doug Hollister	various donations				\$ 5,208.09	7%	\$0.00	\$293.37	No update since August
Durango Business Associates	Stan Johnson	membership dues and donations	ongoing			\$ 793.34	7%	\$0.00	\$207.25	Receive 1/4 dues in December; expect about \$60 in admin income
Durango Mountain Camp	MJ Bilgrav	donations	ongoing			\$ 760.00	5%	\$0.00	\$2,790.00	
La Plata County IYPA	Sharon Hunter	grants/donations				\$ 1,404.04	7%	\$0.00	\$665.91	No update since August
Old Fort Market Garden Coop	Beth LaShell	member dues and donations				\$ 456.63	7%	\$0.00	\$0.00	No update since August
Phase III	Carrie Padgett	CWCB/CTGGI 2017-463	12/31/2018	\$131,343.00	\$74,108.49	\$ (3,037.50)	7%	\$0.00	\$1,116.40	Reimbursement request sent; will update with fees after payment received
Pine River Watershed Group	Jim Martin	SWCD and other donations			\$0.00	\$ 1,695.17	7%	\$0.00	\$210.00	Final invoices paid in December; will update balance at the end of the year
SJBRA	Colby Early					\$ 32,689.28	7%	\$0.00	\$300.00	No update in long time!
Thrive	Peter Tregillus, Gloria Kaasch-Berger	donations				\$ 918.84	7%	\$0.00	\$1,509.72	Still updating for Nov/Dec
Water Resources	CWOA District 7 Melissa Schneider	various donations				\$ 8,191.92	7%	\$0.00	\$0.00	No update since August
WRME Tractor Training	Beth LaShell	various	April 1, 2018 - September 30, 2019			\$ (1,722.86)	7%	\$0.00	\$1,174.11	Reimbursement request sent; will update with fees after payment received

\$0.00 \$8,546.76

SAN JUAN RESOURCES CONSERVATION AND DEVELOPMENT COUNCIL

1 History

The Resource Conservation and Development (RC&D) Program was established under the authority of the Food and Agriculture Act of 1962 to assist multi-county areas in enhancing conservation, water quality, wildlife habitat, and rural development. Work in each area was coordinated by a council, which operated as a sponsorship-based nonprofit led by volunteers.

The San Juan RC&D Council, serving eight counties in southwest Colorado, was established in 1972 for the purpose of helping all the residents of Southwest Colorado to use, protect and improve natural, cultural, historic and economic resources.

Originally, the responsibility for the administration of this nation-wide program of RC&D's resided within the USDA's Natural Resource Conservation Service. The NRCS provided basic operating support for the councils, including an executive director. In 2011, federal funding for the RC&D program was eliminated and the individual RC&D Councils were left alone to sink or swim.

For the first time in history, RC&D Councils, across the country are functioning without the direct support of the NRCS. Many have closed their doors. Though this cut in federal funding means a substantially smaller budget, the San Juan RC&D continued to actively work toward our vision: promoting sustainable communities and improving the quality of life through economic development and the conservation of natural resources.

The San Juan RC&D help local groups realize their goals by providing support and sponsorship, including administrative support and fiscal management for those who do not have the capacity to pursue their own non-profit status, grant research, proposal writing and review, grant administration, and website design and development. Our Council members form partnerships with communities and organizations to foster water conservation, land conservation, water management, and community and economic development.

Since 2011, San Juan RC&D has operated primarily on administration fees. The fees allow for the Council to employ a part-time person to conduct all business of the Council. The employee was responsible for accounting services for each project, grant management, website development, and other necessary project specific tasks.

2 Fiscal Sponsorship 101

For a variety of reasons, many community groups or organizations do not want to acquire their own 501(C)3 status; the process is complicated and expensive, or the project is temporary. At other times an organization has applied for tax exempt status but wants to be able to receive grant funding or accept donations before it receives its 501(c)3 designation; which can take many months. Fiscal

sponsorship is a way for those groups and projects to qualify for grants and receive donations that require tax-exempt status while offering tax deductions to their donors.

San Juan RC&D's fiscal sponsorship begins when the Council enters a Memorandum of Understanding (MOU) with a group, project, or organization (herein projects used as a catch all description). The San Juan RC&D agrees to accept and manage charitable funds for this project. Not insignificantly, the San Juan RC&D accepts financial and legal liability for the charitable work being done by the project. The projects are then relieved from having to formalize any new organizational structures for their work and incurring the expense of applying for 501(c)3 status from the Internal Revenue Service (IRS). IRS regulations require that the San Juan RC&D, as fiscal sponsor, monitors the use of the grant funds or donations and other resources received on their behalf, including ensuring that the resources are used only for the purposes agreed upon between project and the grantor or donor.

Once the project is awarded a grant or receives a contribution which is conditioned on the fiscal sponsorship of the San Juan RC&D, the funds are made payable to San Juan RC&D for deposit in the Council's FDIC bank account. The project's funds will be accounted for and in some instances be held separately from the Council's general operating funds and other project funds. The San Juan RC&D will send appropriate acknowledgements and tax receipts for donations. The fiscal sponsorship program guarantees, with a signed MOU, that the project's funds will be held for the project's or organization's use only. Monthly or quarterly financial statements that include a Profit and Loss Statement and a detailed report of income and expenses are provided to the projects. San Juan RC&D guaranty's that all grantor reporting requirements are met in a timely fashion. When a project wants to spend its grant money or donated funds, the project will submit invoices or requests for funds approved by their Board or Steering committee to the San Juan RC&D. As a 501(c)3 fiscal sponsor, the Council is legally responsible for ensuring that the project's funds are spent for non-profit purposes allowed by U.S. tax law and as agreed upon between the donor and recipient. San Juan RC&D require receipts, invoices or other documentation to prove that the project's funds are being used appropriately. Many grantors require reimbursement requests before they release grant funding, the San Juan RC&D prepares and submits those requests.

The San Juan RC&D charges a minimum 7% fee on all funds received through the San Juan RC&D. Some long-standing projects partnered with San Juan RC&D may have a fee less than 7% due to either length of partnership with Council or lack of work associated with management of those funds (i.e. less than five deposits and/or checks written in a year). San Juan RC&D does not charge a fee for material or in-kind donations. The administration fee covers costs associated with administrative work, receiving and managing funds, handling associated paperwork and reporting, a yearly independent audit and filing of IRS form 990, and liability insurance. Other services offered as part of a fiscal sponsorship include payroll, payroll reporting, marketing assistance, clerical assistance, and website development and maintenance.

IRS regulations require that the mission of a fiscally sponsored project is consistent with the mission of the fiscal sponsor. San Juan RC&D's mission statement is purposefully broad: promote sustainable communities and improve the quality of life through economic development and the conservation of natural resources. The Council will sponsor projects or events that are in line with the mission

statement that are designed for any length of time; from single day events to long-term projects and by any size group of individuals or organizations.

The Council's Fiscal Sponsorship Program broadens the available avenues a project can use to pursue funding for their project. It does not mean that the San Juan RC&D are their producers, fundraisers or steering committee, however, the Council may be able to assist in grant research and applications. Having the San Juan RC&D as fiscal sponsor confers credibility to the project. The San Juan RC&D is a respected and long-standing organization with a proven track record for supporting exceptional projects.

3 Current Projects

The San Juan RC&D may manage anywhere from 10 to 25 projects at a time. Some projects are active every month while others may only be active certain times of year. Currently, the Council monitors around 20 projects depending on level of activity. These projects are located throughout with Southwest Colorado and assist many communities. Projects exist in San Juan, La Plata, Dolores, Montezuma, and basin wide. The San Juan RC&D has no fiscal sponsorship boundaries, so one Project operates on the east slope in the Pueblo area. Many Projects utilize donations, state grants, and federal grants. A few projects are highlighted below that currently under San Juan RC&D's management. These projects exemplify the range of sectors impacted and the variety of funding sources used to implement these projects.

3.1 Animas River Stakeholders Group

The mission of the Animas River Stakeholders Group (ARSG) is to improve water quality and habitats in the Animas River through a collaborative process designed to encourage participation from all interested parties. Participants include mining companies, environmental organizations, landowners, local governmental entities, and state and federal regulatory and land management agencies. This innovative process holds open meetings allowing all parties to participate at a level suited to their interest and need. The group usually meets on the fourth Tuesday of every month in Silverton, Colorado. Working group meetings, handling specific issues to put before the full group, normally meet immediately preceding the monthly meeting. The group operates through informal consensus.

3.1.1 Fiscal Management Responsibilities

San Juan RC&D provides income and expense tracking for ARSG. The ARSG is a long-standing project so administration fees range on 5% to 7% depending on funding source. Funding sources include management of Colorado Department of Public Health and Environment reimbursable grants, Southwestern Water Conservation District grants, Division of Reclamation, Mine and Safety grants, and donations. Monthly reporting of the financials is provided to the coordinator or as needed by the group. San Juan RC&D also manages the ARSG website by maintaining the domain and content updates. From 2014-2018 ARSG worked on deploying \$289,000 in federal funding.

3.2 Animas Watershed Partnership

The mission of the Animas Watershed Partnership (AWP) is to protect and improve the quality of water resources; to benefit the Animas River, now and in the future. These values inspire AWP to

create a community-based collaborative process involving all stakeholders in which they operate by consensus, use all available data sources, and make informed decisions based on sound science. The AWP Steering Committee guides the partnership's day to day efforts. The Steering Committee supervises the AWP Coordinator and is responsible for hosting full AWP meetings, shepherding the strategic direction of the AWP, approving grant applications and projects, and any hiring decisions. The Steering Committee is comprised of 9 representatives from New Mexico, Colorado, the Ute Mountain Ute Tribe and the Southern Ute Tribe.

3.2.1 Fiscal Management Responsibilities

San Juan RC&D provides income and expense tracking for AWP. The AWP has a 7% administration fee on many of their funds with recently using a 10% fee when allowed by the funding source. Funding sources for AWP include management of Colorado Department of Public Health and Environment reimbursable grants, Southwestern Water Conservation District grants, Colorado Water Conservation Board grants, Bureau of Reclamation WaterSmart grants, and donations. Monthly reporting of the financials is provided to the coordinator or as needed by the group. San Juan RC&D also manages the AWP website by maintaining the domain and content updates. At one time, Council staff was attending the monthly meeting to take and produce meeting minutes. The AWP Coordinator and Council staff also worked together on grant applications.

3.3 Durango Mountain Camp

The Durango Mountain Camp (DMC) provides an intensive 5 ½ week language immersion program for diagnosed dyslexic students' ages 11 – 16 (day campers 7 – 13). DMC's highly personalized academic program provides an hour daily of the following: One on one Orton-Gillingham based tutoring, individualized study hall, composition, and oral/silent reading. This immersion program builds a strong language foundation which allows students greater success when they return home to their normal academic environment. Many of these youngsters will progress through several grade levels in their language skills during the 5 ½ week summer session.

3.3.1 Fiscal Management Responsibilities

San Juan RC&D provides income and expense tracking for DMC. This is a longstanding project with San Juan RC&D that has minimal administration needs associated with it. The project typically receives less than 10 donations and invoices for funds per year. Due to this minimal management, the DMC has a 5% administration fee. San Juan RC&D provides donation receipts and thank you letters to DMC funders.

3.4 Herb Hut

The Herb Hut Free Clinic is a non-profit organization. The clinic offers free herbal medicine to underserved people in La Plata County, CO. This rural county is home to many people who struggle with food insecurity, and many with no health insurance. This is the demographic served. The clinic on wheels travels from town to town, offering free consultations and herbs wherever people need help, such as soup kitchens and community centers. Herb Hut reaches homeless, immigrant, indigenous, disabled, and addicted communities. Herb Hut is currently holding clinics at Manna Soup Kitchen every Thursday, and one clinic for Spanish-speakers each month. Each clinic serves an average of 7 people.

3.4.1 Fiscal Management Responsibilities

San Juan RC&D provides income and expense tracking for Herb Hut. The Herb Hut has a 7% administration fee. Funding sources primarily consist of individual donations, corporate sponsorships, and grants. Monthly reporting of the financials is provided to the coordinator or as needed by the group. San Juan RC&D also provides online donation button(s), either WePay or PayPal, for Herb Hut to display on their website and partner websites. San Juan RC&D provides donation receipts and thank you letters to Herb Hut funders.

3.5 Old Fort at Hesperus

The Old Fort has embarked on numerous projects since working with the San Juan RC&D. For example, diversifying farm revenue with value added production and marketing was pursued for small vegetable and fruit farmers in the four corners region. This project addressed regulatory requirements, budgets, production development, packaging, labeling and advertising for Value Added Production by hosting seminars, listening sessions, and help with certification. The Old Fort also created the Old Fort Market Garden Cooperative to allow for agriculture incubator participants to purchase general and product liability insurance as a group.

3.5.1 Fiscal Management Responsibilities

San Juan RC&D provides income and expense tracking for the Old Fort. The Old Fort has a 7% administration fee. Funding sources primarily consist of workshop participate fees, donations, and grants (local, state, and federal). Monthly reporting of the financials is provided to the coordinator or as needed. San Juan RC&D also provides online donation button(s), either WePay or PayPal, for the Old Fort to display on their website and partner websites.

Form **990-EZ**

**Short Form
Return of Organization Exempt From Income Tax**
Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code
(except private foundations)

OMB No. 1545-1150

2016

G Do not enter social security numbers on this form as it may be made public.

G Information about Form 990-EZ and its instructions is at www.irs.gov/form990.

Open to Public Inspection

Department of the Treasury
Internal Revenue Service

A For the 2016 calendar year, or tax year beginning 10/01, 2016, and ending 9/30, 2017

B Check if applicable: <input type="checkbox"/> Address change <input type="checkbox"/> Name change <input type="checkbox"/> Initial return <input type="checkbox"/> Final return/terminated <input type="checkbox"/> Amended return <input type="checkbox"/> Application pending	C SAN JUAN RESOURCE CONSERVATION AND DEVELOPMENT COUNCIL, INC. P.O. BOX 1006 DURANGO, CO 81302-1006	D Employer identification number 74-2408579
		E Telephone number 970-382-9371
		F Group Exemption Number G
		H Check <input checked="" type="checkbox"/> if the organization is not required to attach Schedule B (Form 990, 990-EZ, or 990-PF).

G Accounting Method: Cash Accrual Other (specify) G _____

I Website: G SANJUANRCD.ORG

J Tax-exempt status (check only one) 501(c)(3) 501(c) () H(insert no.) 4947(a)(1) or 527

K Form of organization: Corporation Trust Association Other _____

L Add lines 5b, 6c, and 7b to line 9 to determine gross receipts. If gross receipts are \$200,000 or more, or if total assets (Part II, column (B) below) are \$500,000 or more, file Form 990 instead of Form 990-EZ G \$ 37,347.

Part I Revenue, Expenses, and Changes in Net Assets or Fund Balances (see the instructions for Part I)
Check if the organization used Schedule O to respond to any question in this Part I

REVENUE	1 Contributions, gifts, grants, and similar amounts received	1	
	2 Program service revenue including government fees and contracts	2	37,083.
	3 Membership dues and assessments	3	
	4 Investment income	4	264.
	5 a Gross amount from sale of assets other than inventory	5 a	
	b Less: cost or other basis and sales expenses	5 b	
	c Gain or (loss) from sale of assets other than inventory (Subtract line 5b from line 5a)	5 c	
	6 Gaming and fundraising events		
	a Gross income from gaming (attach Schedule G if greater than \$15,000)	6 a	
b Gross income from fundraising events (not including \$ _____ of contributions from fundraising events reported on line 1) (attach Schedule G if the sum of such gross income and contributions exceeds \$15,000)	6 b		
c Less: direct expenses from gaming and fundraising events	6 c		
d Net income or (loss) from gaming and fundraising events (add lines 6a and 6b and subtract line 6c)	6 d		
7 a Gross sales of inventory, less returns and allowances	7 a		
b Less: cost of goods sold	7 b		
c Gross profit or (loss) from sales of inventory (Subtract line 7b from line 7a)	7 c		
8 Other revenue (describe in Schedule O)	8		
9 Total revenue. Add lines 1, 2, 3, 4, 5c, 6d, 7c, and 8	9	37,347.	
EXPENSES	10 Grants and similar amounts paid (list in Schedule O)	10	
	11 Benefits paid to or for members	11	
	12 Salaries, other compensation, and employee benefits	12	32,068.
	13 Professional fees and other payments to independent contractors	13	950.
	14 Occupancy, rent, utilities, and maintenance	14	5,100.
	15 Printing, publications, postage, and shipping	15	254.
	16 Other expenses (describe in Schedule O) See Schedule O	16	5,950.
17 Total expenses. Add lines 10 through 16	17	44,322.	
ASSETS	18 Excess or (deficit) for the year (Subtract line 17 from line 9)	18	-6,975.
	19 Net assets or fund balances at beginning of year (from line 27, column (A)) (must agree with end-of-year figure reported on prior year's return)	19	31,143.
	20 Other changes in net assets or fund balances (explain in Schedule O)	20	
	21 Net assets or fund balances at end of year. Combine lines 18 through 20	21	24,168.

BAA For Paperwork Reduction Act Notice, see the separate instructions. Form 990-EZ (2016)

Part II Balance Sheets (see the instructions for Part II)

Check if the organization used Schedule O to respond to any question in this Part II

Table with 3 columns: Description, (A) Beginning of year, (B) End of year. Rows include Cash, savings, and investments; Land and buildings; Other assets; Total assets; Total liabilities; Net assets or fund balances.

Part III Statement of Program Service Accomplishments (see the instructions for Part III)

Check if the organization used Schedule O to respond to any question in this Part III

Expenses

(Required for section 501(c)(3) and 501(c)(4) organizations; optional for others.)

What is the organization's primary exempt purpose? See Schedule O

Describe the organization's program service accomplishments for each of its three largest program services, as measured by expenses. In a clear and concise manner, describe the services provided, the number of persons benefited, and other relevant information for each program title.

Table with 3 columns: Description, Line Item, Expenses. Rows include 28 See Schedule O, 29, 30, 31 Other program services, 32 Total program service expenses.

Part IV List of Officers, Directors, Trustees, and Key Employees (list each one even if not compensated - see the instructions for Part IV)

Check if the organization used Schedule O to respond to any question in this Part IV

Table with 5 columns: (a) Name and title, (b) Average hours per week devoted to position, (c) Reportable compensation, (d) Health benefits, contributions to employee benefit plans, and deferred compensation, (e) Estimated amount of other compensation. Rows include CARRIE PADGET, ROY HORVATH, DAVID SANFORD, CHUCK WANNER, DALTON MONTGOMERY.

Part V Other Information (Note the Schedule A and personal benefit contract statement requirements in See Schedule O the instructions for Part V) Check if the organization used Schedule O to respond to any question in this Part V. [X]

33 Did the organization engage in any significant activity not previously reported to the IRS? If 'Yes,' provide a detailed description of each activity in Schedule O.
34 Were any significant changes made to the organizing or governing documents? If 'Yes,' attach a conformed copy of the amended documents if they reflect a change to the organization's name.
35 a Did the organization have unrelated business gross income of \$1,000 or more during the year from business activities (such as those reported on lines 2, 6a, and 7a, among others)?
b If 'Yes,' to line 35a, has the organization filed a Form 990-T for the year? If 'No,' provide an explanation in Schedule O
35 c Was the organization a section 501(c)(4), 501(c)(5), or 501(c)(6) organization subject to section 6033(e) notice, reporting, and proxy tax requirements during the year?
36 Did the organization undergo a liquidation, dissolution, termination, or significant disposition of net assets during the year?
37 a Enter amount of political expenditures, direct or indirect, as described in the instructions. G 37 a 0.
b Did the organization file Form 1120-POL for this year?
38 a Did the organization borrow from, or make any loans to, any officer, director, trustee, or key employee or were any such loans made in a prior year and still outstanding at the end of the tax year covered by this return?
b If 'Yes,' complete Schedule L, Part II and enter the total amount involved.
39 Section 501(c)(7) organizations. Enter:
a Initiation fees and capital contributions included on line 9
b Gross receipts, included on line 9, for public use of club facilities
40 a Section 501(c)(3) organizations. Enter amount of tax imposed on the organization during the year under: section 4911 G 0.; section 4912 G 0.; section 4955 G 0.
b Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Did the organization engage in any section 4958 excess benefit transaction during the year, or did it engage in an excess benefit transaction in a prior year that has not been reported on any of its prior Forms 990 or 990-EZ?
c Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Enter amount of tax imposed on organization managers or disqualified persons during the year under sections 4912, 4955, and 4958.
d Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations. Enter amount of tax on line 40c reimbursed by the organization.
e All organizations. At any time during the tax year, was the organization a party to a prohibited tax shelter transaction?
41 List the states with which a copy of this return is filed G None

42 a The organization's books are in care of G SAN JUAN RC&D COUNCIL Telephone no. G 970-382-9371
Located at G 954 E. 2ND AVENUE DURANGO CO ZIP + 4 G 81301

b At any time during the calendar year, did the organization have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)?
If 'Yes,' enter the name of the foreign country:G
See the instructions for exceptions and filing requirements for FinCEN Form 114, Report of Foreign Bank and Financial Accounts (FBAR).
c At any time during the calendar year, did the organization maintain an office outside the United States?
If 'Yes,' enter the name of the foreign country:G

43 Section 4947(a)(1) nonexempt charitable trusts filing Form 990-EZ in lieu of Form 1041 Check here G [] N/A
and enter the amount of tax-exempt interest received or accrued during the tax year. G 43 N/A

44 a Did the organization maintain any donor advised funds during the year? If 'Yes,' Form 990 must be completed instead of Form 990-EZ
b Did the organization operate one or more hospital facilities during the year? If 'Yes,' Form 990 must be completed instead of Form 990-EZ
c Did the organization receive any payments for indoor tanning services during the year?
d If 'Yes' to line 44c, has the organization filed a Form 720 to report these payments? If 'No,' provide an explanation in Schedule O
45 a Did the organization have a controlled entity within the meaning of section 512(b)(13)?
b Did the organization receive any payment from or engage in any transaction with a controlled entity within the meaning of section 512(b)(13)? If 'Yes,' Form 990 and Schedule R may need to be completed instead of Form 990-EZ (see instructions)

	Yes	No
46 Did the organization engage, directly or indirectly, in political campaign activities on behalf of or in opposition to candidates for public office? If 'Yes,' complete Schedule C, Part I.	46	X

Part VI Section 501(c)(3) organizations only

All section 501(c)(3) organizations must answer questions 47-49b and 52, and complete the tables for lines 50 and 51.

Check if the organization used Schedule O to respond to any question in this Part VI.

	Yes	No
47 Did the organization engage in lobbying activities or have a section 501(h) election in effect during the tax year? If 'Yes,' complete Schedule C, Part II.	47	X
48 Is the organization a school as described in section 170(b)(1)(A)(ii)? If 'Yes,' complete Schedule E.	48	X
49 a Did the organization make any transfers to an exempt non-charitable related organization?	49 a	X
b If 'Yes,' was the related organization a section 527 organization?	49 b	

50 Complete this table for the organization's five highest compensated employees (other than officers, directors, trustees and key employees) who each received more than \$100,000 of compensation from the organization. If there is none, enter 'None.'

(a) Name and title of each employee	(b) Average hours per week devoted to position	(c) Reportable compensation (Forms W-2/1099-MISC)	(d) Health benefits, contributions to employee benefit plans, and deferred compensation	(e) Estimated amount of other compensation
None				

f Total number of other employees paid over \$100,000 G _____

51 Complete this table for the organization's five highest compensated independent contractors who each received more than \$100,000 of compensation from the organization. If there is none, enter 'None.'

(a) Name and business address of each independent contractor	(b) Type of service	(c) Compensation
None		

d Total number of other independent contractors each receiving over \$100,000 G _____

52 Did the organization complete Schedule A? **Note:** All section 501(c)(3) organizations must attach a completed Schedule A G **Yes** **No**

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here	A _____ Signature of officer		_____ Date		
	A CARRIE PADGET Type or print name and title		Director		
Paid Preparer Use Only	Print/Type preparer's name	Preparer's signature	Date	Check <input type="checkbox"/> if self-employed	PTIN
	Heidi Trainor		7/23/18		P00193356
	Firm's name G HEIDI A TRAINOR CPA, PC			Firm's EIN G 46-4040179	
	Firm's address G 1 W MAIN ST STE 5 CORTEZ, CO 81321-3100			Phone no. 970-565-2435	

May the IRS discuss this return with the preparer shown above? See instructions G **Yes** **No**

Executive Committee Selection

To: SWCCOG Board of Directors

From: Miriam Gillow-Wiles

Date: 12 December 2018

The Board Chair, Karen Sheek will lead a discussion on the 2019 Executive Committee.

Current Members are:

Chair: Karen Sheek, Mayor, Cortez

Vice Chair: Gwen Lachelt, Commissioner, La Plata County

Treasurer/Secretary: Willy Tookey, Administrator, San Juan CO County

Historically, the Chair position cycles off, and the Board moves the existing Executive Committee members into the ascending positions and select another Treasurer/Secretary. However, there is no requirement to do so in the bylaws. Additionally, the Board tries to maintain regional representation in the Executive Committee.

Legal Review: Not applicable at this time

Fiscal Impact: None

Staff Recommendation: Approve 2020 Executive Committee

Reports

Director Report

To: SWCCOG Board of Directors
From: Miriam Gillow-Wiles
Date: 12 December 2019

Comments: Happy December! November has flown by and now the holidays are upon us. As usually I (and Jessica) have been exceptionally busy. We are feeling the crunch of lots of projects, and not enough hours to keep them all moving at the same time. Currently, we have 7 open grants, with 8 projects varying from transit to recycling to IT work. Most days my time is spent on project management and not larger picture organizational development. This has been challenging, and will continue for the foreseeable future. We have several grants ending in June, which will help relieve the project management load.

I have started a new section: Board Support and Engagement, as the question has come up about what can the Board do to support the organization. This is an effort to help condense that information in one place, as well as keep track of it in a written format.

Board Support and Engagement

Housing

- The biggest help for developing housing in SWCO will be the identification of available land close in, or in various communities. In addition, the land will need services and be appropriate for multifamily housing (not a steep hill slope or a postage stamp parcel, etc.)

Member Engagement

- As one of the SWCCOG Retreat goals and discussions centered around the need to have all the members at the table, staff needs the Board to outreach and engage with their counterparts at other organizations. Staff is willing and able to help provide talking points and organization specific information for various jurisdictions.
 - o Durango
 - o Mancos
 - o Dolores (Town)
 - o Montezuma County

San Juan RC&D

This is a decision item for the

Community Engagement

As we enter into the winter months, travel wanes as weather and darkness make travel more hazardous. Many meetings have become video or phone calls.

- Town of Pagosa Springs
 - La Plata, Durango Homelessness PATH meeting
-

Director Report

- Region 9 EDD
- Housing Solutions of the Southwest
- Colorado Association of Regional Organizations
- CHFA

Follow Up on Action Items from the Board

- Update on Board Bylaws and Structure – More analysis on associate membership and COGs at the Feb meeting.
- December will have a presentation on Smart Sheets, how to use it and how it works.
- Adoption and training on SmartSheets in January

Upcoming Meeting Dates:

February 12, 2020. Lunch 12pm, Meeting 1:30-4

Executive Director Time Out of the Office

I have a minimum of 16 hours to use before the end of the year, but am carrying a significant amount of hours into 2020, and will run into issues of losing PTO if I cannot use it up. As a result I will be taking time out of the office around the winter holidays.

2019 SWCCOG Board Meeting Attendance

Member Name	Jurisdiction																
Ronnie Maez - Primary	Archuleta County																
Scott Wall - Alternate	Archuleta County																
David Black - Primary	Town of Bayfield																
Chris La May - Alternate	Town of Bayfield																
Karen Sheek - Primary	City of Cortez																
John Dougherty - Alternate	City of Cortez																
Steve Garcher - Primary	Dolores County																
	Town of Dolores																
	City of Durango																
Mark Garcia - Primary	Town of Ignacio																
Gwen Lachelt - Primary	La Plata County																
	Town of Mancos																
Andrea Phillips - Primary	Town of Pagosa Springs																
Kari Distefano - Primary	Town of Rico																
Willy Tookey - Primary	San Juan County																
Chris Tookey - Primary	Town of Silverton																
Jan	Meeting Cancelled due to Weather																
Feb							X				X	X		X			
Mar															X	X	
Apr	X	X					X										
May																	
June																	
Aug	X																
Sept	X						X						X				
Oct	X												X				
Dec																	
Percent Attend	50%	38%	63%	50%	100%	63%	75%				75%	75%		88%	13%	63%	13%

X denotes remote attendance

Broadband Report

To: SWCCOG Board of Directors
From: Miriam Gillow-Wiles
Date: 12 December 2019

Comments Lots of updates, not a lot of anything ground breaking or new, just status updates on the FCC Rulings. Specific info on the various grants, under the Grant Report.

USDA Reconnect Funds - Fiber to the Premise in Dove Creek

Emory Telecom, based in Price Utah, was awarded \$2.7 million funding to build fiber from Monticello Utah to Dove Creek to build fiber to the premise (FTTP). SWCCOG is ecstatic to have helped in this endeavor, but not as excited as Dolores County Commissioner Floyd Cook, "It's the best thing since pockets on a shirt".

FCC 6409 Powers Rule Making (Wireless Facility Siting)

The Wireless Infrastructure Association (WIA) and CTIA, a trade organization representing the wireless industry, have asked the FCC for a declaratory ruling about wireless facility siting. This is likely happening due to the FCC Small Cell Ruling that is currently in the Ninth Circuit Court (see below). The industry filings have named various local governments across the country as bad actors that unreasonably delay wireless development. The filings also rely on anecdotal information on unnamed jurisdictions to base vague accusations.

CCUA is also sending a letter to CTIA and WIA requesting specifics about the issues referenced in the filings. CCUA submitted reply comments to the industry filings in late November. Many of these comments came from local governments across the country and the total filing document was 74 pages. Comments involved concealment, tower height, base station height, equipment cabinets, site expansions, legal non-conforming issues (health and safety), and fees.

Southern Route Engineering

Work on this project will start January 2020. Like most things the holidays have delayed the beginning of the project. It will take 2-3 months to complete.

FCC Cable Franchise Fees Rule Making

In late October, the FCC moved to transfer the petition to the Ninth Circuit where the rest of the petitions for review are currently docketed, and it is expected the Ninth Circuit Court they will be consolidated into one appeal. In October, The national organizations, spear-headed by NATOA, filed a petition for stay at the FCC on October.

Broadband Report

This is a prerequisite for filing any stay motion with the court. The FCC denied the motion to delay in early November.

There is a partial victory for the SWCCOG members, the FCC denial order indicates that the cable company or operator must ask for an amendment to the franchise before offsetting franchise fees. It is the cable operators burden to prove the existing franchise violates the FCC Cable Order.

What should be no surprise at this point, this partial victory has been appealed by the NCTA, a lobbying organization for the cable companies, the FCC is requesting public comments, which were due by December 6th with reply comments due December 13th. The coalition of organizations that filed for the stay earlier has filed comments on behalf of their representative organizations.

For specifics to your community or county, please contact Miriam directly.

FCC Over the Air Reception Devices (OTARD) Ruling

The FCC has not yet made a decision on this proposed rulemaking. Staff will up update when more information is available.

FCC 5G-Small Cell Ruling Update

The Ninth Circuit Court will hear the appeal to the FCC Small Cell Ruling on February 10, 2020 at 9am, PST in Courtroom 3, in Pasadena California. Each side will get a short 20 minutes to state their case. The local government coalition is working on expanding the amount of time.

This will be streamed, if anybody would like to make popcorn, and watch the arguments unfold. SWCCOG Staff can provide the link to those interested.

Grant Updates

To: SWCCOG Board of Directors
From: Miriam Gillow-Wiles
Date: 12 December 2019

Comments: Starting this month, staff will provide updates up on the various grants in one location instead of spreading them across other reports. This will help track the various projects/goals and the funding related to them. Feedback is welcomed if this is helpful and if it could use some tweaking.

Existing Grants:

CDOT TPR FY19-20 Funding – Ends 6/30/2020

The TPR is funded through a Purchase Order, for typically \$22,100. This state fiscal year, the SWTPR will have an additional \$10,000, for a total of \$32,100, to attend meetings and coordination for SB19-239.

- This funding will cover staff time related to TPR goals and administration of the TPR

DOLA 8824 – 2019 Technical Assistance – Ends 8/31/2020

- \$20,000 - CDL Program Development and Cost Reduction for COG Members (*Shared Services/Community Support*)
- \$30,000 - Development of end markets for hard to recycle items (*Environment*)
 - o Match from CDPHE Regional Waste Studies in early 2020
- No funding for staff

DOLA REDI Grant 19-189 – Ends 6/30/2020

- \$48,000 for Broadband Engineering (*telecommunications*)
 - o Southern Loop through NM: Cortez-Shiprock-Kirtland-Farmington-Aztec-La Plata County
 - o FTTP support to help LPEA post SB19-107 through Eastern La Plata to Pagosa Springs
- \$30,000 Match from Farmington and San Juan County
- Expected funding from ISPs
- Project will start in January

USDA REDI Technical Assistance – Ends 9/30/2020

- No funding attached with this, technical assistance only
 - Support post extraction industry with new economic drivers
 - Plan will create road map and additional funding, likely from USDA sources
 - Expected completion late Q32020
-

Grant Updates

CDOT Mobility Manager – Ends 12/31/2020

- Awarded \$28,500
- All funding towards staff
- Part time position to help coordinate transit agencies, health care providers, health and human service providers, and others
- Will begin January 2020

DOLA Census Grant – Ends 6/30/2020

- \$73,706 Awarded
 - o Includes \$6,692
- Support regional Complete Count Committees to bring in funding

Grant Requests:

FCC USAC Rural Healthcare 2019 Broadband – Funding Request 5/2019

The SWCCOG applied for a total of \$13,368,611.49 in USAC funding in May. Notice of funding is expected sometime between November 2019 and February 2020.

DOLA 2020 Technical Assistance – Funding Request 10/2/2019

- Application submitted Oct 10 2019
- Funding request included:
 - o Shared Software (video conferencing, grant database)
 - o Shared Memberships (CCUA, NATOA)
 - o Regional Resiliency
 - o Housing data research and database development match (Housing Solutions of the SW was awarded \$50,000 for local housing data, SWCCOG through DOLA requested \$35,000. Housing Solution grant provides M&A for COG).
- Requested: \$99,405

DOLA Broadband Grant – Funding Request 12/2/2019

- Administrative and Consulting costs for USAC Rural Healthcare
- Out of DOLA \$5 Million set aside for Broadband
- Requested \$520,000

Future Grants

CDPHE Recycling Funding

- Expected Early 2020
 - Proposal only, not competitive grant cycle
 - \$30,000 from DOLA 2019 funding
-

Grant Updates

- Will look at quantity and local reuse of 'hard to recycle materials', such as glass, tires, electronics.

EDA Funds (potential)

- Help develop some of the outcomes of USDA REDI TA grant

OEDIT Funding (potential)

- Co-working spaces technical assistance, both industrial and office
- Outdoor recreation development

USDA – Solid Waste Management Grant

- See Oct Board Packet for more information

USDA Funding

- Post USDA REDI Technical Assistance work
- Will focus on targeting outcomes and recommendations of USDA REDI TA
- Likely various co-working spaces, outdoor recreation economy development, programs with San Juan College and PCC

Broadband Funding

- USDA funding in 2020
- FCC Rural Opportunity
- Public Private Partnerships

Transportation Report

To: SWCCOG Board of Directors
From: Jessica Laitsch
Date: 5 December, 2019

Comments: Transportation:

The last SWTPR meeting was held on 10 October, 2019. The primary topic was an overview of the identified corridor needs for the transportation plan.

The next SWTPR meeting will be held at 9:00 a.m. Thursday, 12 December, 2019 at 1101 East Second Ave, Durango. The meeting will include a discussion on requirements for the Multimodal Options Fund application process and the Statewide Transportation Plan project prioritization for the SWTPR region.

Transit:

The last Transit Council meeting was held on 15 November. The topics included a discussion of priority Transit related projects for the Statewide Transportation Plan and goals and priorities for 2020. The draft goals for 2020 include:

- Work with health care providers/coordinators to develop strategies and best practices to ensure all patients have transportation to medical appointments.
- Support efforts by transit providers to recruit and retain qualified staff.
- Participate in planning efforts to explore feasibility of regional bus service.
- Create a resource guide for transportation and healthcare providers outlining types of transportation options, coverage areas, etc.
- Increase awareness of transportation resources in the region:
- Create a central source of information for travelers.
- Host informational transportation forum.

The next Transit Council meeting will be held at 9:00 a.m. Friday, 17 January, 2020 at 295 Girard Street, Durango.