



Monthly Meeting, February 1, 2013

La Plata County Courthouse, Anasazi Room, 1:30 pm to 3:30 pm

(To participate via teleconference, please call 661-673-8600 and then enter participant code 850589#)

AGENDA

- 1:30 pm** **1. Meeting Called to Order & Introductions:** Bryce Capron Chair
- Additions/Changes to the Agenda**
- 2. Consent Agenda**
- A. Approval of Board Meeting Minutes for Friday, December 2, 2012
- B. Financial Report for December 2012
- 2:00** **3. Discussion**
- A. EagleNet
- i. Up-Date
- ii. Proposal & Next Steps
- iii. Forest Service Comments
- B. Legislative Committee
- C. Training Opportunities
- 2:50** **4. Decision**
- A. SWCCOG Existing Business
- i. Operations of SCAN Network on Third Reading
- ii. Reallocation of Grant Funds on Third Reading
- B. SWCCOG New Business
- i. Fees Resolution on First Reading
- 3:10** **5. SWCCOG Priority Project Reports**
- A. Telecommunications**
- i. General Manager Services Report
- ii. Responsible Administrator Report – No Report Submitted
- iii. Telecommunications Committee Chair Report
- iv. E-Rate (Spin #)
- B. All Hazards Committee Grant update**
- C. Transit Council minutes & update**
- D. CARO Minutes December 2012**
- E. CIRSA**

Announcements- Next regular meeting will be March 1, 2013, 1:30–3:30 pm at the La Plata Courthouse.

3:30 pm **Adjourn**



Monthly Meeting, Friday December 7, 2012
 Anasazi Room, La Plata County Courthouse, 1:30 pm to 3:30 pm
 (To participate via teleconference, please call 661-673-8600 and then enter participant code 850589#)

Meeting Minutes

| | |
|---|--|
| <p>Members Present:</p> <p>Bryce Capron, Town of Dove Creek Miriam Gillow-Wiles, Town of Ignacio Shale Hale, City of Cortez Chris La May, Town of Bayfield Bobby Lieb, La Plata County Clifford Lucero, Archuleta County Michelle Nelson, Town of Bayfield Todd Starr, Archuleta County Willy Tookey, San Juan County Jason Wells, Town of Silverton Michael Whiting, Archuleta County Ernie Williams, Dolores County Dick White, City of Durango Tom Yennerell, Town of Mancos</p> | <p>Guests:</p> <p>Ken Charles, DoLA David Bygel, LPC Wanda Casey, Congressman Tipton's office Chris Tookey, Town of Silverton Pat Swonger, EagleNet Jim Spratlin, Durango Police Drew Peterson, OEM, Archuleta County Sherri Dugsdale, City of Durango</p> <p>Staff/Consultants:</p> <p>Susan Hakanson Shirley Jones Erica Keter Ed Morlan Dr. Rick Smith</p> |
|---|--|

1:32 pm Meeting Called to Order & Introductions: Tom Yennerell Chair

Additions/Changes to the Agenda:

- All Hazards Grant- *moved to Consent agenda.*
- Item 5.vi CARO membership- *moved to Consent Agenda.*
- Item 4C SWCCOG Telecommunications Policies- *moved to Jan. Agenda.*
- Discussion of overall plan for Telecommunications grant- *Added as Item 4D*

Motion: *Bobby Lieb: Approve agenda as amended*

Second: *Clifford Lucero*

Approved Yes No

2. Consent Agenda

- A. Approval of Board Meeting Minutes for Friday, November. 2, 2012
- B. Financial Report for October 2012
- C. Budget Amendment
- D. *All Hazards Grant*
- E. *CARO Membership*

Motion: *Willy Tookey; Approve Consent Agenda*

Second: *Jason Wells*

Approved Yes No

1:40

3. Public Hearing – 2013 Proposed Budget

A. Budget

- i. 2013 SCAN Implementation and Operation Budgets
- ii. 2013 Draft Budget

Susan- Proposed budget looks different from when last discussed. The General SWCCOG budget has changed, as the SWCCOG did receive \$50,000 from DoLA to be able to work on and move forward on many of the SWCCOG’s priorities.

All Hazards is very straightforward and specific, will cover itself, and should zero out at the end of the year.

Telecom line item comes from Region 9, all questions directed to those representatives in attendance.

Staff seriously scrutinized and scaled back the SCAN budget to more conservative numbers to more accurately reflect what funds may look like at the end of next year. The project is working toward self-saficiency - hopefully by the end of next year. Concerns about EagleNet situation and its effect on the budget- current budget is as SWCCOG stands at this time. As SWCCOG accepts new policies, “lease of excess capacity” and “cost of goods sold” line items will flip and 25% will come to COG with %75 to communities. As policies are passed, there will still be a positive bottom line, but with more staying within the communities, encouraging building relationships. The board asked how the EagleNet issues effect this budget if their project is stopped? Staff concluded that most local builds are independent, however EagleNet is responsible for linking the networks outward. The EagleNet issues shouldn’t effect the budget significantly for the actual SCAN build. Staff voiced a concern that moving forward with hiring general manager is something that may be effected if the EagleNet project is halted, and care will be given to the cost and availability of funds in GM contract.

Motion: Ernie Williams: **Approve proposed budget(s)**

Second: Bobby Lieb

Approved Yes No

2:00

4. Discussion

A. EagleNet – Pat Swonger Presentation and Discussion

Mr. Swonger reported that EagleNet is very concerned about latest development, but stated that, in his opinion, this is somewhat routine as other NTIA funded entities have gone through this. He reported that temporary hold on all construction funds and based on briefing this morning, should be 30-60 day process. EagleNet has to realign original grant with changes that have been made throughout the grant funding period. NTIA letter spells out specifically what is required. Eaglenet has been meeting with NTIA for months with discussions about sustainability, and was surprised by the letter received this morning. Mr. Swonger stated that he is open to any questions about builds in our communities and around the state. It is Important to EagleNet to communicate to the SWCCOG that they are committed to this region despite the difficulty of the build and plans for completion. They are trying to sort out things over the next few days what they can do in spite of the halt on construction. EagleNet cannot currently pull fiber through conduits- however do have some contractors who have already been paid and may be able to have them continue work. Mr. Swonger reported that he had just found out about hold at 7 pm the night before, and would keep information coming.

Members of the SWCCOG Board asked the following questions: (Questions in Bold, Mr. Swonger’s responses not in bold)

If 60 days from now everything is worked out (Jan- snow) can’t put in conduit due to weather; what is the next step for pulling fiber through the conduit?

Usually 3 crews go through to set up the project: digging crew for conduit, pulling fiber, configuration crew- hooks up things. The earliest they would be able to move forward with the crews is 30-60 days. Many issues are small changes made at the request of communities, but may be a chance to look at some of the bigger issues with the network in Colorado.

Has your company been through one of these before? When? If so, have any of them been unsuccessful?

EagleNet is a new entity which was created with this grant. The focus of this is realigning the changes that have been made with the original approved plan. Kind of a project audit, a lot of contention from Eastern CO with individual providers, are very invested in the project and in some places almost complete.

What is the worst case scenario for you?

At this point, the completion is at stake, Silverton has a lot to lose from this situation. Anything scheduled for the later years of the grant is currently in jeopardy. Worst case would be complete cessation of the project.

What percentage of the project is complete at this point?

Peering ring is the most important- Hwy 160 from Pagosa to Durango is difficult, many projects in our area are scheduled for this spring, and therefore currently in jeopardy. Currently about 60-65% completion with some really key pieces missing, without a peering ring there is no redundancy statewide. Voluntarily paused construction in Eastern Co. to address some issues and now are on a statewide hold. Offer to send letter from NTIA to anyone interested to see the point by point issues laid out for EagleNet.

How much of the grant did you already spend?

About 2/3rds is already spent. 170 sites across Colorado was a very ambitious goal.

Do you have to resolve the total package before moving forward or can it be done case by case?

Understanding is that they will want to realign everything; conversations have been going on for a month or so, and have been going through the process of getting route approvals, so they do not have to start from square one to begin addressing this. Feel the 30-60 day window is very accurate currently. **So the construction in Dove Creek may be held up because of some issue in Eastern Co?** It's all one big project under NTIA, and once the 30-60 day window is complete, confident they will move forward as planned.

Is the \$ 35 million dollars or so left enough to finish out the Western Slope?

There is already a great deal of this that has already been contracted out. Saved a lot of money in using fiber that was already installed, and want to explain that this is an open access network, and how you cannot use existing fiber if it is private as they do not allow open access.

Rates have been set- comparable to other providers, and intended to provide middle mile- NOT last mile to compete with other last mile providers.

Is there anything we can do to make sure the NTIA knows that this is critical to our region and we don't want the project to die?

Had asked for letter of support before, in case this is coming down the pipe, and now it is here and would encourage everyone to show their support as agreed.

SWCCOG's response to the request for letter of support is basic denial pending construction in this region- SWCCOG might reconsider this position if there were at least some evidence of work being done in our region. **If Federal transparency is required, where can we find the information on permits, design drawings etc...?**

It's in the ground in Mancos and Dolores, have done everything we said we were going to do. Pat never saw a copy of the letter asking for support of Eaglenet, can only focus on moving forward and is open to individual requests for information.

Due to halt in construction, is Eaglenet in a position where we are paying damages to those who are currently contracted to work on this project?

This is a cease and desists, not currently working-t here are provisions in the letter as to what this will cost Eaglenet. May see some temporary layoffs due to 30-60 day stop in construction.

Is there any chance that NTIA will extend the Aug. 2013 deadline due to this halt in construction?

Hope so, but probably not- were paused the first year and could not begin construction. Made up a lot of ground in the 2nd year and did some things which were scheduled for the 3rd year anyway. Pause is coming at an ideal time, coinciding with winter. Should have considerably more understanding at next meeting as to the overall impact of this suspension.

Do you not anticipate any shake up in the organizational leadership as a result of this halt?

Currently in CEO transition, even before halt from NTIA. Need to transition from this grant to independent entity. Looking for more of a telecom implementation person than grant management.

What communities or regions of the state does your company believe are most vulnerable to this concern?

Currently eastern CO may be left out due to these issues based on personal assessment. Our region has more investment in this than any other region.

At this point is there a community you believe your company will be unable to complete the project in?

Not at this time, but have been held up in the Eastern Plains for awhile, and is not making any progress. Just like our area, the more it is held up, the more vulnerable we will be.

What about concerns where if there are dual lines laid, will put smaller providers out of business?

*Reiterating the difference between private and open access networks, and will provide connectivity without having to go through the internet. **Is there any chance this could go to court and be a big mess?** Not at this time, most entities want this to work and to move forward, but there are those who do not want it to work and will have to address their issues at that time.*

Are there environmental concerns attached to this?

No, not that I am aware of- had some concerns about the Silverton route as that had been thrown in with developments which had not been prepared for in advance, however feel it will be resolved as it is not new concern, but part of a current upgrade of power lines to Silverton. No environmental concerns. [Letter to Eaglenet was provided to board].

Board members commented that the COG has been asked to lend support to the potential reorganization of EagleNet, Pat does not see this as an issue at this time and that the organizational structure is not what is under contention currently. Silverton and San Juan County have not seen any record of progress in the project yet. No solid answer for when they will begin building in Silverton...

Why are voices from rural communities across Colorado alleging impropriety, if all is moving forward as planned?

Letter cites environmental issues as 2 of the 4 bullet points.

Tom- Request for board to invite Mr. Swonger back to next meeting to give a more detailed presentation about EagleNet and have questions from specific communities compiled by Susan to submit to Pat for presentation at the next meeting.

B. DoLA – Ken Charles

\$50,000 grant, developing 12 month contract for your review, request for Executive Committee to be in on contract negotiations. Grant is 100% match so want to make sure everyone is in on it. In 3rd year of broadband contract, %40 of funds spent, which needs to be complete by Dec. 2013; working on 2yr. report for the department, request to share with the board when completed. Dr. Rick has been working on this based on real numbers coming in from proposals and is putting together binders for each community to look at all aspects of the project(s).

C. SWCCOG Telecommunication Policies – To Discuss at Jan. Mtg.

- i. Operations of SCAN Network on Second Reading
- ii. Reallocation of Grant Funds on First Reading

D. Overall Planning for Telecommunications Grant (Ernie) -

- 1. Ask to be very careful about how we sell our excess capacity, always been a concern, eye opener in light of situations such as the one currently with EagleNet.
 - 2. Ask that the COG take a hard look at Mid States contract don't feel the money we are spending is benefitting the COG as well as it could. Moving into next year, take a hard look at what they have been done for use and whether we should continue their contract.
- Susan-** Mid States will not be doing any work in communities unless specifically requested by the SWCCOG GM. Will not be receiving any admin fees, and they are currently on call as needed.

2:50

5. Decision

- A. SWCCOG Existing Business
 - iii. Nominations and Elections of Officers for 2013
Report from nominating committee- Willy Tookey reported that the Nominations committee would like to nominate **Bryce Capron**, moving him from Vice Chair to the position of Chairman, Nominate **Michael Whiting** as Vice Chair, as he is taking over the leadership role of Clifford Lucero from Archuleta County, and Nominate **Dick White, from the City of Durango for the Secretary/Treasurer position.**

Tom Yennerall stated that we had a slate of new officers on the floor. The slate as discussed was offered as a motion by Shane Hale, and seconded by Board Member Clifford Lucero. Board Chairman Yennerell asked if there was further discussion surrounding the motion. The Board Chairman called for a vote, ("before somebody backs out") with all votes in favor and none opposed.

Motion: *Shane Hale- Approve new board officers as nominated.*

Second: *Clifford Lucero*

Approved Yes No

- iv. Review of SWCCOG Committee List and selection of committee members.

Susan had been asked to clarify, from the by-laws, the difference between voting and non-voting members on committees: "official voting committee members should only be comprised of members of the COG". The Board believes that any member agency can have a voting member on the committee. It appears that the bylaws give some leeway to appoint committee members from within member agencies. It was discussed that committee members outside of member communities participate regularly and add a lot to committee discussions. Change language to "members appointed to the COG committee" instead of "members of the COG". Committees function in an advisory capacity to the board, and are therefore not making decisions for the board. Seems practical to change the bylaws to make the committees most effective- may need to come up with different bylaws for Legislative committee to act on issues moving forward quickly- To come back with some suggested language addressing these preferences and nuances.

Appoint new committee members:

Legislative Committee (+Policy):

Chris Lemay (remove)

Ron LeBlanc

Shane Hale -request for elected official on committee

Bobby Lieb (new)

-To bring back some language to define the power of the legislative committee...

Telecom Committee:

Ernie Williams

David Mitchem

William Tookey

Jason Wells

Miriam Gillow-Wiles

New County Commissioner from Archuleta County

Non-voting:

Brian Crawford

Rick Smith

Rick Smith

Erik Pearson

David Bygel?

Larry Eskew

Brian Crane

Administrative Committee:

Ron LeBlanc

New Archuleta County Administrator

Bryce Capron

Shane Hale

Willy Tookey

CARO Representative: *Bryce Capron*

Motion: Clifford Lucero: **Approve new committee members as presented**

Second: Willy Tookey

Approved Yes No

v. CARO Membership- **Approved via Consent Agenda**

B. New Business

i. Southwest Colorado Incident Management Team

Durango Chief of Police Jim Spratlen and Archuleta County Director of OEM, Drew Peterson- SWIMT Committee Co-Chairs:

A management team manages issues in a disaster or during a major event, planned or unplanned. Incident examples include: Type I (Missionary Ridge etc...) Type II (less than Type I) SWIMT is a Type III team, and can come in and manage large events, or disasters (Pro-cycling team). The goal of a team is to “organize chaos”, working directly with community officials throughout the process. Type III teams can organizes chaos and get it ready to pass along to Type I team (if needed), or help to transition back from Type I as incident concludes. This regional team just became certified as its own team, and needs fiscal agent. The SWIMT is currently under All Hazards Grant, which is part of the SWCCOG. The SWIMT is asking for SWCCOG to be direct fiscal agent. The SWIMT has a finance section chief who will manage the financial aspects, just use SWCCOG as holding place and flow through for funds. For this, the SWCCOG will receive %10 of the SWIMT funds as allocated.

If we have already agreed to be fiscal agent through All Hazards Grant, wouldn't we be by default the fiscal agent? As a newly certified team, they need a specific fiscal agent assigned, and we would agree to be the flow through agency for SWIM Team. No additional administrative responsibilities will be required from the SWCCOG. The Fiscal agent for the team takes care of the all the required paperwork.

Will need MOU approved by the board, draft included in board packet.

Motion: Bobby Lieb: **Formalize MOU with help from SWCCOG Attorney, and bring back to approve in Jan.**

Second: Shane Hale

Approved Yes No

ii. SWCCOG Staffing- Fiscal Support

Motion: Clifford Lucero: **Move forward with hiring SWCCOG bookkeeper and have Admin committee make recommendation in Jan.**

Second: Bryce Capron

Approved Yes No

Motion: Willy Tookey: **Draft letter to NTIA regarding current EagleNet project advocating for project completion, rather than cessation.**

Second: Miriam Gillow-Wiles

Approved Yes No

3:10

6. SWCCOG Priority Project Reports

A. Telecommunications

- i. General Manager Services Report
- ii. Responsible Administrator Report

- iii. Telecommunications Committee Minutes for October. 20, 2012
- iv. Telecommunications Committee Chair Report
- v. SCAN Completion Process
 - a. Job Descriptions
 - b. Community Project Binders

- B.** All Hazards Committee Grant update-
- C.** Transportation: Transit Council minutes & update
- D.** Housing
- E.** Regional GIS
- F.** Other

Announcements- Next regular meeting will be January 4, 2012, 1:30–3:30 pm at the La Plata Courthouse.

3:30 pm Adjourn

- Announcement/Proclamation
- Special Presentation
- Report

- Consent
- Decision

AGENDA SUBMISSION FORM
Southwest Colorado Council of Governments

| | | |
|--|------------------------------|--------------------------|
| Date of Board Meeting: February 1, 2013 | | <input type="checkbox"/> |
| Staff: Laura Lewis Marchino | Presentation Time: 2 minutes | <input type="checkbox"/> |
| Subject: December 2012 Financials | Discussion Time: 5 minutes | |
| <p>Reviewed by Attorney? <input type="checkbox"/> Yes Attorney: _____ <input checked="" type="checkbox"/> N/A <input type="checkbox"/> No fiscal impact</p> <p>Committee Approval _____ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A</p> | | |

Background:

In your packet are the December financial reports produced through Quick books for the SWCCOG. The first page is the Combined Balance Sheet by Class through December showing \$50,543.87 in total assets and net income of \$31,106.34.

The second sheet is the Profit/Loss Budget vs. Actual which shows that the SWCCOG was under budget by \$11,237. Each account is then outlined on the next pages. Most of the budget underage came in Fund #830 (\$31,436) as community requests for reimbursement prior to the end of the year was less than predicted.

The final sheet is the SWCCOG bank statement for December, showing \$64,119.64 in the account.

The DoLA telecom grant will be invoiced for the last quarter of 2012 prior to the SWCCOG meeting. Also in process are purchase orders for the All Hazards 2012 grant.

Region 9 has also hired Cynthia Aspen to assist with the bookkeeping, and she will be at the SWCCOG meeting. Susan Hakanson was able to participate in the interviews and that was much appreciated. The Financials have been sent to the SWCCOG Treasurer.

Fiscal Impact:

As referred to above.

Recommended Action:

The recommended action is to approve the December Financial Statements.

Accompanying Documents:

- Combined Balance Sheet by Class through December 2012
- Combined Profit/Loss by Class through December 2012
- December 2012 bank statement

ADDITIONAL INSTRUCTIONS

None

**Southwest Colorado Council of Governments
Combined Balance Sheet by Class
December 2012**

| | 100-General | 200-All Hazards | 830-Telecom | 900-SCAN | TOTAL |
|---------------------------------------|------------------|------------------|------------------|-----------------|------------------|
| ASSETS | | | | | |
| Current Assets | | | | | |
| Checking/Savings | | | | | |
| 1001 · 1st Southwest Bank | 28,646.23 | 0.00 | 0.00 | 0.00 | 28,646.23 |
| Total Checking/Savings | 28,646.23 | 0.00 | 0.00 | 0.00 | 28,646.23 |
| Accounts Receivable | | | | | |
| 1200 · Accounts Receivable | 391.00 | 0.00 | 18,901.53 | 2,605.11 | 21,897.64 |
| Total Accounts Receivable | 391.00 | 0.00 | 18,901.53 | 2,605.11 | 21,897.64 |
| Other Current Assets | | | | | |
| 1090 · Due To/ Due From | 364.48 | -2,443.10 | -1,882.52 | 3,961.14 | 0.00 |
| 1499 · Undeposited Funds | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 1550 · Prepaid expense | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total Other Current Assets | 364.48 | -2,443.10 | -1,882.52 | 3,961.14 | 0.00 |
| Total Current Assets | 29,401.71 | -2,443.10 | 17,019.01 | 6,566.25 | 50,543.87 |
| TOTAL ASSETS | 29,401.71 | -2,443.10 | 17,019.01 | 6,566.25 | 50,543.87 |
| LIABILITIES & EQUITY | | | | | |
| Liabilities | | | | | |
| Current Liabilities | | | | | |
| Accounts Payable | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 20000 · Accounts Payable | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total Accounts Payable | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Other Current Liabilities | | | | | |
| 2200 · Deferred Revenue | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 2210 · Deferred Member Contributions | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total Other Current Liabilities | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total Current Liabilities | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Total Liabilities | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| Equity | | | | | |
| 32000 · Retained Earnings | 15,491.74 | 0.00 | 3,945.79 | 0.00 | 19,437.53 |
| Net Income | 13,909.97 | -2,443.10 | 13,073.22 | 6,566.25 | 31,106.34 |
| Total Equity | 29,401.71 | -2,443.10 | 17,019.01 | 6,566.25 | 50,543.87 |
| TOTAL LIABILITIES & EQUITY | 29,401.71 | -2,443.10 | 17,019.01 | 6,566.25 | 50,543.87 |

Southwest Colorado Council of Governments
Profit & Loss Budget vs. Actual
 January through December 2012

| | TOTAL | | | |
|------------------------------------|---------------------|---------------------|--------------------|----------------|
| | Jan - Dec 12 | Budget | \$ Over Budget | % of Budget |
| Income | | | | |
| 4000 · Sales | 8,310.00 | 8,310.00 | 0.00 | 100.0% |
| 4005 · E-tics | 9,270.11 | 9,271.00 | -0.89 | 100.0% |
| 4010 · Grant-DOLA Admin | 46,602.81 | 88,000.00 | -41,397.19 | 53.0% |
| 4020 · Grant DOLA-Construction | 542,724.95 | 760,000.00 | -217,275.05 | 71.4% |
| 4040 · Grant-Transit | 13,847.38 | 14,000.00 | -152.62 | 98.9% |
| 4041 · All Hazards Grant | 118,260.24 | 120,349.00 | -2,088.76 | 98.3% |
| 4950 · Match-GOV Admin | 100,091.55 | 104,000.00 | -3,908.45 | 96.2% |
| 4951 · Match-GOV Construction | 39,938.78 | 60,000.00 | -20,061.22 | 66.6% |
| 4952 · Region 9-Matching Funds | 32,461.48 | 30,937.00 | 1,524.48 | 104.9% |
| 4955 · In Kind Project Match | 143,455.00 | 270,000.00 | -126,545.00 | 53.1% |
| Total Income | 1,054,962.30 | 1,464,867.00 | -409,904.70 | 72.0% |
| Cost of Goods Sold | | | | |
| 5000 · Cost of Goods Sold | 1,743.75 | 2,000.00 | -256.25 | 87.2% |
| Total COGS | 1,743.75 | 2,000.00 | -256.25 | 87.2% |
| Gross Profit | 1,053,218.55 | 1,462,867.00 | -409,648.45 | 72.0% |
| Expense | | | | |
| 5200 · All Hazard Project | 118,260.24 | 118,349.00 | -88.76 | 99.9% |
| 5510 · Travel & Ent | 3,711.37 | 3,852.00 | -140.63 | 96.3% |
| 5512 · Meeting Exp | 619.69 | 627.00 | -7.31 | 98.8% |
| 5515 · Legal Fees | 11,918.68 | 12,064.00 | -145.32 | 98.8% |
| 5520 · Advertising | 288.42 | 290.00 | -1.58 | 99.5% |
| 5521 · Website | 120.00 | 120.00 | 0.00 | 100.0% |
| 5525 · Audit | 8,250.00 | 8,250.00 | 0.00 | 100.0% |
| 5527 · Internet & software | 112.50 | 113.00 | -0.50 | 99.6% |
| 5532 · Postage | 161.62 | 132.00 | 29.62 | 122.4% |
| 5535 · Printing/Reproduction | 457.50 | 458.00 | -0.50 | 99.9% |
| 5540 · Membership/Sub | 250.00 | 250.00 | 0.00 | 100.0% |
| 5550 · Supplies | 193.23 | 194.00 | -0.77 | 99.6% |
| 5555 · Liability Insurance | 3,897.00 | 3,897.00 | 0.00 | 100.0% |
| 5637 · SCAN GM | 61,750.00 | 65,000.00 | -3,250.00 | 95.0% |
| 5638 · Region 9 EDD | 53,112.38 | 47,014.00 | 6,098.38 | 113.0% |
| 5639 · Infor Services-Project Mgmt | 2,200.00 | 2,500.00 | -300.00 | 88.0% |
| 5640 · Consulting | 731.25 | 900.00 | -168.75 | 81.3% |
| 5641 · Regional Project Mgmt | 52,578.77 | 50,600.00 | 1,978.77 | 103.9% |
| 5642 · Project Engineering & Mgmt | 104,029.84 | 105,000.00 | -970.16 | 99.1% |
| 5643 · Transit | 13,183.34 | 13,184.00 | -0.66 | 100.0% |
| 5644 · AmeriCorp Member | 2,199.77 | 2,200.00 | -0.23 | 100.0% |
| 5645 · Project Construction | 431,241.50 | 760,000.00 | -328,758.50 | 56.7% |
| 5650 · training/conf | 120.00 | 240.00 | -120.00 | 50.0% |
| 5941 · E-tics expense | 9,270.11 | 8,870.00 | 400.11 | 104.5% |
| 5955 · In Kind Project expense | 143,455.00 | 270,000.00 | -126,545.00 | 53.1% |
| Total Expense | 1,022,112.21 | 1,474,104.00 | -451,991.79 | 69.3% |
| Net Income | 31,106.34 | -11,237.00 | 42,343.34 | -276.8% |

Southwest Colorado Council of Governments
Profit & Loss Budget vs. Actual
 January through December 2012

| | 100-General | | | |
|------------------------------------|------------------|------------------|----------------|---------------|
| | Jan - Dec 12 | Budget | \$ Over Budget | % of Budget |
| Income | | | | |
| 4000 · Sales | 0.00 | | | |
| 4005 · E-tics | 0.00 | | | |
| 4010 · Grant-DOLA Admin | 0.00 | | | |
| 4020 · Grant DOLA-Construction | 0.00 | | | |
| 4040 · Grant-Transit | 13,847.38 | 14,000.00 | -152.62 | 98.9% |
| 4041 · All Hazards Grant | 0.00 | | | |
| 4950 · Match-GOV Admin | 13,999.00 | 14,000.00 | -1.00 | 100.0% |
| 4951 · Match-GOV Construction | 0.00 | | | |
| 4952 · Region 9-Matching Funds | 20,000.00 | 20,000.00 | 0.00 | 100.0% |
| 4955 · In Kind Project Match | 0.00 | | | |
| Total Income | 47,846.38 | 48,000.00 | -153.62 | 99.7% |
| Cost of Goods Sold | | | | |
| 5000 · Cost of Goods Sold | 0.00 | | | |
| Total COGS | 0.00 | | | |
| Gross Profit | 47,846.38 | 48,000.00 | -153.62 | 99.7% |
| Expense | | | | |
| 5200 · All Hazard Project | 0.00 | | | |
| 5510 · Travel & Ent | 908.34 | 1,352.00 | -443.66 | 67.2% |
| 5512 · Meeting Exp | 393.14 | 400.00 | -6.86 | 98.3% |
| 5515 · Legal Fees | 3,563.60 | 3,564.00 | -0.40 | 100.0% |
| 5520 · Advertising | 288.42 | 290.00 | -1.58 | 99.5% |
| 5521 · Website | 120.00 | 120.00 | 0.00 | 100.0% |
| 5525 · Audit | 8,250.00 | 8,250.00 | 0.00 | 100.0% |
| 5527 · Internet & software | 0.00 | | | |
| 5532 · Postage | 112.07 | 113.00 | -0.93 | 99.2% |
| 5535 · Printing/Reproduction | 457.50 | 458.00 | -0.50 | 99.9% |
| 5540 · Membership/Sub | 250.00 | 250.00 | 0.00 | 100.0% |
| 5550 · Supplies | 193.23 | 194.00 | -0.77 | 99.6% |
| 5555 · Liability Insurance | 3,897.00 | 3,897.00 | 0.00 | 100.0% |
| 5637 · SCAN GM | 0.00 | | | |
| 5638 · Region 9 EDD | 0.00 | | | |
| 5639 · Infor Services-Project Mgmt | 0.00 | | | |
| 5640 · Consulting | 0.00 | | | |
| 5641 · Regional Project Mgmt | 0.00 | | | |
| 5642 · Project Engineering & Mgmt | 0.00 | | | |
| 5643 · Transit | 13,183.34 | 13,184.00 | -0.66 | 100.0% |
| 5644 · AmeriCorp Member | 2,199.77 | 2,200.00 | -0.23 | 100.0% |
| 5645 · Project Construction | 0.00 | | | |
| 5650 · training/conf | 120.00 | 120.00 | 0.00 | 100.0% |
| 5941 · E-tics expense | 0.00 | | | |
| 5955 · In Kind Project expense | 0.00 | | | |
| Total Expense | 33,936.41 | 34,392.00 | -455.59 | 98.7% |
| Net Income | 13,909.97 | 13,608.00 | 301.97 | 102.2% |

Southwest Colorado Council of Governments
Profit & Loss Budget vs. Actual
 January through December 2012

| | 200-All Hazards | | | |
|------------------------------------|-------------------------|--------------------|-------------------------|----------------------|
| | Jan - Dec 12 | Budget | \$ Over Budget | % of Budget |
| Income | | | | |
| 4000 · Sales | 0.00 | | | |
| 4005 · E-tics | 0.00 | | | |
| 4010 · Grant-DOLA Admin | 0.00 | | | |
| 4020 · Grant DOLA-Construction | 0.00 | | | |
| 4040 · Grant-Transit | 0.00 | | | |
| 4041 · All Hazards Grant | 118,260.24 | 120,349.00 | -2,088.76 | 98.3% |
| 4950 · Match-GOV Admin | 0.00 | | | |
| 4951 · Match-GOV Construction | 0.00 | | | |
| 4952 · Region 9-Matching Funds | 0.00 | | | |
| 4955 · In Kind Project Match | 0.00 | | | |
| Total Income | <u>118,260.24</u> | <u>120,349.00</u> | <u>-2,088.76</u> | <u>98.3%</u> |
| Cost of Goods Sold | | | | |
| 5000 · Cost of Goods Sold | 0.00 | | | |
| Total COGS | <u>0.00</u> | | | |
| Gross Profit | <u>118,260.24</u> | <u>120,349.00</u> | <u>-2,088.76</u> | <u>98.3%</u> |
| Expense | | | | |
| 5200 · All Hazard Project | 118,260.24 | 118,349.00 | -88.76 | 99.9% |
| 5510 · Travel & Ent | 443.10 | | | |
| 5512 · Meeting Exp | 0.00 | | | |
| 5515 · Legal Fees | 0.00 | | | |
| 5520 · Advertising | 0.00 | | | |
| 5521 · Website | 0.00 | | | |
| 5525 · Audit | 0.00 | | | |
| 5527 · Internet & software | 0.00 | | | |
| 5532 · Postage | 0.00 | | | |
| 5535 · Printing/Reproduction | 0.00 | | | |
| 5540 · Membership/Sub | 0.00 | | | |
| 5550 · Supplies | 0.00 | | | |
| 5555 · Liability Insurance | 0.00 | | | |
| 5637 · SCAN GM | 0.00 | | | |
| 5638 · Region 9 EDD | 2,000.00 | 2,000.00 | 0.00 | 100.0% |
| 5639 · Infor Services-Project Mgmt | 0.00 | | | |
| 5640 · Consulting | 0.00 | | | |
| 5641 · Regional Project Mgmt | 0.00 | | | |
| 5642 · Project Engineering & Mgmt | 0.00 | | | |
| 5643 · Transit | 0.00 | | | |
| 5644 · AmeriCorp Member | 0.00 | | | |
| 5645 · Project Construction | 0.00 | | | |
| 5650 · training/conf | 0.00 | | | |
| 5941 · E-tics expense | 0.00 | | | |
| 5955 · In Kind Project expense | 0.00 | | | |
| Total Expense | <u>120,703.34</u> | <u>120,349.00</u> | <u>354.34</u> | <u>100.3%</u> |
| Net Income | <u><u>-2,443.10</u></u> | <u><u>0.00</u></u> | <u><u>-2,443.10</u></u> | <u><u>100.0%</u></u> |

Southwest Colorado Council of Governments
Profit & Loss Budget vs. Actual
 January through December 2012

| | 830-Telecom | | | |
|------------------------------------|-------------------|---------------------|--------------------|---------------|
| | Jan - Dec 12 | Budget | \$ Over Budget | % of Budget |
| Income | | | | |
| 4000 · Sales | 0.00 | | | |
| 4005 · E-tics | 0.00 | | | |
| 4010 · Grant-DOLA Admin | 46,602.81 | 88,000.00 | -41,397.19 | 53.0% |
| 4020 · Grant DOLA-Construction | 542,724.95 | 760,000.00 | -217,275.05 | 71.4% |
| 4040 · Grant-Transit | 0.00 | | | |
| 4041 · All Hazards Grant | 0.00 | | | |
| 4950 · Match-GOV Admin | 86,092.55 | 90,000.00 | -3,907.45 | 95.7% |
| 4951 · Match-GOV Construction | 39,938.78 | 60,000.00 | -20,061.22 | 66.6% |
| 4952 · Region 9-Matching Funds | 12,461.48 | 10,937.00 | 1,524.48 | 113.9% |
| 4955 · In Kind Project Match | 143,455.00 | 270,000.00 | -126,545.00 | 53.1% |
| Total Income | 871,275.57 | 1,278,937.00 | -407,661.43 | 68.1% |
| Cost of Goods Sold | | | | |
| 5000 · Cost of Goods Sold | 0.00 | | | |
| Total COGS | 0.00 | | | |
| Gross Profit | 871,275.57 | 1,278,937.00 | -407,661.43 | 68.1% |
| Expense | | | | |
| 5200 · All Hazard Project | 0.00 | | | |
| 5510 · Travel & Ent | 2,359.93 | 2,500.00 | -140.07 | 94.4% |
| 5512 · Meeting Exp | 226.55 | 227.00 | -0.45 | 99.8% |
| 5515 · Legal Fees | 8,355.08 | 8,500.00 | -144.92 | 98.3% |
| 5520 · Advertising | 0.00 | | | |
| 5521 · Website | 0.00 | | | |
| 5525 · Audit | 0.00 | | | |
| 5527 · Internet & software | 112.50 | 113.00 | -0.50 | 99.6% |
| 5532 · Postage | 49.55 | 19.00 | 30.55 | 260.8% |
| 5535 · Printing/Reproduction | 0.00 | | | |
| 5540 · Membership/Sub | 0.00 | | | |
| 5550 · Supplies | 0.00 | | | |
| 5555 · Liability Insurance | 0.00 | | | |
| 5637 · SCAN GM | 61,750.00 | 65,000.00 | -3,250.00 | 95.0% |
| 5638 · Region 9 EDD | 51,112.38 | 45,014.00 | 6,098.38 | 113.5% |
| 5639 · Infor Services-Project Mgmt | 2,200.00 | 2,500.00 | -300.00 | 88.0% |
| 5640 · Consulting | 731.25 | 900.00 | -168.75 | 81.3% |
| 5641 · Regional Project Mgmt | 52,578.77 | 50,600.00 | 1,978.77 | 103.9% |
| 5642 · Project Engineering & Mgmt | 104,029.84 | 105,000.00 | -970.16 | 99.1% |
| 5643 · Transit | 0.00 | | | |
| 5644 · AmeriCorp Member | 0.00 | | | |
| 5645 · Project Construction | 431,241.50 | 760,000.00 | -328,758.50 | 56.7% |
| 5650 · training/conf | 0.00 | | | |
| 5941 · E-tics expense | 0.00 | | | |
| 5955 · In Kind Project expense | 143,455.00 | 270,000.00 | -126,545.00 | 53.1% |
| Total Expense | 858,202.35 | 1,310,373.00 | -452,170.65 | 65.5% |
| Net Income | 13,073.22 | -31,436.00 | 44,509.22 | -41.6% |

Southwest Colorado Council of Governments
Profit & Loss Budget vs. Actual
 January through December 2012

| | 900-SCAN | | | |
|------------------------------------|------------------|------------------|----------------|---------------|
| | Jan - Dec 12 | Budget | \$ Over Budget | % of Budget |
| Income | | | | |
| 4000 · Sales | 8,310.00 | 8,310.00 | 0.00 | 100.0% |
| 4005 · E-tics | 9,270.11 | 9,271.00 | -0.89 | 100.0% |
| 4010 · Grant-DOLA Admin | 0.00 | | | |
| 4020 · Grant DOLA-Construction | 0.00 | | | |
| 4040 · Grant-Transit | 0.00 | | | |
| 4041 · All Hazards Grant | 0.00 | | | |
| 4950 · Match-GOV Admin | 0.00 | | | |
| 4951 · Match-GOV Construction | 0.00 | | | |
| 4952 · Region 9-Matching Funds | 0.00 | | | |
| 4955 · In Kind Project Match | 0.00 | | | |
| Total Income | 17,580.11 | 17,581.00 | -0.89 | 100.0% |
| Cost of Goods Sold | | | | |
| 5000 · Cost of Goods Sold | 1,743.75 | 2,000.00 | -256.25 | 87.2% |
| Total COGS | 1,743.75 | 2,000.00 | -256.25 | 87.2% |
| Gross Profit | 15,836.36 | 15,581.00 | 255.36 | 101.6% |
| Expense | | | | |
| 5200 · All Hazard Project | 0.00 | | | |
| 5510 · Travel & Ent | 0.00 | | | |
| 5512 · Meeting Exp | 0.00 | | | |
| 5515 · Legal Fees | 0.00 | | | |
| 5520 · Advertising | 0.00 | | | |
| 5521 · Website | 0.00 | | | |
| 5525 · Audit | 0.00 | | | |
| 5527 · Internet & software | 0.00 | | | |
| 5532 · Postage | 0.00 | | | |
| 5535 · Printing/Reproduction | 0.00 | | | |
| 5540 · Membership/Sub | 0.00 | | | |
| 5550 · Supplies | 0.00 | | | |
| 5555 · Liability Insurance | 0.00 | | | |
| 5637 · SCAN GM | 0.00 | | | |
| 5638 · Region 9 EDD | 0.00 | | | |
| 5639 · Infor Services-Project Mgmt | 0.00 | | | |
| 5640 · Consulting | 0.00 | | | |
| 5641 · Regional Project Mgmt | 0.00 | | | |
| 5642 · Project Engineering & Mgmt | 0.00 | | | |
| 5643 · Transit | 0.00 | | | |
| 5644 · AmeriCorp Member | 0.00 | | | |
| 5645 · Project Construction | 0.00 | | | |
| 5650 · training/conf | 0.00 | 120.00 | -120.00 | 0.0% |
| 5941 · E-tics expense | 9,270.11 | 8,870.00 | 400.11 | 104.5% |
| 5955 · In Kind Project expense | 0.00 | | | |
| Total Expense | 9,270.11 | 8,990.00 | 280.11 | 103.1% |
| Net Income | 6,566.25 | 6,591.00 | -24.75 | 99.6% |

1st SouthWest Bank

Alamosa • Center • Del Norte • Cortez
Durango • Saguache • Pagosa Springs

720 Main St., PO Box 1139 • Alamosa, Colorado 81101
719-587-4200 or 866-641-FSWB (3792)

071 00065 01

ACCOUNT:

XXXXXX2610

DOCUMENTS:

6

PAGE: 1

12/31/2012

SW CO COUNCIL OF GOVERNMENTS
WILLIAM TOOKEY
THOMAS YENNERELL
295 A GIRARD ST
DURANGO CO 81303

30
1
5

=====

FSB Non-Profit Checking ACCOUNT XXXXXX2610

=====

| | | | |
|-----------------------|-----------|-------------------------|-----------|
| AVG AVAILABLE BALANCE | 60,932.69 | LAST STATEMENT 11/30/12 | 62,637.55 |
| AVERAGE BALANCE | 60,932.69 | 2 CREDITS | 13,098.31 |
| | | 5 DEBITS | 11,616.22 |
| | | THIS STATEMENT 12/31/12 | 64,119.64 |

----- DEPOSITS -----

| | | |
|---------------------------|---------------------------|---------------------------|
| REF #.....DATE.....AMOUNT | REF #.....DATE.....AMOUNT | REF #.....DATE.....AMOUNT |
| 12/17 819.31 | | |

----- OTHER CREDITS -----

| | | |
|---------------------------------------|-------|-----------|
| DESCRIPTION | DATE | AMOUNT |
| STATE OF COLO. CDPS GRANT XXXXX5254 * | 12/20 | 12,279.00 |

----- CHECKS -----

| | | |
|--------------------------|--------------------------|--------------------------|
| CHECK #..DATE.....AMOUNT | CHECK #..DATE.....AMOUNT | CHECK #..DATE.....AMOUNT |
| 1230 12/19 106.25 | 1232*12/19 2,227.50 | 1238 12/12 3,582.47 |
| 1231 12/17 700.00 | 1236*12/12 5,000.00 | |

(*) INDICATES A GAP IN CHECK NUMBER SEQUENCE

----- ITEMIZATION OF OVERDRAFT AND RETURNED ITEM FEES -----

```

*****
*                               | TOTAL FOR | TOTAL *
*                               | THIS PERIOD | YEAR TO DATE *
*-----|-----|-----*
* TOTAL OVERDRAFT FEES:      | $ .00 | $ .00 *
*-----|-----|-----*
* TOTAL RETURNED ITEM FEES:  | $ .00 | $ .00 *
*****

```

----- DAILY BALANCE -----

| | | |
|------------------|------------------|------------------|
| DATE.....BALANCE | DATE.....BALANCE | DATE.....BALANCE |
| 12/12 54,055.08 | 12/17 54,174.39 | 12/19 51,840.64 |

* * * C O N T I N U E D * * *



Alamosa • Center • Del Norte • Cortez
Durango • Saguache • Pagosa Springs

720 Main St., PO Box 1139 • Alamosa, Colorado 81101
719-587-4200 or 866-641-FSWB (3792)

071 00065 01

ACCOUNT:

DOCUMENTS:

XXXXXX2610

6

PAGE: 2

12/31/2012

SW CO COUNCIL OF GOVERNMENTS
WILLIAM TOOKEY
THOMAS YENNERELL

=====

FSB Non-Profit Checking ACCOUNT XXXXXX2610

=====

| - - - - - DAILY BALANCE - - - - - | |
|-----------------------------------|-----------|
| DATE..... | BALANCE |
| 12/20 | 64,119.64 |

- END OF STATEMENT -



| | | | | | | | | | | | |
|---|--|--|--|--|--|--|--|--|--|--|--|
| DEPOSIT TICKET | | | | | | | | | | | |
| 12/17/12 | | | | | | | | | | | |
| SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS | | | | | | | | | | | |
| FIRST SOUTHWEST BANK | | | | | | | | | | | |
| DURANGO, CO 81301 | | | | | | | | | | | |
| 11/28/2012 | | | | | | | | | | | |
| PAY TO THE ORDER OF: Kathy Sherer | | | | | | | | | | | |
| \$ 819.31 | | | | | | | | | | | |
| One Hundred Sixty and 31/100 | | | | | | | | | | | |
| Kathy Sherer 7584 CR 228 Bayfield, CO 81122 | | | | | | | | | | | |
| MEMO: 11/21/12 | | | | | | | | | | | |
| *001230* 11021070341656102610* | | | | | | | | | | | |

\$819.31 12/17/2012

| | | | | | | | | | | | |
|---|--|--|--|--|--|--|--|--|--|--|--|
| SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS | | | | | | | | | | | |
| FIRST SOUTHWEST BANK | | | | | | | | | | | |
| DURANGO, CO 81301 | | | | | | | | | | | |
| 11/28/2012 | | | | | | | | | | | |
| PAY TO THE ORDER OF: Kathy Sherer | | | | | | | | | | | |
| \$ 106.25 | | | | | | | | | | | |
| One Hundred Six and 25/100 | | | | | | | | | | | |
| Kathy Sherer 7584 CR 228 Bayfield, CO 81122 | | | | | | | | | | | |
| MEMO: 11/21/12 | | | | | | | | | | | |
| *001230* 11021070341656102610* | | | | | | | | | | | |

1230 \$106.25 12/19/2012

| | | | | | | | | | | | |
|---|--|--|--|--|--|--|--|--|--|--|--|
| SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS | | | | | | | | | | | |
| FIRST SOUTHWEST BANK | | | | | | | | | | | |
| DURANGO, CO 81301 | | | | | | | | | | | |
| 11/28/2012 | | | | | | | | | | | |
| PAY TO THE ORDER OF: Mid-State Consultants | | | | | | | | | | | |
| \$ 700.00 | | | | | | | | | | | |
| Seven Hundred and 00/100 | | | | | | | | | | | |
| Mid-State Consultants 1415 North 200 West PO Box 311 Hatch, UT 84645 | | | | | | | | | | | |
| MEMO: Inv# 1210-5009 | | | | | | | | | | | |
| *001231* 11021070341656102610* | | | | | | | | | | | |

1231 \$700.00 12/17/2012

| | | | | | | | | | | | |
|---|--|--|--|--|--|--|--|--|--|--|--|
| SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS | | | | | | | | | | | |
| FIRST SOUTHWEST BANK | | | | | | | | | | | |
| DURANGO, CO 81301 | | | | | | | | | | | |
| 11/28/2012 | | | | | | | | | | | |
| PAY TO THE ORDER OF: Town of Bayfield | | | | | | | | | | | |
| \$ 2,227.50 | | | | | | | | | | | |
| Two Thousand Two Hundred Twenty-Seven and 50/100 | | | | | | | | | | | |
| Town of Bayfield PO Box 83 Bayfield, CO 81122 | | | | | | | | | | | |
| MEMO: 75% reimbursement request #4 | | | | | | | | | | | |
| *001232* 11021070341656102610* | | | | | | | | | | | |

1232 \$2,227.50 12/19/2012

| | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|
| SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS | | | | | | | | | | | |
| FIRST SOUTHWEST BANK | | | | | | | | | | | |
| DURANGO, CO 81301 | | | | | | | | | | | |
| 11/30/2012 | | | | | | | | | | | |
| PAY TO THE ORDER OF: Arona Enterprises, LLC | | | | | | | | | | | |
| \$ 5,000.00 | | | | | | | | | | | |
| Five Thousand and 00/100 | | | | | | | | | | | |
| Arona Enterprises 1087 N. Cedar Drive Bayfield, CO 81122 | | | | | | | | | | | |
| MEMO: Inv#00126 | | | | | | | | | | | |
| *001236* 11021070341656102610* | | | | | | | | | | | |

1236 \$5,000.00 12/12/2012

| | | | | | | | | | | | |
|---|--|--|--|--|--|--|--|--|--|--|--|
| SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS | | | | | | | | | | | |
| FIRST SOUTHWEST BANK | | | | | | | | | | | |
| DURANGO, CO 81301 | | | | | | | | | | | |
| 11/30/2012 | | | | | | | | | | | |
| PAY TO THE ORDER OF: Region 9 EDD of SW CO | | | | | | | | | | | |
| \$ 3,582.47 | | | | | | | | | | | |
| Three Thousand Five Hundred Eighty-Two and 47/100 | | | | | | | | | | | |
| Region 9 EDD of SW CO 295A Grand Street Durango, CO 81303 | | | | | | | | | | | |
| MEMO: Inv #100808 | | | | | | | | | | | |
| *001238* 11021070341656102610* | | | | | | | | | | | |

1238 \$3,582.47 12/12/2012

- Announcement/Proclamation
 Special Presentation
 Report

- Consent
 Decision

AGENDA SUBMISSION FORM
Southwest Colorado Council of Governments

| | | |
|--|-------------------------------|--------------------------|
| Date of Board Meeting: February 1, 2013 | | <input type="checkbox"/> |
| Staff: Susan Hakanson / Rick Smith | Presentation Time: 10 minutes | <input type="checkbox"/> |
| Subject: Eagle Net | Discussion Time: 20 minutes | |
| <p>Reviewed by Attorney? <input type="checkbox"/> Yes Attorney: _____ <input checked="" type="checkbox"/> N/A <input type="checkbox"/> No fiscal impact</p> <p>Committee Approval _____ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A</p> | | |

Background:

- A. EagleNet
- i. Up-Date
 - ii. Proposal & Next Steps
 - iii. Forest Service Comments

Fiscal Impact:

Recommended Action: Staff is given direction to move forward and present a proposal to EagleNet for assistance, based on amended proposal document.

Direction to staff to develop a letter and comments directed to the Forest Service regarding the approval of EagleNet permits in the SWCCOG region, with signature authority given to the chair.

Accompanying Documents:

ADDITIONAL INSTRUCTIONS

None

GOAL: To connect all municipalities in the region with a fiber network by maximizing the fiber investment made by the private sector, the Southwest Colorado Council of Governments (SWCCOG) and the federal government in southwest Colorado.

FACTS: Southwest Colorado has challenging terrain for fiber projects whether buried or aerial installations are contemplated.

The local carriers have substantial investments in fiber routes throughout the southwest. The combined routes connect approximately 80% of the southwest (see attached map).

The SWCCOG has a \$4 million fiber investment with major funding coming from Colorado's Department of Local Affairs (DoLA) connecting the schools and government buildings in each of its member municipalities.

The local fiber loops connect the schools, libraries, municipal and county buildings together and bring them to a neutral location.

Many of the SWCCOG's smaller municipalities partnered with the local carriers to complete their local fiber loops through a collaborative effort.

STATUS: The southwest local fiber carriers currently connect 80% of its municipalities through a system of fiber routes.

The southwest wireless carriers currently provide middle mile and last mile connectivity to customers with a backhaul services component as well.

Each of the SWCCOG member municipalities has scheduled or completed a local fiber loop connecting schools, libraries, municipal and county government buildings.

Eagle Net has installed empty conduit sporadically around the southwest, mainly in Montezuma and Dolores Counties.

COG Beliefs: Oversight, transparency, accountability, and public access information are important components of all broadband development projects funded by tax payer's money.

Public funds allocated for broadband development may be used to compensate for the lack of private broadband investment in unserved and underserved communities, such as rural areas and low-income areas.

The SWCCOG defines underserved as: The ability of an organization to continually utilize applications and tools to meet the organizational mission and goals. As applications are enhanced with a need for increased broadband capabilities and the current infrastructure cannot support the increased need, the area is deemed underserved.

OPTIONS: The SWCCOG recognizes three plausible options for the NTIA and Eagle Net to complete the middle mile fiber network in the time allotted.

- 1) Eagle Net work cooperatively with the local providers to complete the middle mile fiber network utilizing local providers' assets currently installed. Elimination of duplicate/parallel fiber builds in order to maximize NTIA funding, local carrier investment and the DoLA funded SCAN project.
- 2) The SWCCOG assist NTIA and Eagle Net by facilitating a collaborative effort on Eagle Net's behalf between local carriers and NTIA to complete the middle mile fiber network utilizing local providers' assets currently installed. Elimination of duplicate/parallel fiber builds in order to maximize NTIA funding, local carrier investment and the DoLA funded SCAN project.
- 3) The SWCCOG and the local carriers collaborate to acquire the necessary funding to complete the middle mile fiber network utilizing local providers' assets currently installed. Elimination of duplicate/parallel fiber builds in order to maximize the funding, local carrier investment and the DoLA funded SCAN project.

Grand Junction

Denver

Dove Creek

Rico

Silverton

LEGEND

Tri-State Sub-Station



Multiple Fiber Routes



Single Fiber Route



Pleasantview

Dolores

Cortez

Mancos

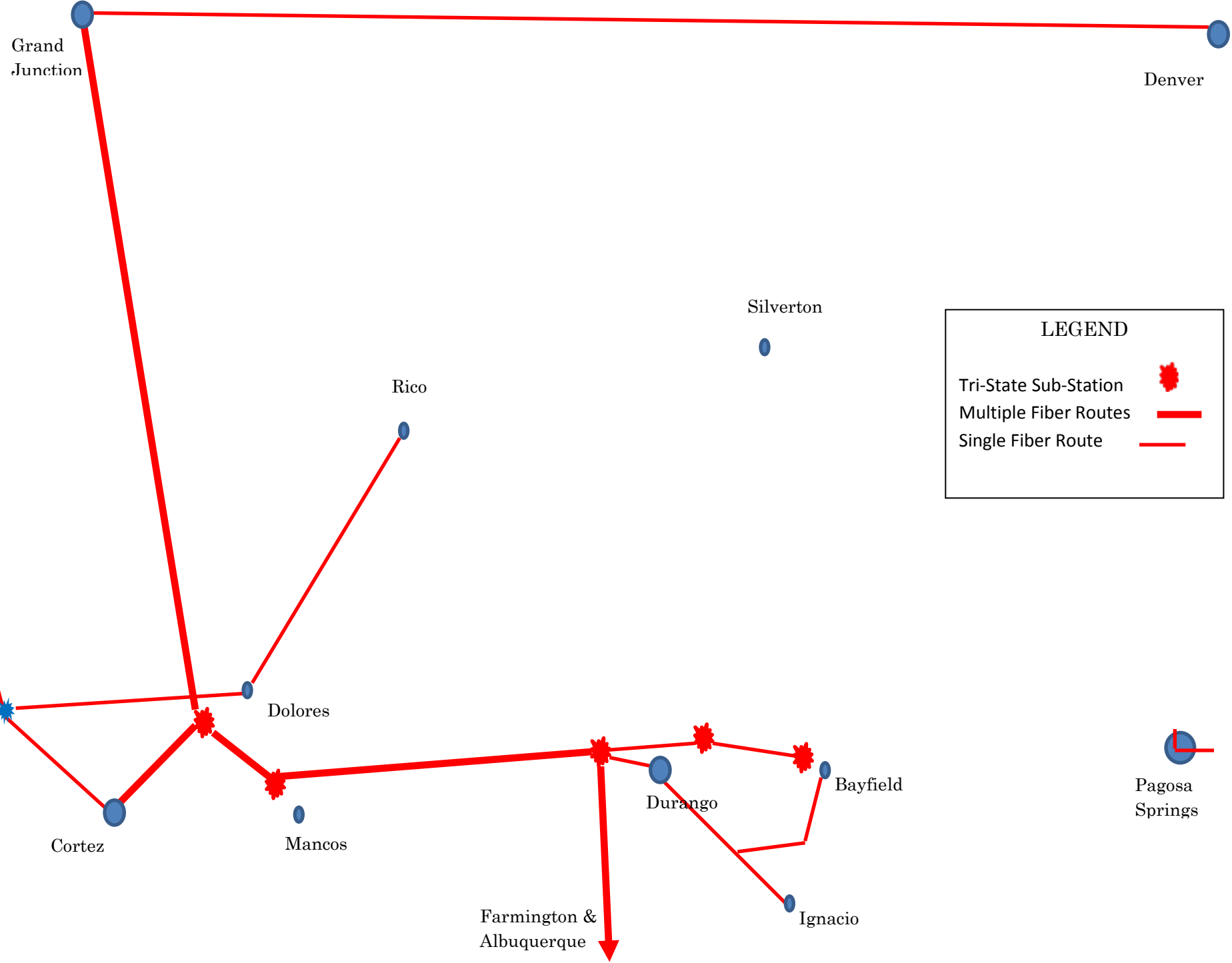
Durango

Bayfield

Pagosa Springs

Farmington & Albuquerque

Ignacio



Announcement/Proclamation
 Special Presentation
 Report

Consent
 Decision

AGENDA SUBMISSION FORM
Southwest Colorado Council of Governments

| | | |
|--|------------------------------|--------------------------|
| Date of Board Meeting: February 1, 2013 | | <input type="checkbox"/> |
| Staff: Susan Hakanson | Presentation Time: 5 minutes | <input type="checkbox"/> |
| Subject: Legislative Committee | Discussion Time: 7 minutes | |
| <p>Reviewed by Attorney? <input type="checkbox"/> Yes Attorney: _____ <input checked="" type="checkbox"/> N/A <input type="checkbox"/> No fiscal impact</p> <p>Committee Approval _____ <input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A</p> | | |

Background: The SWCCOG Legislative Committee met on Thursday, January 31 to discuss legislation that has been proposed to date in the Colorado state and senate that may have ramifications for out member entities. It was discussed that the SWCCOG should focus on legislation where:

- Both CCI and CML have taken like positions,
- Items that encroach on local control,
- Items that propose unfunded mandate.

The Legislative Committee makes the following recommendations:

Letter in opposition to SB13-025, "Collective Bargaining Firefighters", and HB13-1107, "Prohibit Collective Bargaining Public Employees.

It was discussed that these two bills have major ramifications in regards to local control.

Letter in opposition to HB13-1090, "Construction Contractor Subcontractor Prompt Pay".

This bill attempts to mandate the payment cycle that private or public contractors do business with subcontractors, and mandates that only a 5% can be retained to ensure work is done, regardless of project type.

Letter in opposition to HB13-1093, "Bidding for Local Government Procurement Contracts".

This bill has a negative impact on our ability to give preference to local contractors and mandates how contracts will be written and payment schedules decided.

Letter in support of : SB13-048, "Authorize Local Government Use of HUTF for Transit".

Current law authorizes the department of transportation to spend a portion of its highway users tax fund moneys on transit-related projects and specifies that the funding of such projects constitutes maintenance and supervision of public highways because it will help to reduce traffic

3.B

on state highways, thereby reducing wear and tear on state highways and bridges and increasing their reliability, safety, efficient performance, and expected useful life. The bill similarly authorizes counties and municipalities to spend moneys that they receive from the highway users tax fund on transit-related projects.

Fiscal Impact:

Recommended Action: Approval of Legislative Committee recommended action including:

Letter in opposition to SB13-025, "Collective Bargaining Firefighters", and HB13-1107, "Prohibit Collective Bargaining Public Employees.

Letter in opposition to HB13-1090, "Construction Contractor Subcontractor Prompt Pay".

Letter in opposition to HB13-1093, "Bidding for Local Government Procurement Contracts".

Letter in support of : SB13-048, "Authorize Local Government Use of HUTF for Transit".

Signature authority to the SWCCOG Chair to sign on behalf of the SWCCOG Board, and requesting that SWCCOG members contact their State Congressional delegation with comments from the member entities.

Accompanying Documents:

None

ADDITIONAL INSTRUCTIONS

SB13-025 - Short Title: Collective Bargaining Firefighters

The bill grants firefighters the right to:

- * Organize, form, join, or assist an employee organization or refrain from doing so;
- * Negotiate collectively or express a grievance through representatives of their choice;
- * Engage in other lawful concerted activity for the purpose of collective bargaining or other mutual aid or protection; and
- * Be represented by their exclusive representative without discrimination. An employee organization recognized or elected for collective bargaining becomes the exclusive representative of all firefighters for collective bargaining. The bill prohibits a fire department from bargaining on matters covered by the act with any other employee or group. The bill grants the exclusive representative the right to be present and express its views at the adjustment of a complaint made by a member of the bargaining unit without the intervention of the exclusive representative. An exclusive representative may have dues and other moneys deducted from the pay of firefighters who authorize the deduction. A fire department and an exclusive representative have to bargain collectively in good faith. Any agreements negotiated between an exclusive representative and a fire department, along with any terms approved by the voters of the political subdivision of the fire department, constitute the collective bargaining agreement between the parties. The bill requires the term of a collective bargaining agreement to be for between one and 3 years unless the parties agree to negotiate and reach a voluntary agreement on all terms of a new contract. The parties have to begin collective bargaining within a specified time after the notice. An impasse is deemed to exist if the parties fail to reach a collective bargaining agreement within a specified time after the beginning of collective bargaining. A collective bargaining agreement may require all members of the bargaining unit, as a condition of employment, to pay the exclusive representative's fees and expenses in negotiating and enforcing the agreement. If an impasse exists, the bill requires the parties to allow an arbitration organization to appoint an advisory fact finder to hold a hearing on the unresolved issues and make recommendations on which party's final offer on each issue should be accepted. The bill specifies the factors that the advisory fact finder must consider. The parties have a specified time to consider the advisory fact-finder's recommendations and conduct further negotiations. If either party rejects the recommendations, the final offers of the parties on the unresolved issues will be submitted to the voters of the political subdivision of the public employer at a special election. The bill prohibits firefighters from striking. Existing bargaining units, exclusive representatives, and bargaining relationships as of the effective date of the bill remain in effect unless modified by agreement or election in accordance with the bill. Firefighters may conduct secret-ballot elections to certify or decertify an employee organization as the exclusive representative of a bargaining unit. The bill grants a firefighter or an employee organization the right to sue to enforce the provisions of the bill.

HB13-1107 - Short Title: Prohibit Collective Bargaining Public Employees

Sponsors: EVERETT / HARVEY

Employee organizations are currently authorized, through a 2007 executive order, to become the exclusive representative of the state employees in any occupational group or other categorization of state employees (state employees). Employee organizations are also authorized to form partnership agreements with state employees to provide the framework for discussing issues of mutual concern to

3.B

state employees and the state as an employer. The bill prohibits:

- * The director of the division of labor from accepting a petition from an employee organization to become the exclusive employee representative of state employees, certifying any employee organization as the exclusive representative of state employees, or acting as the agent of any employee organization;
- * Any representative of the executive branch of state government from negotiating with an employee organization to create an employee partnership agreement;
- * A political subdivision from accepting a petition from an employee organization to become the exclusive employee representative of political subdivision employees, certifying any employee organization as the exclusive representative of political subdivision employees, or acting as the agent of any employee organization;
- * A political subdivision from negotiating with an employee organization to create a labor agreement;
- * Employee organizations, state employees, representatives of state government, political subdivision employees, and representatives of political subdivisions from collective bargaining. The bill terminates any partnership agreement that is currently in effect and that was formed pursuant to executive order D 028 07. The bill also terminates any labor contract or labor agreement that is in effect between an employee organization and the state and between an employee organization and a political subdivision. A political subdivision includes a county, city and county, city, town, service authority, school district, local improvement district, law enforcement authority, city or county housing authority, or water, sanitation, fire protection, metropolitan, irrigation, drainage, or other special district, or any other kind of municipal, quasi-municipal, or public corporation organized pursuant to law.

HB1301090 - Short Title: Construction Contractor Subcontractor Prompt Pay

Sponsors: FISCHER / TOCHTROP

The bill sets the following requirements for both private and public construction contracts:

- * The owner and contractor must make regular progress payments approximately every 30 days to contractors and subcontractors for work actually performed.
- * To receive the progress payments, the contractor and subcontractor must submit a progress payment invoice plus any required documents.
- * A contractor must pass on the progress payment to the subcontractor within 5 days or by the end of the billing cycle.
- * Interest accrues on unpaid progress payments.
- * A contract may extend a billing cycle to 60 days, but the contract must duly warn of this.
- * An owner or contractor may only retain 5% of each progress payment to ensure work is done properly.
- * If a subcontractor's work is done before the whole project is done, the subcontractor may apply to be paid the retained 5%. The owner and contractor must pay the retainage if the work is done correctly and the subcontractor gives waivers and the proper documents.
- * A person who retains from a payment must give the contractor or subcontractor a chance to cure the default.
- * The owner and contractor must pay for changes made to the contract. If they cannot agree on the price, the person doing the work may bill monthly at cost plus 15% or terminate performance.
- * A contractor or subcontractor is authorized to suspend performance after 15 days notice if the owner or contractor fails to make progress payments.

3.B

* After suspending performance, the contractor or subcontractor is obliged to resume work after being paid for the work and reasonable costs and interest.

* A contractor or subcontractor may not suspend performance if the failure to make a payment is due to a failure of the contractor or subcontractor or a dispute about the construction. The bill voids any provision in a construction contract that does not comply with these requirements.

HB13-1093 - Short Title: Bidding For Local Government Procurement Contracts

Sponsors: LAWRENCE

The bill requires an agency of local government (local government) to procure or dispose of supplies, services, or construction through competitive sealed bidding unless the appropriation or expenditure of moneys by the local government for a single contract for the supplies, services, or construction may be reasonably expected not to exceed \$50,000 in the aggregate in any fiscal year. The bill includes an exception to the competitive sealed bidding requirement if the local government does not receive any bids, the agency of local government has rejected all bids, or the responsible officer determines that it is necessary to make procurements or contracts under emergency conditions because there exists a threat to public health, welfare, or safety. The bill prohibits a local government from dividing the procurement or disposal of supplies, services, or construction into 2 or more separate projects for the sole purpose of evading or attempting to evade the competitive sealed bidding requirement.

SB13- 048 - Short Title: Authorize Local Government Use Of HUTF For Transit

Sponsors: TODD / TYLER

Current law authorizes the department of transportation to spend a portion of its highway users tax fund moneys on transit-related projects and specifies that the funding of such projects constitutes maintenance and supervision of public highways because it will help to reduce traffic on state highways, thereby reducing wear and tear on state highways and bridges and increasing their reliability, safety, efficient performance, and expected useful life. The bill similarly authorizes counties and municipalities to spend moneys that they receive from the highway users tax fund on transit-related projects.

- Announcement/Proclamation
- Special Presentation
- Report

- Consent
- Decision

AGENDA SUBMISSION FORM
Southwest Colorado Council of Governments

| | | |
|---|------------------------------|--------------------------|
| Date of Board Meeting: February 1, 2013 | | <input type="checkbox"/> |
| Staff: Susan Hakanson | Presentation Time: 2 minutes | <input type="checkbox"/> |
| Subject: 2013 SWCCOG SCAN Broadband Network Policy on Third Reading | Discussion Time: 7 minutes | |
| Reviewed by Attorney? <input type="checkbox"/> Yes Attorney: _____ <input checked="" type="checkbox"/> N/A <input type="checkbox"/> No fiscal impact Committee Approval _____ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A | | |

Background: The SCAN project under the original DoLA grant is moving towards an expected completion in 2013. With a fiber network in place, SWCCOG needs to set clear policy and direction for how the network will be utilized, administered, maintained and funded. Part of this discussion needs to include the expectations of the SWCCOG Board of who may utilize the network, how they will utilize it, what they may utilize it for, and expectations regarding funding and funding sources.

Enclosed in the SCAN Broadband Network Policy on third reading. It is the hope of staff that some of these "50,000" foot over-arching decisions can be finalized, and the details of policy can be filled in – along with procedures developed and the business plan completed based on this initial policy discussion.

Fiscal Impact:

Recommended Action: Policy reviewed and revised by the Board and passed on third (final if applicable) reading with revisions.

Accompanying Documents: SCAN Broadband Network Policy

ADDITIONAL INSTRUCTIONS

None



Broadband Network Policy – DRAFT on Third Reading

Mission Statement

The Mission of the Southwest Colorado Access Network “SCAN” is to:

Implement a regional telecommunications network that provides infrastructure to enable public offices to connect to one another within a community, and aggregate demand to purchase telecommunications services more effectively. This will enable public offices throughout the region to network and aggregate their service delivery.

Vision Statement

Local public offices control their own telecommunications destiny with a private network supported by publicly owned infrastructure on an open access network model that provides very high speed transmission and large amounts of bandwidth at reasonable costs. The network provides the ability to aggregate demand among community public offices that further enhances the ability to acquire telecommunications services on the most cost effective and efficient basis possible. The availability of excess capacity within an open access network model enables the private sector to extend broadband access and services to businesses and residents into areas where previously not financially feasible.

Description of Regional Network Architecture

The Southwest Colorado Access Network (SCAN) will build a state of the art telecommunications network supported by publicly-owned or leased infrastructure to provide secure connections between participating community public offices including: government, education, law enforcement, search and rescue, medical facilities, and others.

The regional network will provide connectivity for Southwest Colorado Council of Governments (SWCCOG) members ranging from Pagosa Springs on the east, to Dove Creek on the west. The regional network will include two hub locations for the outlying communities and colleges to connect. The two regional hubs (Durango and Cortez) will be connected via a system that allows for secure traffic to flow from all areas of the region, utilizing the applications and systems necessary, without the issues of degrading the signal. 10G backbone. Each community will build an intra-community network to aggregate services at a common point. Aggregation of demand region-wide is a major goal of the project. Where feasible, each community aggregation point will connect to one or both of the regional hub sites. Upstream connectivity will be from the regional hubs, or from community aggregation points for communities where connectivity to the regional hub is infeasible.

Inter- and intra-community SCAN network segments may be: new construction executed by the SWCOG members; new construction executed by private carriers in partnership with the SWCCOG members; leased services from private carriers; or other deployments. High capacity connectivity at reasonable operational costs is the hallmark of the project. When feasible, fiber connectivity is preferred, but copper and wireless services will be considered where fiber deployment proves to be unrealistic.

The regional network will provide services for local governments. Furthermore, excess capacity in a logically separate open access / open services network will be made available for private service providers to utilize. Providing an open access / open services model is a requirement of the original DoLA grant funding. Logical service provider connections throughout the network should be accommodated.

Beliefs:

- The Southwest Colorado region that makes up the district of the SWCCOG is rural in nature, with populations that are often isolated from necessary services and infrastructure such as adequate broadband. Not having access to broadband service or adequate broadband service and applications limit institutions, individuals and businesses from participating fully in the nation's economy, democracy, culture and society.
- Economic growth and educational development in southwest Colorado depend in large part on the range and quality of telecommunications services available to public and private institutions, businesses and residents.
- By aggregating demand in each participating community and throughout the region, SCAN will offer faster speeds, greater throughput, and the ability to deliver services in an efficient and cost-effective manner to SWCCOG members including, but not limited to: data transfer, application sharing, digital telephony, and other advanced digital services.
- Public funds allocated for broadband development may be used to compensate for the lack of private broadband investment in unserved and underserved communities, such as rural areas and low-income areas.
- Public funding should prioritize reaching communities that do not have access to broadband, rather than rebuilding or overbuilding existing networks.
- Oversight, transparency, accountability, and public access information are important components of all broadband development projects funded by tax payer's money.

Un-served or Underserved can be defined by the following:

1. No service is currently available.
2. Cost of broadband service currently available is 10% or higher than that of comparable service in a similar service area.
3. Current speeds available fail to allow organizations to utilize the applications necessary to conduct business.
4. Organization has no access to broadband services due to hardware limitations.

When seeking public funds to service an organization, the SCAN entity must:

1. Partner with private or non-profit service provider where possible and assist that provider in extending infrastructure to the organization to achieve optimal broadband services;
2. Work with the service provider to ensure broadband is available at an affordable rate for the target organization;
3. Work with service provider to ensure broadband is available at optimal speeds for the targeted organization.

SCAN Access and Users

First Tier:

The first priority of the SCAN project is the broadband connectivity of the SWCCOG membership.

First Tier users include all member entities in good standing at the time of the grant project agreement.

Town of Bayfield

City of Cortez

Town of Dolores

Town of Dove Creek

City of Durango

Town of Ignacio

Town of Mancos

Town of Pagosa Springs

Town of Rico

Town of Silverton

4.A i 2

Archuleta County
Dolores County
La Plata County
San Juan County

First Tier organizations have full access to benefits and full participation in revenue and cost sharing.

Second Tier:

Second Tier users include all other governmental organizations such as special districts, and “other political sub-divisions under the State” to include public school districts.

- Access as participants in the purchasing consortium, as deemed appropriate by partnering local SWCCOG member organization;
Or
- Access to the SCAN infrastructure only through a separate service provider.
- No revenue sharing is available to Second Tier organizations.

Third Tier:

Third Tier organizations include all other users including Non-Profit Organizations and Private Enterprise. The SCAN network may deliver dark fiber for third tier connection to the network infrastructure only through a separate service provider.

- No cost sharing is available to Third Tier organizations.
- No revenue sharing is available to Third Tier organizations.

In the case where no private or non-profit service provider can or will offer broadband service to unserved or underserved organizations or populations, the SCAN reserves the right to extend broadband access directly as allowable by state law.

General Operations

Member organizations are encouraged to utilize the SCAN Network to collaborate with other member organizations to share services or software, and to offer any such collaboration to all member organizations.

4.A i 2

If the member organizations wish that agreements be developed, software or services researched or developed or administered by SCAN staff, an administrative fee will be required, based on actual usage and cost. If the member organizations wish to support and administer the project, they will do so with their own staff and at no additional payment to the SCAN administration.

Fees paid by SWCCOG members to the on-going SCAN grant administration for organizational participation will be based on the original DoLA grant associated with 75% of the member communities' fiber project total cost

If a community chooses to release funds back to the SWCCOG for other communities or if a community elects to use additional DoLA grant funds, it's administration fee will be adjusted accordingly. Any funds released will be reallocated in accordance with the SWCCOG Reallocation Policy. For funds from the 2010 DoLA grant, communities must agree to utilize funds or request return for reallocation by March 31, 2013.

SCAN Operations

To operate and maintain the SCAN, a system of fees will be negotiated on a bi-yearly basis. This negotiation will take place in September finalized in October in odd number years to reflect the actual cost of operating and maintaining the system.

Fees will be based on:

Ramp Fee (Connectivity Fee)

- Fee covers Network maintenance (staff hours and fiber).
- Ramp Fee is to be paid by all "original SCAN participants", consisting of member organizations or other entities who use(d) the DoLA funds to build or connect to the SCAN.
- Ramp Fees will be paid by any original SCAN participants entity that touches connects to the SCAN Network.
- This fee will be re-evaluated bi-annually to determine what is necessary for maintenance. At such a time that this fee is no longer needed to maintain the system, the fee will be reduced or eliminated.

Internet Bandwidth Usage

- Fee covers cost of Internet & Transport (port fees).
- SCAN General Manager will determine usage fee per term of lease based on real cost.

Internet Admin Fee

- Fee covers cost of routers & equipment.

4.A i 2

- Leased Assets

Revenue from fiber IRU's with vendors. If the member organizations wish that agreements be developed, and services researched or developed or administered by SCAN staff, an administrative fee will be required. Fees paid for SCAN administration will be based on a 5% of revenue, with additional fees negotiated as needed on the bi-yearly fees resolution schedule. ~~based on the original DOLA grant associated with 75% of the member communities' fiber project total cost.~~

E-Tics Software

- Direct payment for service from SWCCOG Members.

Other

- Payment for services from SWCCOG members (such as: credit card payment systems, voice systems, admin costs on joint projects etc.).

Fiber Repair Fund

A fiber repair fund is to be developed utilizing budget funds. This fund shall hold a minimum of 8% of the total operational costs, and not to exceed 16 %. Once the fund is established, the overall cost to members to fund the SCAN will be reduced. This fund is to be used to cover expenses in the case of damage or destruction of the SCAN fiber system, hardware and software. These funds are intended to be used for the immediate repair, and will be replaced as quickly as possible by the member organization utilizing the fund.

- Announcement/Proclamation
- Special Presentation
- Report

- Consent
- Decision

AGENDA SUBMISSION FORM
Southwest Colorado Council of Governments

| | | |
|---|------------------------------|--------------------------|
| Date of Board Meeting: February 1, 2013 | | <input type="checkbox"/> |
| Staff: Susan Hakanson | Presentation Time: 2 minutes | <input type="checkbox"/> |
| Subject: 2013 SWCCOG SCAN Reallocation of SCAN Grant Funds – Policy on Third Reading | Discussion Time: 5 minutes | |
| Reviewed by Attorney? <input type="checkbox"/> Yes Attorney: _____ <input checked="" type="checkbox"/> N/A <input type="checkbox"/> No fiscal impact Committee Approval _____ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A | | |

Background:

As the SCAN grant moves towards completion, and by the nature of the size and scope of the grant, issues have and will continue to arise regarding the reallocation of grant funds. In the event that one or more of the local government partners declines to participate in the project in full or in part, the funds not utilized for that local government's project(s) will need to be reallocated. A policy is not yet in place for how to handle such reallocations. Draft language has been offered for consideration and revision by the Board.

Fiscal Impact:

Recommended Action: Policy reviewed and revised by the Board and passed on third reading with revisions.

Accompanying Documents: Reallocation of SCAN Grant Funds – Policy on third reading.

ADDITIONAL INSTRUCTIONS

None



Reallocation of SCAN Grant Funds – Policy on Third Reading

In the event that one or more of the local government partners declines to participate in the SCAN Grant project in full or in part, the funds not utilized for that local government’s project may be utilized by other member organizations to expand their own community projects. This will require the participating community receiving the reallocated funds to increase their local match accordingly to include the construction match and regional administration match allocated to those funds they will receive. The reallocation of the grant funds will require a recalculation of the administrative match percentage tied to the transferred funds.

Requests to utilize those funds which are to be reallocated will come to the Southwest Colorado Council of Governments (SWCCOG) Telecom Committee for first review, discussion and, in the case of multiple requests, prioritization.

The requests will include a complete history of any grant funds utilized to date, estimates for the proposed project(s) in the request, specific information regarding how the project will benefit the community and / or the SCAN project as a whole, a timeline for completion.

Requests or a prioritized list of requests will be presented to the SWCCOG Board for consideration and approval.

Priorities will be based on: (as determined by the board)

- a. Member organization has met current grant requirements,*
- b. Member organization can meet match requirement,*
- c. Funds will be used to fill in shortfall needed to complete original project scope.*
- d. Project proposed can meet the grant deadline, (Detailed plan and time-line to be submitted)*
- e. Member organization can demonstrate need for additional funds,*



Reallocation of SCAN Grant Funds – Policy on Third Reading

In the event that one or more of the local government partners declines to participate in the SCAN Grant project in full or in part, the funds not utilized for that local government’s project may be utilized by other member organizations to expand their own community projects. This will require the participating community receiving the reallocated funds to increase their local match accordingly to include the construction match and regional administration match allocated to those funds they will receive. The reallocation of the grant funds will require a recalculation of the administrative match percentage tied to the transferred funds.

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- c. Funds will be used to fill in shortfall needed to complete original project scope.*
- d. Project proposed can meet the grant deadline, (Detailed plan and time-line to be submitted)*
- e. Member organization can demonstrate need for additional funds,*



Resolution 13-03

Resolution to Determine SCAN Funding Schedule for 2013-2014

WHEREAS, the Southwest Colorado Council of Governments (SWCCOG)

WHEREAS,

WHEREAS ;

NOW, THEREFORE, BE IT RESOLVED BY the Board of Directors of the SWCCOG, Colorado:

That the SWCCOG's

ADOPTED, this 1th day of February, 2013

Attest: _____

Bryce Capron, Chairman of SWCCOG

TO: SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS BOARD (SWCCOG)
FROM: DR. RICK SMITH
SUBJECT: MONTHLY GM UPDATE
DATE: 1/31/2013

This month was devoted to acquiring quotes for builds and community decisions on the build and the vendor. In addition, I worked with Susan on a proposal to assist Eagle Net with its build in our region.

I. COG

- a. Continuing the building community notebooks for the COG and individual communities that cover the process for each fiber build along with maps check list and any other pertinent information.
- b. Attended a meeting in Denver with Senator Bennet's staff on the Eagle Net project. After a lengthy meeting I texted Susan with a quick update which she reported to the Board.
 - i. We talked at length about the Eagle Net project and the obstacles it has encountered.
 - ii. We talked about the collaborative effort with local providers being absent from the Eagle Net builds. We in the southwest value the efforts of our local providers in bringing broadband to our residents and businesses.
 - iii. We want to ensure both the completion of the Eagle Net fiber build and in collaboration with our local providers.
 - iv. It is then we discussed the option of providing a proposal to ensure a collaborative approach to completing the fiber network in southwest Colorado.
- c. Subsequent to that meeting we have met with Rep Tipton's staff, visited with DoLA staff, CDOT and set-up meetings in Denver to visit with our state legislative team, the Governor's office of IT, CML, DoLA, Eagle Net and CTA.
 - i. CDOT gave us a list of Eagle Net's permit applications within our region. We have the status of each of those permits.
- d. We also have a letter from the US Forest Service asking for comment on Eagle Net's crossing permit in our region staying in the CDOT right-of-way.
 - i. It strikes me with the language that is for educational purposes. This may prohibit open access to local vendors to serve residential and business customers.

We may want to ask for clarifying language be inserted to protect our local vendors once the network is active.

- e. Facilitated a meeting with local providers (USA Communications, Fasttrack Communications and Farmers Telco) to discuss a collaborative approach to helping Eagle Net. A successful meeting and the providers are willing to assist in this effort.
- f. Facilitated the SWCCOG's telecomm sub-committee meeting.
 - i. The Telecomm Committee did review the policies that the Board requested. Susan will present the specific language the telecomm committee recommended.
 - ii. During the lively discussion surrounding Eagle Net it came up that Ed engaged Paul Recanzone to conduct an analysis of Eagle Net.
 - 1. This analysis was not requested by myself or Susan, which is the established process the COG was promised would be followed by the grant fiscal agent, the GM and the Executive Director.
 - 2. Neither Susan nor myself had access to the report prior or during the discussion. It wasn't until Susan requested a copy did we receive the report.
 - 3. I would not recommend payment to Paul from SCAN funds.
 - 4. I find it alarming that an attempt was made to circumvent the COG process to spend grant funds without proper approval from the executive director.

II. Community Updates

a. Mancos -

- i. I will meet the new acting Town Manager to discuss the project and work through any issues prior to the Board meeting.

b. Ignacio -

- i. The school district opted to not utilize the Town assets to connect their new school but rather build their own using their own funds.

c. Pagosa Springs / Archuleta County -

- i. USA Communications is continuing the joint build of fiber in Pagosa Springs between the east side of Pagosa to the intersection of Piedra Rd. and HWY 160.
- ii. USA Communications met with DB Technologies to discuss the fiber splicing areas and the timeline for completing the west side of the USA Communications/Pagosa Springs joint build.
- iii. Visited at length with USA Communications about needing the cost sheets for the joint build. I hope to have those before the meeting.

d. Bayfield -

- i. The construction vendor has completed the river crossing and is moving up towards CR 509.
- ii. Requested Fasttrack complete the IGA review for Bayfield's approval.
- iii. Spoke with the Bayfield Town Manager about signing the contract with DB Technologies to complete their remaining build.
- iv. Spoke with Fasttrack about the possibility of jointly working with Bayfield in the future to build the eastside fiber route. They are open to discussing that later this year.

e. Dolores County / Dove Creek -

- i. Will head up to Dove Creek this next week to visit with the Town about committing to the fiber build over to the Town Hall from the county building.

f. Silverton / San Juan County -

- i. I am presenting to the Silverton Town Board on Tuesday evening the 29th. We will discuss their options with associated costs.
- ii. I have the local excavation company attending the meeting to answer any questions.
- iii. The goal is to select an option, and move into acquiring engineered drawings and contracts.

g. Rico

- i. Susan and I attended the Rico Town Board meeting and spoke about the purpose and the goals of the SCAN project.
- ii. We also attended a meeting with Mike England to go over the maps and possible options for building the Rico fiber network.
- iii. Susan and I will be meeting with Farmers Telco CEO Doug Pace to work on a proposal from Farmers to complete the Rico build.

III. February FOCUS

- a. Get all communities ready for their fiber builds with all necessary documents in the respective binders.
- b. Work on an Eagle Net proposal for Board review and approval.

5.D [DRAFT]

Colorado Association of Regional Organizations (CARO)

Regular Meeting

Minutes

December 13, 2012

10:00 a.m. – 2:00 p.m.

DRCOG Office, Denver, Colorado

HOSTED BY REGION 3

Introduction of members and guests.

CARO Members Present:

Mike Wisdom (via phone) – Region 8

Laura Lewis Marchino – Region 9

Michelle Haynes – Region 10

Paul Gray – Region 10

Scott McInnis – Region 11

Liz Mullen – Region 12

Beth Lenz (for Judy Lohnes) – Region 13

Priscilla Fraser – Region 14

Partners/Guests:

Rachel Lunney – Region 12

Tony Hernandez – DOLA

Charlie Unseld - DOLA

Kari Linker – OEDIT

Robert Whalen – OEDIT

Reed Rowley – OEDIT

Karla Tartz – OEDIT

Mary Probst – Colorado Workforce Development Council

Jamie Spakow – USDA Rural Development

Roll Call and Determination of Quorum.

Quorum achieved – 7 out of 10 members present.

Amendments:

Representatives from OEDIT are present to give an update.

Action on Minutes of August 17, 2012 Meeting

M/S/P Paul Gray, Liz Mullen to approve the minutes from the 8/17/12 CARO meeting.

Reports:

Financial Report – Rachel Lunney reported that from January 1, 2012 through November 30, 2012, expenses have totaled \$6,911.33. There is a balance of \$8,109.92 in the CARO account. M/S/P Pete Fraser, Paul Gray to approve the financials (1/1/12 – 11/30/12).

EDA Grant – CARO has received a grant from the EDA in the amount of \$13,000, being matched by \$13,000 from CARO, for a total project budget of \$26,000. The grant period is 7/1/12 – 6/30/12. The

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first quarterly reimbursement was received in the amount of \$1,971.38. There is a total of \$11,028.62 remaining to be received from the EDA. Expenses incurred include staff time, travel, NADO membership, and meeting expenses. Rachel will submit reimbursement requests to the EDA after each quarter, and then have NWCCOG fiscal office process checks to CARO members to reimburse mileage for the past 2 meetings in 2012 for those members that attended.

2013 Dues

Laura reported that Rachel will send out dues notices in early January 2013 to all CARO members. There will be two new members to CARO: Southwest Colorado Council of Governments (Region 9) and Associated Governments of Northwest Colorado (Region 11). Dues amounts will be the same as they were in 2012: Region 3 (DRCOG) dues is \$2,212.50; Region 4 (PPACG) dues is \$616.50; all other CARO members' dues is \$250.

Retirement of Paul Gray, Region 10 Executive Director

The meeting today is Paul Gray's last meeting, as he is retiring from his position as Executive Director of Region 10. Paul introduced Michelle Haynes, the new Executive Director of Region 10. Michelle was hired as the Area Agency on Aging director six months ago. She will now take on the role of Executive Director. The CARO group thanked Paul for his years of service, and participation in and contribution to CARO.

CARO Member Updates:

Region 12 – Liz Mullen

Liz reported that NWCCOG received a grant from DOLA through the Energy and Mineral Impact Assistance Grant Program for a regional broadband project. NWCCOG will be developing a joint purchasing consortium. NWCCOG received its official designation from the EDA as an Economic Development District at the end of August. NWCCOG has been working with a group of stakeholders from the region on the OEDIT blueprint process, and this group will continue to convene and will serve as the EDD working group to guide NWCCOG through its scope of work for the EDA planning grant.

Region 13 – Beth Lenz (for Judy Lohnes)

Beth reported that UAACOG was awarded a housing rehab contract. They are working on a broadband project. Their self-help housing program is moving into Lake County. They are opening up their Section 8 housing program waiting list. The AAA program is awaiting congress to resolve funding issues that will potentially impact funding for this program. They are waiting to hear on their Head Start Program grant award. The WIC program has a very tight budget, and they may have to reduce program staff hours.

Region 8 – Mike Wisdom

Mike reported that SLVDRG is working on blending their CEDS with the strategic summary work they have been doing with OEDIT. They received a grant from DOLA through the Energy and Mineral Impact Assistance grant program for a brownfields inventory. They are working on a broadband project, and are watching the issues closely as they unfold with EagleNET.

Region 14 – Pete Fraser

Pete reported that SCCOG is working on developing a multi-modal station with Amtrak and an I-25 overpass project. Their home and community based services program faces a real threat in funding due to Medicaid issues/uncertainty with fiscal cliff and sequestration. They too are watching EagleNET and

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how the issues it is dealing with will affect their broadband project. The SET program with USDA RD continues. They are interested in learning more about OEDIT's southern border effort.

Region 10 – Paul Gray / Michelle Haynes

Paul reported that Region 10 received a grant from DOLA through the Energy and Mineral Impact Assistance Fund for a mini-grant program for members. They are working with Kelly Manning at OEDIT on establishing a small business support center – satellite office of SBDC – in their enterprise center. They are working on updating their CEDS. They are working on updating the study of the Three Rivers Regional Transit Coordinating Council. Region 10 has successfully received tax-exempt status for their enterprise center. Michelle Haynes introduced herself as the new Executive Director. She will also continue to serve as AAA director.

Region 11 – Scott McInnis

Scott reported that he is serving as part-time interim Executive Director for AGNC. Membership has been declining, but they are working on revitalizing the organization and increasing membership. They are very involved in minerals and resources in their region, and therefore have been involved politically with these issues. They will be relocating their offices from Rifle to the Parachute Town Hall.

Region 9 – Laura Lewis Marchino

SWCCOG - Laura reported that SWCCOG is still working on a \$3 million regional broadband project with funding from a DOLA grant. They too are watching what happens with EagleNET which has been ordered to cease and desist. They have taken on administration of the all-hazards region.

Region 9 EDD – Laura reported that they have 122 active loans and a \$4 million portfolio making their business loan fund the largest in the state. They have finished community action plans are working on a “state of the county” report for each of their member counties, and have developed a publication which integrates these CDAP's with the Colorado Blueprint. They are working on a statewide geothermal initiative because they have 2 counties in their region with geothermal resources and partnering with another three counties. They have established the Four Corners Film Office, and are working with the State Film Office on developing some opportunities for residual tourism. Laura represented CARO at the recent OEDIT Governor's Forum.

CARO Partner Updates:

DOLA – Tony Hernandez & Charlie Unsel

Tony gave an update on the first round of EIAF grants. They will have three cycles. They are developing a new website, which will have a new tool for capacity building. He distributed a DOLA service directory. Charlie reported on grant awards for the first round of EIAF grants. The following grants were awarded to COG's:

- Region 4 – Forecasting project – work with MPO on Census 2010 data
- Region 8 – Brownfields inventory and economic development mini-grants
- Region 9 – Continuing support for regional broadband project
- Region 10 – Mini-grant program
- Region 11 – Mini-grant program
- Region 12 – Regional Broadband Strategic Planning project
- Region 13 – Waste audits
- Region 14 – SET effort – to support CEDS effort

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USDA RD –Jamie Spakow

Jamie reported that Jim Isgar is taking a disability retirement due to his illness. USDA RD is working on reorganizing over the next 60 days, and will be realigning staff in program areas to streamline the application process. Area directors have picked up specialty areas; Pattie Snidow will now have statewide responsibility for community and economic development. Due to the federal government operating under a continuing resolution, funding for USDA RD will be a half-year worth. They will experience an 8.4% reduction in CDBG funding if the fiscal cliff/sequestration is realized.

OEDIT – Kari Linker

Kari reported that OEDIT is finishing up with their work on developing strategic summary documents for all 14 regions of Colorado. These summaries will be incorporated into the Colorado Blueprint. It is intended that these summaries will have tangible, actionable items for each region to work on.

Colorado Workforce Development Council (CWDC) – Mary Probst

Mary gave a presentation on Sector Partnerships: The Next Generation which covered workforce. This presentation described the integration of education, workforce development, and economic development. This presentation is posted on the CARO webpage.

OEDIT – Karla Tartz

Karla gave an update on the key industry work OEDIT is undertaking. The state has identified 14 key industries that they are collecting data on, and this data work will be delved into at the upcoming sectors summit at the end of January 2013. Karla stated that OEDIT is seeking champions to lead the work for each of the 14 key industries.

Old Business:

EDA Strategic Plan

Laura led the group through a review of the draft strategic plan framework for a CARO 2013 strategic plan. The draft document was developed using the scope of work outlined in the EDA grant. This grant is funding this project. The group made several edits to the draft document. Laura posed the idea to the group that perhaps a DOLA staff member could facilitate the group through a strategic planning session to finalize the document. The idea of having the meeting the DOLA offices in February or March was proposed. The idea of becoming associate members of CML and CCI was discussed; no decisions were made and this will be revisited at the strategic planning session in early 2013. The general consensus was that joining these organizations might not be needed.

Website RFP Selection

Laura reported that an RFP was sent out for a website developer for a stand-alone website. This project is being funded by the EDA planning grant. Four proposals were received, and the top choice of the selection committee is MTECH. M/S/P Paul Gray, Pete Fraser, to enter into a contract with MTECH to develop a CARO website. After discussing several different ideas, the following domain name was chosen for CARO: www.coloradoregions.org. Rachel will begin work with them and follow up at the next meeting.

New Business:

CARO Representative at OEDIT Economic Forum

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Laura reported that she was asked by OEDIT to attend the recent Economic Forum in Denver to represent CARO. The group agreed to reimburse her for her travel through the EDA grant.

Officers for 2013 and alternates

New officers for 2013 will be selected at the first meeting of 2013. Anyone interested in being the Chair/Vice Chair should let Rachel know. Laura would be willing to commit to one more year as Chair.

Legislative agenda items from CARO

The sequestration document put together by DRCOG was distributed. Scott McInnis from Region 11 said that if the group was interested, he could have the Region 11 lobbyists come and speak to the group about the services they offer, if CARO is interested in getting into the legislative arena.

“Pits and Peeves” – this document was developed by DORA and addresses regulatory barriers to doing business in Colorado. The idea of CARO developing a list of “pits and peeves” in our organizations was discussed. The DORA “Pits and Peeves” document is posted on the CARO webpage.

Combined Meetings

The idea of combining CARO meetings with other statewide meetings (i.e. BLF meetings, STAC, C4A) was discussed. This will be further discussed at the strategic planning session early in 2013.

Orientation for new directors

Orientation for new COG Executive Directors, professional development opportunities, CARO staff member networking opportunities, and succession planning for CARO will all be discussed at the strategic planning session in early 2013.

Next Meeting:

The next CARO meeting will be in either February or March 2013. Rachel and Laura will look into having the meeting at DOLA. Part of the next meeting will be a strategic planning session.

Adjourn: The meeting was adjourned at 2:10 p.m.

Save the Date

2013 Executive Director Lunches

Invitations will be e-mailed prior to each lunch and will include additional details and restaurant locations. Please pass this on to other staff members and elected officials from your entity who may be interested in attending. To RSVP, please contact the Membership Services Department at 800.228.7136.

All lunches will begin at 11:30 a.m.

Sterling - Wednesday, March 13

Limon - Tuesday, March 26

Lamar - Wednesday, March 27

Pueblo - Thursday, March 28

Loveland - Thursday, April 4

Monte Vista - Tuesday, April 9

Durango - Wednesday, April 10

Montrose - Thursday, April 11

Winter Park - Tuesday, April 30

Breckenridge - Wednesday, May 1

Glenwood Springs - Thursday, May 2

Greenwood Village - Wednesday, May 8



CIRSA Scholarship Program

2013 Scholarship Program Application

Name:

Title:

Entity:

Email:

Phone:

Address:

1. Please describe the conference or event you wish to attend. Include a copy of the conference program if available.

2. What professional advancement or development do you hope to gain from attending this conference?

3. Please describe your financial needs, limitations or travel restrictions and how the scholarship would assist you in achieving your professional goals.

Signature of Manager/Administrator or Supervisor:

Date: _____