



# SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS

## Regular Meeting Agenda

Thursday, 07 March 2019

1:30 - 4 pm

SWCCOG Offices

295 Girard Street, Durango, CO 81302

- I. Introductions
- II. Update on Private Activity Bond Caps – Jenn Lopez
- III. Consent Agenda
  - a. February 2019 SWCCOG Meeting Minutes
  - b. January 2019 Financials
- IV. Reports (Staff will be available for questions on the written reports)
  - a. Director's Report
  - b. Broadband Report
  - c. Legislative Report
  - d. Transportation Report
  - e. VISTA Report
- V. Discussion Items
- VI. Decision Items
  - a. SWCCOG Meeting Schedule
  - b. USDA Grants
  - c. Enterprise Zone MOU
  - d. CDOT Required ADA Procedures
- VII. Community Updates (if time permits)

# Consent Agenda

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**Southwest Colorado Council of Governments  
February Board Meeting  
Thursday, 7 February, 1:30pm  
295 Girard Street, Durango, CO 81303**

In Attendance:

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

Staff in Attendance:

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

Guests in Attendance:

John Whitney – Senator Bennet's Office  
Mindy Nelson  
Judy Spady

**I. Introductions**

The meeting was called to order at 1:32 pm, everyone introduced themselves.

**II. Consent Agenda**

December 2018 SWCCOG Meeting Minutes

December 2018 Financials

Mark asked if the year-end deficit is reflected in the 2019 budget. Sara replied that it will be and that there have been changes since the budget was approved so she will be working with the auditors to ensure the budget amendment is correct.

**David Black motioned to approve the consent agenda, Ronnie Maez seconded, unanimously approved.**

**Reports**

Director's Report:

Miriam reported that the COG moved offices in January. She has been ill so will be providing a verbal report.

Broadband Report:

Miriam reported that the COG was unsuccessful in receiving FCC funding. Following discussions with the executive committee, the preferred option is to reapply rather than appeal the decision. She is working with Patrick to identify funding for the application process. Karen asked when the application would be submitted. Miriam replied that the FCC would need to review the RFP, sign contracts, then the application could be submitted. David asked if being turned down would impact the likelihood of being successful in the future. Miriam replied that the

one other COG which has received this funding was denied multiple times prior to being approved. Chris asked if there was any feedback. Miriam replied that there was not.

Miriam explained that there are a couple of FCC rulemakings that the COG has been following. The first, related to cable franchise fees, would allow franchisees to reduce fees paid without engaging in negotiations. The second, related to 530/small cell siting, would remove local control, however HR-30 would repeal the rulemaking on 530.

#### Legislative Report:

Miriam reported that this session has been a little different because there is one party control. She described a number of bills the COG is following, such as the plumbing inspections and utility easements for broadband. There was discussion about issues related to broadband at the federal level. There was discussion about the status of broadband locally, such as redundancy and possible connection routes.

#### Transportation Report:

Jessica reported that the TPR met earlier in the day, there was discussion about changing the meeting date.

#### VISTA Report:

Miriam reported that Martina is working on a number of grant applications.

### III. Discussion Items

#### Consideration of Board Code of Ethics Policies:

Karen explained that this item involves policies for situations that the board may need to address in terms of ethics.

**Ronnie Maez motioned to proceed with a vote, Steve Garchar seconded, unanimously approved.**

### IV. Decision Items

#### Appointment of 2019 COG Treasurer:

Karen explained that in December the Board elected Karen as Chair because her term ends next year, and elected Gwen Lachelt as Vice Chair. The decision to elect a Treasurer was tabled. Chris stated that Willy Tookey of San Juan County has volunteered.

**David Black motioned to nominate Willy Tookey as Treasurer, Ronnie Maez seconded, unanimously approved.**

#### Auditor Engagement Letter:

Sara explained that this letter is notification that Haynie and Company will do the audit and states their fee.

**Ronnie Maez motioned to contract with Haynie and Company to perform the 2018 audit, David Black seconded, unanimously approved.**

#### FCC Rulemaking: Cable Franchise Fees Letter to Federal Delegation:

Miriam explained that these are related to the cable proceeding and 5G issues discussed during the broadband report.

**David Black motioned to send a letter in support of H.R. 530 and a letter opposing the FCC's cable franchise proceeding, Ronnie Maez seconded, unanimously approved.**

#### Letter of Support: HR530 Repeal FCC 5G Rulemaking:

Approved with prior item.

Letter of Opposition: HB19-1086 Plumbing Inspections:

Miriam explained that the letter was already sent at the direction of the executive committee due to the timing of hearings. She explained that this bill would require all plumbing inspectors to be journeymen or higher certified.

**David Black motioned to ratify the letter to oppose HB19-1086, Ronnie Maez seconded, unanimously approved.**

REDI Grant Application:

Miriam explained that there are two REDI grant applications. This application would either be to support FCC funding or to apply on behalf of the communities to avoid competing against one another. Ronnie asked if a joint application would hinder the likelihood of success. Miriam replied that as long as the projects are similar this shouldn't be an issue. Karen asked if there has been any feedback. Miriam replied that she has heard from Silverton and Pagosa Springs. Ronnie asked if there is a match. Miriam replied that there is no match required, but it would be preferred. She added that DOLA is moving away from accepting in-kind match.

**Ronnie Maez motioned to apply for the Colorado DOLA Rural Economic Development Initiative (REDI) grant, David Black seconded, unanimously approved.** Miriam will report in March what the application included.

RREO Grant Application:

Miriam reported that the COG has previously applied for this funding, this will be match for the DOLA grant for hard to recycle materials. David mentioned that there are vendors available who collect tires. There was discussion about the difficulties recycling materials such as tires and glass. Mindy asked if La Plata County has a glass crusher. Miriam replied that Durango previously had one that has been sold. Steve asked about buying a mobile unit. Miriam replied that the RREO will not fund mobile units due to concerns about ownership as well as the disappearance of a piece of mobile equipment several years ago.

**Steve Garchar motioned to apply for the Colorado Department of Public Health and Environment's RREO grant, Andrea Phillips seconded, unanimously approved.**

Robert Wood Johnson Foundation Grant Application:

Miriam described the proposed project for this grant. Ronnie asked if there are estimates about water availability for future development. Miriam replied that exploring this would be part of the project.

**David Black motioned to apply for the Health and Climate Solutions Grant through the Robert Wood Johnson Foundation, Ronnie Maez seconded, unanimously approved.**

REDI Grant Broadband Funding:

Karen explained this is the second REDI grant discussed. Miriam added that this is outside the regular cycle. Andrea asked about the timeframe to apply for funding. Miriam explained that the COG was unable to apply for EIAF funds without FCC funding as match, the REDI funding is available outside the regular cycle so would be available immediately. Andrea asked about the amount to be requested. Miriam replied this request would be for \$18,000.

**Andrea Phillips motioned to apply for broadband funding via the REDI program, Mark Garcia seconded, unanimously approved.**

There was discussion about the difficulty and cost associated with applying for the FCC broadband funding.

## **V. Community Updates**

David Black, Town of Bayfield:

- Working on the new intersection

Ronnie Maez, Archuleta County:

- The jail ballot question failed, they have begun the process for a COP (Certificate of Participation), which will represent a 15-20 year debt service
- Finalizing hiring a county manager

Steve Garchar, Dolores County:

- Issues with seasonal roads, there is demand for them to be opened earlier, but the county can't afford to do so
- Increased oil, gas and CO2 extraction
- The county is opposing the BLM use of instream flows

Andrea Phillips, Town of Pagosa Springs:

- Working to identify funding for a consolidated maintenance facility

Mark Garcia, Town of Ignacio:

- Finishing an irrigation project
- Working with the Tribe on jurisdiction, water, wastewater, and utility rates

Gwen Lachelt, La Plata County:

- Working to hire a county manager
- Received funding for flooding mitigation near Hermosa
- Received funding for a weather radar

John Whitney:

Congress is working to finalize a budget, he described a number of items yet to be resolved. He described a proposed program to work with the forest service to use unneeded parcels to build housing. He reported that Senator Bennet introduced legislation to designate certain areas in the San Juan Mountains as protected wilderness. There was discussion about funding for broadband.

Karen Sheek, City of Cortez:

- Working on submitting a water conservation plan to the state
- Working on an economic incentive program for entry level housing

Chris mentioned that the TPR is scheduled on the same day as the COG meetings to reduce travel time for participants, and there was discussion about changing the meeting schedule. The discussion on this issue will resume at the next meeting.

Adjourned at 3:18 p.m.

# January 2019 Financials

To: SWCCOG Board of Directors  
From: Sara Trujillo  
Date: 7 March 2019

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Comments: The following attachments include:

- Balance Sheet as of January 31, 2019
- January 1 - 31, 2019 Profit & Loss

Items to Note:

*Balance Sheet:* The prepaid expense is for the Zoom software as the contract goes to 2020.

Large amounts on both Miriam and Sara's credit cards due to travel reimbursed by TPR and All-Hazards grant purchases reimbursed by that grant.

*P&L vs Budget:* Almost all members have paid 2019 dues. The exceptions have had staff changes slowing the processing of payment.

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

***Staff Recommendation: Approve the January 2019 Financials allowing staff to move forward with the 2019 budget.***

***Legal Review: Not Applicable***

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## Southwest Colorado Council of Governments

## Balance Sheet

03/04/19

As of January 31, 2019

Accrual Basis

	<u>Jan 31, 19</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
Alpine Bank	
Alpine Bank Account (UR)	93,110.96
Total Alpine Bank	93,110.96
<b>Petty Cash</b>	
AmeriCorps VISTA	217.15
Petty Cash - Other	22.97
Total Petty Cash	240.12
Total Checking/Savings	93,351.08
<b>Accounts Receivable</b>	
Accounts Receivable	60,928.86
Total Accounts Receivable	60,928.86
<b>Other Current Assets</b>	
Prepaid Expense	1,999.00
Total Other Current Assets	1,999.00
Total Current Assets	156,278.94
<b>TOTAL ASSETS</b>	<b>156,278.94</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
Accounts Payable	
Accounts Payable	3,072.39
Total Accounts Payable	3,072.39
<b>Credit Cards</b>	
Credit Cards	
Miriam	4,584.77
Sara	1,500.42
Total Credit Cards	6,085.19
Total Credit Cards	6,085.19
<b>Other Current Liabilities</b>	
Accrued Wages	12,848.07
<b>Payroll Liabilities</b>	
457 Retirement Due	-940.13
CEBT Health Insurance Due	352.50
Total Payroll Liabilities	-587.63
Total Other Current Liabilities	12,260.44
Total Current Liabilities	21,418.02
Total Liabilities	21,418.02
<b>Equity</b>	
Retained Earnings	33,457.61
Net Income	101,403.31
Total Equity	134,860.92
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>156,278.94</b>

## Southwest Colorado Council of Governments

## Profit &amp; Loss

03/04/19

January 2019

Accrual Basis

	Jan 19
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
<b>CDOT Grants</b>	
SWTPR Grant	0.00
Transit 5304	0.00
<b>Total CDOT Grants</b>	0.00
<b>DoLA Grants</b>	
DoLA 8330	0.00
DoLA 8573	0.00
<b>Total DoLA Grants</b>	0.00
<b>Dues Revenue</b>	
COG Dues	115,672.00
SWTPR Contributions	5,926.00
<b>Total Dues Revenue</b>	121,598.00
<b>Forethought Grant Match</b>	3,690.00
COG Member Match	14,317.00
<b>Total Grant Match</b>	14,317.00
<b>RHA</b>	5,000.00
<b>SCAN Services</b>	
Dark Fiber Leasing	8,208.00
Internet & Transport	2,010.00
<b>Total SCAN Services</b>	10,218.00
<b>Total Income</b>	154,823.00
<b>Gross Profit</b>	154,823.00
<b>Expense</b>	
<b>All Hazards Projects</b>	
All Hazards 2017 SHSP	
Grant 2017 Project 1	455.00
Grant 2017 Project 4	12,732.18
<b>Total All Hazards 2017 SHSP</b>	13,187.18
<b>Total All Hazards Projects</b>	13,187.18
<b>Conference Fee</b>	527.70
<b>Forethought Information Technology (IT)</b>	2,000.00
Software	4,003.00
<b>Total Information Technology (IT)</b>	4,003.00
<b>Insurance Expense</b>	
General Liability	3,295.23
Health	2,329.00
<b>Total Insurance Expense</b>	5,624.23
<b>Internet Connectivity</b>	
Fast Track	900.00
Internet Connection (AT&T)	68.08
<b>Total Internet Connectivity</b>	968.08
<b>Memberships</b>	4,600.00
<b>Office Equipment</b>	200.00
<b>Office Supplies</b>	49.97
<b>Postage and Delivery</b>	20.71

## Southwest Colorado Council of Governments

## Profit &amp; Loss

03/04/19

January 2019

Accrual Basis

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	<u>Jan 19</u>
Professional Fees	
Legal	57.60
<b>Total Professional Fees</b>	<b>57.60</b>
Salary and Wages	
457 Retirement	664.53
Car Allowance	300.00
Cell Phone Allowance	150.00
Payroll Processing Fee	258.72
Payroll Tax	1,281.62
Salary and Wages - Other	15,322.95
<b>Total Salary and Wages</b>	<b>17,977.82</b>
SWIMT 2018-2019	2,228.94
Travel	1,974.46
<b>Total Expense</b>	<b>53,419.69</b>
<b>Net Ordinary Income</b>	<b>101,403.31</b>
<b>Net Income</b>	<b>101,403.31</b>

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# Reports

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# Director Report

To: SWCCOG Board of Directors  
From: Miriam Gillow-Wiles  
Date: 1 March 2019

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Comments: February is always a short month, especially with work travel and some lingering illness. We've been busy writing grants and finishing organizing the new offices.

## **SWCCOG Strategic Planning**

SWCCOG is working with DOLA to get funding in the 2018 Technical Assistance grant earmarked for the SWCCOG-Region 9 Collaboration project moved into strategic planning. Karen and Paul have already talked at length with the Executive Committee. We are waiting from DOLA to find out if we are able to move forward with this. With the original budget, the SWCCOG has enough funding for the requested fees for strategic planning including any additional legal or other costs related to the Region 9 – SWCCOG Planning contractor, Place Dynamics.

## **SWCCOG DOLA 2019 Technical Assistance Grant**

The SWCCOG was awarded \$50,000 for CDL program development and hard to recycle items. Staff reviewed the contract, made some changes to the budget as DOLA had developed it in the grant, and are still awaiting a contract.

## **Grants**

We have been busy writing and submitting grants. We submitted an application for spare REDI funding from DOLA for \$18,000. Also in Feb, we submitted a request to CDPHE RREO for a glass reuse study for \$42,000, this was matched with \$30,000 in DOLA 2019 Technical Assistance funding. We are also applying for 2019 REDI Funds for Broadband engineering between Durango and Pagosa Springs, we are working with CDOT ITS for potential match as it would help reduce their costs and create shovel ready projects. We will also discuss applying for USDA funding later on in the Board packet. We are very focused on obtaining additional grant funding in 2019.

## **NARC Conference on Transportation**

This was a very successful conference, meeting with a wide variety of folks in DC, from the US Chamber of Commerce, NACo, NLC, and our federal delegation. Both Senator's offices are very supportive of our work on Broadband. Senator Bennet's office uses the SWCCOG (among others) as a resource for on the ground realities of broadband deployment. Senator Gardner's office takes our letters regarding federal matters into consideration when making decisions – for example the STREAMLINE Act (broadband legislation in August that would have been damaging to local governments), Senator Gardner did not support that legislation due to our letter of opposition.

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# Broadband Report

To: SWCCOG Board of Directors  
From: Miriam Gillow-Wiles  
Date: 1 March 2019

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Comments Staff will provide an oral update on Broadband funding, USAC Funding, and FCC rule making due to illness.

## **USAC Rural Healthcare Update**

As discussed previously, we are reapplying for funding from the FCC USAC Rural Healthcare fund for the following routes: Dove Creek – Cortez, Cortez to Telluride, Cortez – Durango, and Durango – Cascade Village. All documents are into the FCC and we are awaiting approval of the docs. Once they are approved the following timeline will take place.

- RFP Documents are posted to FCC website for 28 days (also posted to BidNet and COG website)
- Staff and Consultants review applications
- SWCCOG selects lowest qualified bidder and enters into contract (may be one or more vendors), only to be executed upon successful funding – this may be a special meeting depending on when the RFPs are approved.
- All docs are sent to FCC as part of the funding request.
- We all cross our fingers and say a good word in hopes of being successful this time around!

## **Easement Legislation**

Senator Kerry Donovan has introduced SB 19-107, a piece of legislation to allow existing fiber in a utility easement (think fiber that LPEA or Empire Electric owns) to be used for commercial use, rather than only for the utility use. This has been passed in several midwestern states over the last few years, we are hopeful this is the case right now. However, there are a few challenges with the legislation, as it didn't go through the normal process of writing and editing prior to introduction, As a result the legislation is going through several rounds of edits after introduction. I will send out the legislation for review and ask for a stance/letter when it is in a more polished format.

## **USDA Funding**

The USDA just released an “e-Connectivity Toolkit” to help navigate the various funding programs for broadband development across all the USDA programs. Staff has narrowed down some of the various programs to discuss with local USDA folks, and then, with Board approval, apply to. Link to document: [https://www.rd.usda.gov/files/508\\_RDeConnectivityToolkit121918.pdf](https://www.rd.usda.gov/files/508_RDeConnectivityToolkit121918.pdf)

# Broadband Report

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## **FCC 5G Ruling**

As previously discussed all the various lawsuits from local governments, organizations representing local governments, and other groups has been consolidated to the 9<sup>th</sup> Circuit Court (see December 2018 Broadband Memo). We are in a holding pattern while the Court and legal representation go through the machinations before any public court proceedings take place. However, IF your organization has had any adverse reactions from the wireless industry due to the conflicts arising from the 5G rulemaking, please let me know and we will work with Ken Fellman on this issue (however this is probably quite unlikely in SWCO).

In mid-February, the SWCCOG sent a letter regarding HR530 sponsored by Representative Eshoo from California. This bill would repeal the entirety of the 5G rulemaking. CCUA has also sent a resolution to support HR530 and urge our Representatives to support the legislation. As well as work on introducing a similar piece of legislation in the Senate. As I was in DC at the time the letter was sent out, I had the opportunity to talk with the Federal Delegation about the impacts of the 5G ruling and the impact on local control in our communities and counties.

# Legislative Update

To: SWCCOG Board of Directors

From: Jessica Laitsch

Date: 28 February, 2019

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Comments: Attached is a summary of bills that have been introduced in the Colorado General Assembly.

2019 SWCCOG Legislative Tracker

Bill Number	Subject	Bill Title	Sponsors	Comments	SWCCOG Position	Who else Supports/Oppose/Monitor	Status	Link
HB19-1037	Creation of Bonds backed by EIAF money for Closing Powerplants	Colorado Energy Impact Assistance Act	C. Hansen	Seems specific to NWCO, and not beneficial to state overall		Club 20 - Oppose	March 4, House Floor	<a href="https://leg.colorado.gov/bills/hb19-1037">https://leg.colorado.gov/bills/hb19-1037</a>
SB19-020	Concerning development of a system to patrol the airspace above wildland fires.	Wildland Fire Airspace Patrol System	Coram, McLachlan, R Fields			Club20 - Support CML - Support Club 20 - Support	Senate Appropriations	<a href="https://leg.colorado.gov/bills/sb19-020">https://leg.colorado.gov/bills/sb19-020</a>
SB19-036	Gallagher Amendment Program to remind criminal defendants to appear in court as scheduled	State Court Administrator Reminder Program	Lee, Cooke, Benevides, Carver	Reduce costs for jailing defendants in county facilities		CCI - Support	Senate Appropriations	<a href="https://leg.colorado.gov/bills/sb19-036">https://leg.colorado.gov/bills/sb19-036</a>
SB19-027	Allow Counties to cremate unclaimed bodies	County Authority Unclaimed Body Final Disposition	Crowder, Valdez	Reduce costs for counties, as this is an unfunded mandate		CCI - Support	House Judiciary, Passed Senate	<a href="https://leg.colorado.gov/bills/sb19-027">https://leg.colorado.gov/bills/sb19-027</a>
SB19-051	Concerning the dedication of additional general fund money to fund transportation needs	Increase General Fund Funding For Transportation	Scott, Cooke	Increase transfers required by SB18-001 to the state highway fund and HUTF, multimodal fund transfer remains unchanged		Club 20 - Support CCI - Support CML - Support	Introduced	<a href="http://leg.colorado.gov/bills/sb19-051">http://leg.colorado.gov/bills/sb19-051</a>
SB19-012	Prohibiting the use of mobile electronic devices for drivers of all ages with the exception of while using hands-free accessory	Use Of Mobile Electronic Devices While Driving	Court, Melton	Substantially similar bill introduced and failed in 2018		CML - Support	March 8, Senate Appropriations	<a href="http://leg.colorado.gov/bills/sb19-012">http://leg.colorado.gov/bills/sb19-012</a>
SB19-019	Concerning the power of a county to restrict the use of fireworks during the period between May 31 and July 5 of any year.	County Fireworks Restrictions July 4th	Fields, Gray	Appears to allow counties to have a fireworks ban ordinance in effect between the dates May 31-July 5 if specified by resolution		CCI - Support	March 4, House Floor, Passed Senate Amended	<a href="http://leg.colorado.gov/bills/sb19-019">http://leg.colorado.gov/bills/sb19-019</a>

2019 SWCCOG Legislative Tracker

Bill Number	Subject	Bill Title	Sponsors	Comments	SWCCOG Position	Who else Supports/Oppose/Monitor	Status	Link
SB19-078	Disqualifying an internet service provider from receiving high cost support mechanism money or other money received to finance broadband deployment if the internet service provider engages in certain practices that interfere with the open internet	Open Internet Customer Protections In Colorado	Donovan, Hansen, Herod				Senate State, Veterans, & Military Affairs Refer Amended to Senate Committee of the Whole	<a href="http://leg.colorado.gov/bills/sb19-078">http://leg.colorado.gov/bills/sb19-078</a>
2019-03-05 HB 19-1086	Requires plumbing inspectors employed by an incorporated town or city, county, or city and county to possess the same qualifications required of state plumbing inspectors.	Plumbing Inspections Ensure Compliance	Duran	Unfunded mandate, sponsor has indicated intent to amend bill to remove the section that requires journeyman/master plumbing inspectors	Oppose, Letter on 29 Jan	CML - Oppose CCI - Oppose unless amended	March 6, House Business Affairs and Labor	<a href="http://leg.colorado.gov/bills/hb19-1086">http://leg.colorado.gov/bills/hb19-1086</a>
SB19-107	Authorizes an electricity supplier to install and maintain above-ground broadband internet service infrastructure	Broadband Infrastructure Installation	Donovan			CCI - Support	Senate Business, Labor, & Technology and Senate Local Government	<a href="http://leg.colorado.gov/bills/sb19-107">http://leg.colorado.gov/bills/sb19-107</a>

2019 SWCCOG Legislative Tracker

Bill Number	Subject	Bill Title	Sponsors	Comments	SWCCOG Position	Who else Supports/Oppose/Monitor	Status	Link
HB19-1157	Modification of specific ownership tax rates, and requiring additional SOT revenue generated to be credited to the highway users tax fund and allocated to the state highway fund, counties, and municipalities in accordance with an existing statutory formula.	Modify Specific Ownership Tax Rates	Liston			CML - Oppose CCI - Oppose Club 20 - Oppose	House Transportation and Local Government, House Finance	<a href="http://leg.colorado.gov/bills/hb19-1157">http://leg.colorado.gov/bills/hb19-1157</a>
SB19-181	Concerning additional public welfare protections regarding the conduct of oil and gas operations.	Protect Public Welfare Oil And Gas Operations	Fenberg, Becker			Club 20 - Oppose CML - Support	March 5, Senate Transportation and Energy	<a href="http://leg.colorado.gov/bills/sb19-181">http://leg.colorado.gov/bills/sb19-181</a>
SB19-038	Exception for agricultural commodity vehicles at port of entry	Agricultural Trailers Port Of Entry Clearance	Sonnenberg, Pelton	Potential disease and contamination issues?			Postpone Indefinitely	<a href="https://leg.colorado.gov/bills/sb19-038">https://leg.colorado.gov/bills/sb19-038</a>
HB19-1057	Concerning the publication of fiscal information by a county.	Publish County Financial Reports Online Annually	Ron Pelton			CCI - Support	Postpone Indefinitely	<a href="https://leg.colorado.gov/bills/hb19-1057">https://leg.colorado.gov/bills/hb19-1057</a>

Bill Number	Subject	Bill Title	Sponsors	Comments	SWCCOG Position	Who else Supports/Oppose/Monitor	Status	Link
2019-03-05 SB19-037	Measures to mitigate wildfires: permitting county personnel to enter land owned by the federal or state government to remove wildfire fuel sources and appropriating money for the use of the forest restoration and wildfire risk mitigation grant program.	Wildfire Mitigation	Woodward	From CCI: "Commissioners expressed concerns about the constitutionality of allowing counties to do fuels reduction projects on federal lands. These activities are governed by federal laws and regulations and many communities have developed partnership agreements with their federal land neighbors to collaborate on mitigation projects...will visit with the sponsor about removing the provision that grants counties authority to remove wildfire fuel materials on public lands."		CCI - Support with amendments	Postpone Indefinitely	<a href="http://leg.colorado.gov/bills/sb19-037">http://leg.colorado.gov/bills/sb19-037</a>
HB19-1018	Concerning the elimination of a local government's authority to opt out of the "Unclaimed Property Act".	End Local Government Opt Out Of Unclaimed Property Act	Bockenfeld			CML - Oppose	Postpone Indefinitely	<a href="http://leg.colorado.gov/bills/hb19-1018">http://leg.colorado.gov/bills/hb19-1018</a>

2019 SWCCOG Legislative Tracker

Bill Number	Subject	Bill Title	Sponsors	Comments	SWCCOG Position	Who else Supports/Oppose/Monitor	Status	Link
HB19-1096	Creates "Colorado Right to Rest Act", which establishes basic rights for people experiencing homelessness, including the right to rest in public spaces, to shelter themselves from the elements, to eat or accept food in any public space where food is not prohibited, and to occupy a legally parked vehicle	Colorado Right To Rest	Melton			CML - Oppose	Postpone Indefinitely	<a href="http://leg.colorado.gov/bills/hb19-1096">http://leg.colorado.gov/bills/hb19-1096</a>

# Transportation Report

To: SWCCOG Board of Directors  
From: Jessica Laitsch  
Date: 28 February, 2019

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Comments: Transportation:

The last SWTPR meeting was held on 7 February, 2019. The topics included:

- A presentation regarding the Bustang Outrider service
- An update regarding the upcoming transportation improvement plan
- Updates regarding potential future funding
- A discussion regarding changing the meeting schedule to the second Thursday of the month

The next SWTPR meeting will be held in April at 295 Girard Street, Durango.

Transit:

5304 Four Corners Coordinated Transit Plan - The consultant team is finalizing the completed plan. The final recommendations will be presented in the first quarter of 2019.

NADO Technical Assistance Cortez/Durango fixed route bus – The consultant has delivered a final report.

The next Transit Council meeting will be held at 9:00 a.m. Friday, 15 March, 2019 at 295 Girard Street, Durango.

# VISTA's Report

To: SWCCOG Board of Directors  
From: Martina Pansze  
Date: 1 March 2019

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Comments: This month I worked on writing and editing two grants: the Recycling Resources Economic Opportunity grant and the Robert Wood Johnson Foundation grant. Both requested funding for regional studies.

The Robert Wood Johnson Foundation grant project regarded water access in rural Colorado. The proposed project involved evaluating shortage and lack of access to potable water due to the desertification and inadequate infrastructure in the region, focusing specifically on rural, low-income housing units. The request was for \$196,604.

The RREO proposal was to fund a study for glass reuse and recycling solutions in the region. The majority of funds would go towards consulting. In this proposal the COG asked for \$42,595, matched with \$30,000 of DOLA funds.

# Discussion Items

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# Decision Items

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# 2019 Board Meeting Schedule

To: SWCCOG Board of Directors  
From: Miriam Gillow-Wiles  
Date: 28 February 2019

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**Comments:** Historically, the Southwest Transportation Planning Region (SWTPR) and Southwest Colorado Council of Governments (SWCCOG) meetings have been held on the same day to reduce travel for individuals who participate in both meetings. The SWTPR schedule currently conflicts with the meetings of another regional TPR, limiting the availability of CDOT staff to attend these meetings. At the last SWTPR meeting there was discussion about changing the meeting schedule to resolve this conflict. There was a poll sent out to the SWTPR and SWCCOG membership requesting feedback on the preferred meeting schedule moving forward. There was a clear consensus among the SWTPR membership to move the SWTPR meetings to the second Thursday of the month. There was mixed feedback from the SWCCOG membership about whether to leave the SWCCOG meetings on the first Thursday of the month or to switch to the second Thursday of the month. The meeting room at 295 Girard Street is available to accommodate the schedule on either day. The current meeting schedule is as follows:

Thursday, March 7  
Thursday, April 4  
Thursday, May 2  
Thursday, June 20 (combined June and July meeting)  
Thursday, August 1  
Thursday, September 5  
Thursday, October 24 (combined October and November meeting)  
Thursday, December 5

**Legal Opinion:** Not Applicable

**Fiscal Impact:** None

**Staff Recommendation:** Approve a schedule for SWCCOG Board Meetings in 2019 from the following options:

- 1) Meetings to be held on the first Thursday of each month, schedule remains as approved in December, 2018
- 2) Meetings to be held on the second Thursday of each month, the combined meeting dates in June and October remain as previously approved
- 3) Meetings to be held on the second Thursday of each month, the combined meeting dates in June and October to be revisited

# USDA Grant Funding

To: SWCCOG Board of Directors  
From: Miriam Gillow-Wiles  
Date: 1 March 2019

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Comments: In an effort to push the ball forward on both middle mile infrastructure development and other SWCCOG goals/projects/programs we are looking at additional funding, specifically through the USDA, as they have significant amounts of funding for broadband through a number of programs. This memo lays out some of the options available at USDA that would be a good fit for the SWCCOG and regional plans such as the CDAP, CEDS, Regional Broadband Plan, and such. Attached are the

## Broadband

USDA has a wide variety of programs that support broadband and broadband use across a number of programs.

- *ReConnect* – special funding in the 2018 spending bill for 600 Million for rural broadband development.
- *Distance Learning and Telemedicine Grants* – 15% Match, Due April 15<sup>th</sup> or May 15<sup>th</sup> (depending on if addressing opioid use or not). Awards between \$50,000 - \$500,000
- *Community Connect* – for rural areas that do not have 10/1Mbps service, 15% match required, can be used for infrastructure development

## Economic Development Related to Broadband

- *Strategic Economic and Community Development* - funding through four different programs supported by the Farm Bill. Would take the local CEDS and apply for funding in overlapping areas. Specifically work force development in regards to broadband development
  - *Rural Business Development Grants (RBDG)* – this allows for “Technology-based economic development” as well as “Rural transportation improvement” both of which are not only useful, but also vital to the development of the region.
  - *Rural Economic Development Innovation Initiative (REDI)* – This is a special initiative through NARC and NACo, to develop a peer-learning program to teach regional leaders in rural areas to implement regional economic development plans through technical assistance. One notable aspect is the development of existing assets to market and create demand – such as local food or other agricultural aspects. Applications are due April 5<sup>th</sup>.
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# USDA Grant Funding

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Other USDA Grants

- *Solid Waste Management Grants* – provides assistance for planning and management of solid waste, even waste reduction initiatives. These are due in October, and while that is a ways away, we should start planning now for funding.

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

**Fiscal Impact:** To be determined based on projects that are included

**Staff Recommendation:** Allow staff to pursue USDA grants to support regional efforts, with reporting at the April 2019 meeting about what programs are reasonable to apply for, and funding request expected.

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# ReConnect Program

## What does this program do?

The ReConnect Program is an innovative new pilot program that offers unique federal financing and funding options in the form of loans, grants, and loan/grant combinations to facilitate broadband deployment in areas of rural America that don't currently have sufficient access to broadband. This pilot program will generate private sector investment to deploy broadband infrastructure to provide high-speed internet e-Connectivity to as many rural premises as possible, including homes, community facilities for healthcare and public safety, schools, libraries, farms, ranches, factories, and other production sites.

## Who may apply for this program?

Eligible applicants must be able to supply retail broadband to customers. Applicant types include:

- Cooperatives, non-profits, or mutual associations
- For-profit corporations or limited liability companies
- States, local governments, or any agency, subdivision, instrumentality, or political subdivision thereof
- A territory or possession of the U.S.
- An Indian tribe (as defined in [section 4 of the Indian Self-Determination and Education Assistance Act](#) (25 U.S.C. § 450b))

## What is an eligible area?

For a geographic area to be eligible to receive Federal funds from this pilot program, it must meet two criteria: (1) it must be rural and (2) most households must currently have insufficient internet service.

- WHAT IS CONSIDERED "RURAL"?
  - Service areas shall not be located in a city, town or incorporate area that has a population greater than 20,000 or an urbanized area adjacent to a city or town with a population greater than 50,000 people
  - Eligible areas must be completely contained within a rural area or composed of multiple rural areas. Visit the mapping tool at [reconnect.usda.gov](https://reconnect.usda.gov) for additional eligibility information.
- WHAT IS "CURRENTLY INSUFFICIENT SERVICE"?
  - At least 90 percent of households in the proposed area must not have sufficient access to broadband service
  - For this program, sufficient access is defined as fixed terrestrial broadband service at 10 Mbps (megabits per second) downstream and 1 Mbps upstream
  - No part of the proposed area may overlap with the service area of a company that has received a broadband loan from the Rural Utilities Service (RUS) as defined in this Funding Opportunity Announcement (FOA).

## How may funds be used?

This program provides funding for:

- The construction, improvement, and acquisition of facilities required to provide service at a minimum of 25 Mbps downstream and 3 Mbps upstream
- An acquisition of an existing system not currently providing sufficient access to broadband, under certain circumstances and with restrictions
- Some pre-application expenses may also be eligible for reimbursement

## How do we apply?

The online application portal is not yet open, but basic information may be viewed at [reconnect.usda.gov](https://reconnect.usda.gov). Detailed application guidelines are available at this site, and USDA will publish a notice in late February with more information about the online application portal's opening date

## Where can we find technical assistance?

USDA and its partners will hold technical assistance webinars that will be recorded and available for viewing on demand after their initial broadcast. Six regional in-person workshops will also be held across the country. Webinar and workshop dates and times, and additional technical assistance is available through [reconnect.usda.gov](https://reconnect.usda.gov). [Rural Development's General Field Representatives](#) and [State Directors](#) can also assist with general questions.

# ReConnect Program

## What kind of funding is available?

The type and amount of award will depend on the type of financing or funding that best fits the applicant's business model, service area, and financial plan. An applicant may submit only one application, for one of the following three options:

Type of Funding Available	Total Funding Available for the Funding Type/ Maximum Award	How USDA Will Select Projects	Application Deadline
Rural Broadband Grant, with applicant supplying a cash contribution equal to 25% of project cost	Total of \$200 million in federal funds available/\$25 million maximum award per project	Competitive review based on criteria, such as the number of rural premises connected by the project and service speed that will be provided, for areas where 100% of households do not have sufficient access to broadband	April 29, 2019
Grant + Loan Combo (50% of award as a grant/50% of award as a loan at Treasury rate of approximately 3.875%)	Total of \$200 million in federal funds available/\$50 million maximum award per project	Competitive review based on criteria, such as the number of rural premises connected by the project and service speed that will be provided, for areas where at least 90% of households do not have sufficient access to broadband	May 29, 2019
Low Interest Rural Broadband Loan (fixed at 2%)	Total of \$200 million in federal funds available/\$50 million maximum award per project	Funds to be awarded on a "first-come-first-served" basis while available for areas where at least 90% of households do not have sufficient access to broadband	June 28, 2019

## Why does USDA Rural Development do this?

On March 23, 2018, Congress passed the Consolidated Appropriations Act, 2018 which provided \$600 million in Federal funds for a pilot program for rural broadband loans and grants. This appropriation created the Rural eConnectivity Pilot Program (ReConnect Program) to build infrastructure for essential internet e-Connectivity services to rural areas without sufficient access to broadband, defined by the new law as 10 Mbps (megabits per second) downstream and 1 Mbps upstream.

<http://reconnect.usda.gov>

<http://www.usda.gov/broadband>

NOTE: Because citations and other information may be subject to change please always consult the program instructions listed in the Federal Record. You may also contact your [General Field Representative](#) for assistance. You will find additional forms, resources, and program information at [reconnect.usda.gov](http://reconnect.usda.gov). *USDA is an equal opportunity provider, employer, and lender.*



# Distance Learning & Telemedicine Grants

## What does this program do?

This grant program helps rural communities acquire the technology and training necessary to connect educational and medical professionals with the teachers and medical providers who serve rural residents at the local level.

## Who may apply for this program?

Eligible applicants, which are providing education or healthcare services through telecommunication facilities, include:

- State and local governmental entities
- Nonprofit organizations
- Consortia of eligible entities
- Federally recognized Tribes
- For-profit businesses

### What is an eligible area?

The intent of the DLT program is to benefit rural areas with populations of 20,000 or less.

### How may funds be used?

Grant funds may be used for:

- Audio, video and interactive video equipment
- Broadband facilities that support distant learning or telemedicine
- Computer hardware, network components and software
- Acquisition of instructional programming
- Acquisition of technical assistance and instruction for using eligible equipment

### What kinds of funding are available?

Grant funds are awarded through a nationally competitive process. Funding is not currently available for DLT loans or loan / grant combinations.

### What are some grant requirements?

- Awards can range from \$50,000 to \$500,000
- A minimum 15 percent match is required and cannot be from another federal source.

### How do we get started?

- Application windows for this program are announced through the national office on a periodic basis.
- Program Resources are available online at [www.rd.usda.gov](http://www.rd.usda.gov) (includes forms, guidance, certifications, etc.)

### Who can answer questions?

Contact a General Field Representative that serves your area, call (202) 720-0800 or email [dlinfo@wdc.usda.gov](mailto:dlinfo@wdc.usda.gov).

### What governs this program?

- Code of Federal Regulation: 7 CFR Part 1734

### Why does USDA Rural Development do this?

The DLT program helps rural residents tap into the enormous potential of modern telecommunications and the Internet for education and healthcare, two of the keys to economic and community development.

NOTE: Because citations and other information may be subject to change please always consult the program instructions listed in the section above titled "What Governs this Program?" You may also contact your **General Field Representative** for assistance. You will find additional forms, resources, and program information at [www.rd.usda.gov](http://www.rd.usda.gov). *USDA is an equal opportunity provider, employer, and lender.*



# Community Connect Grants

## What does this program do?

The grant program offers financial assistance to eligible service providers that will construct, improve, or expand broadband networks in rural areas.

## Who may apply for this program?

Eligible applicants include:

- State and local governments
- Federally recognized Tribes
- Nonprofits
- For-profit corporations
- Limited liability companies

### What is an eligible area?

Rural areas that lack any existing broadband speed as defined in the most recent funding announcement are eligible.

- The Broadband Mapping Tool provides guidance on rural areas currently eligible for Community Connect Grants

### How may the funds be used?

- The construction, acquisition, or leasing of facilities, spectrum, land or buildings used to deploy broadband service for:
  - all residential and business customers located within the Proposed Service Area
  - all participating critical community facilities (such as public schools, fire stations, public libraries, and public safety stations.)
- The cost of providing broadband service free of charge to the critical community facilities for 2 years
- Up to 10 percent of the grant may be used for the improvement, expansion, construction, or acquisition of a community center that provides online access to the public

### Are there other requirements?

Other program requirements include:

- Documentation supporting the scoring criteria
- An executive summary of the proposed project
- Grantees must have legal authority to provide, construct, operate and maintain the proposed facilities or services
- Partnerships with other federal, state, local, private, and nonprofit entities are encouraged
- For additional detail see [7 CFR, 1739](#)

Matching funds of at least 15 percent from non-federal sources are required and can be used for operating costs.

### How do we get started?

- Application windows for this program are announced through the national office on a periodic basis.
- Program Resources are available online at [www.rd.usda.gov](http://www.rd.usda.gov) (includes forms, guidance, certifications, etc.)



# Community Connect Grants

## Who can answer questions about this program?

- Email us at [community.connect@wdc.usda.gov](mailto:community.connect@wdc.usda.gov)
- Contact our Loan Origination and Approval Division at (202) 720-0800
- Contact your [General Field Representative](#)

## What governs this program?

- [7 CFR, Part 1739](#)

## Why does USDA Rural Development do this?

The Community Connect program helps rural communities extend access where broadband service is least likely to be commercially available, but where it can make a tremendous difference in the quality of life for people and businesses. The projects funded by these grants help rural residents tap into the enormous potential of the Internet for jobs, education, healthcare, public safety and community development.

NOTE: Because citations and other information may be subject to change please always consult the program instructions listed in the section above titled "What Governs this Program?" You may also contact your [General Field Representative](#) for assistance. You will find additional forms, resources, and program information at [www.rd.usda.gov](http://www.rd.usda.gov). *USDA is an equal opportunity provider, employer, and lender.*



# Rural Business Development Grants (RBDG)

## What does this program do?

RBDG is a competitive grant designed to support targeted technical assistance, training and other activities leading to the development or expansion of small and emerging private businesses in rural areas that have fewer than 50 employees and less than \$1 million in gross revenues. Programmatic activities are separated into enterprise or opportunity type grant activities.

## Who may apply for this program?

Rural public entities including, but not limited to:

- Towns
- State agencies
- Nonprofit Corporations
- Federally recognized Tribes
- Communities
- Authorities
- Institutions of Higher Education
- Rural Cooperatives

## What is an eligible area?

RBDG funds must be directed for projects benefitting rural areas or towns outside the urbanized periphery of any city with a population of 50,000 or more. **Check eligible areas.**

## How much funding is available?

There is no maximum grant amount for enterprise or opportunity type grants; however, smaller requests are given higher priority. Generally, grants range from \$10,000 up to \$500,000. There is no cost sharing requirement. Total opportunity type grant funding is limited statutorily to up to 10% of the total RBDG annual funding.

## How may funds be used?

Enterprise type grant funds must be used on projects to benefit small and emerging businesses in rural areas as specified in the grant application. Uses may include:

- Training and technical assistance, such as project planning, business counseling/training, market research, feasibility studies, professional/technical reports, or product/service improvements
- Acquisition or development of land, easements, or rights of way; construction, conversion, renovation, of buildings, plants, machinery, equipment, access streets and roads, parking areas, utilities

- Pollution control and abatement
- Capitalization of revolving loan funds including funds that will make loans for start-ups and working capital
- Distance adult learning for job training and advancement
- Rural transportation improvement
- Community economic development
- Technology-based economic development
- Feasibility studies and business plans
- Leadership and entrepreneur training
- Rural business incubators
- Long-term business strategic planning

Opportunity type grant funding must be used for projects in rural areas and they can be used for:

- Community economic development
- Technology-based economic development
- Feasibility studies and business plans
- Leadership and entrepreneur training
- Rural business incubators
- Long-term business strategic planning

# Rural Business Development Grants (RBDG)

## How are applications evaluated for competitive funding?

RBDG applications compete at the state office level, which are dependent on appropriations.

All applications are evaluated based on:

- Evidence showing job creation to occur with local businesses;
- Percent of nonfederal funding committed to the project;
- Economic need in the area to be served;
- Consistency with local economic development priorities;
- Experience of the grantee with similar efforts; and
- Other factors described in the current Notice of Solicitation of Applications (NOSA), if one is published.

## How do we get started?

Applications are accepted through USDA Rural Development's **local or State offices** once per year. Applicants are advised to view program information specific to your **local or State office** to learn about local application timelines, concept paper requirements, etc.

Grant awardees will need to complete required paperwork and comply with the terms and conditions of the award. Contact your **local or State office** for details.

## Who can answer questions?

Contact your **local office**.

## What governs this program?

- Basic Program – **7 CFR Part 4280, Subpart E**
- This program is authorized by the Consolidated Farm and Rural Development Act (ConAct)

## What governed the predecessor programs of RBEG and RBOG, as well as all awards given before FY 2015?

- RBEG Basic Program - **RD Instruction 1942-G**
- RBOG Basic Program - **7 CFR Part 4284**
- This program was authorized by the Consolidated Farm and Rural Development Act (ConAct)

## Why does USDA Rural Development do this?

This program provides grants for rural projects that finance and facilitate development of small and emerging rural businesses, help fund distance learning networks, and help fund employment related adult education programs. To assist with business development, RBDGs may fund a broad array of activities.

NOTE: Because citations and other information may be subject to change please always consult the program instructions listed in the section above titled "What Law Governs this Program?" You may also contact **your local office** for assistance. You will find additional forms, resources, and program information at [www.rd.usda.gov](http://www.rd.usda.gov). *USDA is an equal opportunity provider, employer, and lender.*



**University of Kentucky**  
**College of Agriculture,**  
**Food and Environment**  
*Community and Economic*  
*Development Initiative of Kentucky*



**Application Acceptance Period: February 11, 2019-April 5, 2019. DUE BY APRIL 5, 2019**

Letter of Interest Submission Deadline: March 8, 2019. (Please note: A Letter of Interest is not a requirement to submit a complete application)

**About REDI**

The USDA Rural Development Rural Economic Development Innovation (REDI) Initiative was designed to support regionalized planning to overcome multi-jurisdictional challenges and to better leverage federal, state, local and/or private funding.

In collaboration with the REDI Cooperators, the National Association of Counties, Rural Community Assistance Partnership, McClure Engineering Company, and Purdue University Center for Regional Development and University of Kentucky’s Community Economic Development Initiative of Kentucky, the REDI Initiative will support rural communities by providing the opportunity to maximize their access to planning resources. These resources will enable the Cooperators to identify critical needs, create an actionable economic development plan, convene with potential partners, as well as implement project priorities that will ultimately improve economic stability and the quality of life in rural communities.

**Purpose**

This application is for REDI technical assistance and capacity building, to be provided free of charge, through the REDI Cooperators. Applications will be scored, reviewed and selected on a competitive basis.

Participation in REDI will enable a rural community or region to create an economic development plan that will include: 1) Evidence-based assessment of community assets, challenges and opportunities; 2) Goals that are focused, logical, targeted, and timely with tasks identified and the entities responsible for carrying these actions clearly delineated; 3) Clear planning strategies that are intended to help produce, either directly or indirectly, improvements in the local and regional economy; and 4) Metrics to track implementation and ongoing progress of the economic plan.

**Benefits**

Community and regional engagement with the REDI Cooperators will support technical assistance outcomes that build capacity within targeted areas of planning. This technical assistance will result in a strong regional economic development plan that identifies projects that may be eligible for other Rural Development programs and/or be a blueprint for leveraging other federal, state, local, or private sector resources.

Through a cooperative agreement with USDA Rural Development, REDI Cooperators will support a community and/or region with tools and technical assistance for economic development planning to create regional economic strategies.

Additional information about each of the Cooperators is provided on the next pages.





## National Association of Counties (NACO)

Through its previous success in developing and administering high-quality educational, training, and technical assistance programs for rural county leaders, the National Association of Counties Research Foundation (NACoRF) has provided tools and resources for many rural communities to take on their own economic and community development projects. NACoRF is partnering with the National Association of Regional Councils (NARC) to develop a peer-learning program to teach local and regional leaders in rural areas how to implement multijurisdictional economic development plans and projects.

The program will include workshops, team mentoring, educational webinars, community case studies, and interactive learning opportunities. The goals of this effort are to: 1) inspire rural county and regional leaders to think creatively and regionally about new solutions to local challenges; 2) facilitate collaboration and partnership among neighboring counties within a region; and 3) empower counties to develop and implement economic and community strategies with emphasis on economic diversification; supporting a rural workforce; technological innovation and e-connectivity; regional asset-based development; and local quality of life.

Contact: Cheryl Burnett, Email: [CBurnett@naco.org](mailto:CBurnett@naco.org)

Website: <http://www.naco.org>



## Rural Community Assistance Partnership

The Rural Community Assistance Partnership ([www.rcap.org](http://www.rcap.org)) will deliver technical assistance utilizing the WealthWorks model ([www.wealthworks.org](http://www.wealthworks.org)) focused on helping rural regions and communities identify existing wealth or assets to build upon, recognize market opportunities and connect local assets to real market demand. WealthWorks allows local leaders to focus on what they have—instead of what they lack—to generate multiple forms of wealth that benefit residents today and for generations to come while rooting value in local people, places, and businesses.

WealthWorks offers a systematic approach that engages a wide range of community partners in turning enterprising opportunities into results. This model can complement or incorporate traditional economic development methods, but intentionally focuses on creating more value that becomes rooted locally. WealthWorks' value chain approach is a self-sustaining, distinctive economic development model. Value chains develop from local assets, holistically building relationships and filling gaps to link local small businesses and entrepreneurs with identified market demand.

Six hubs across the country will provide this value-chain development assistance:

- Community Roots (serving Connecticut, Maine, New Hampshire, New York, Rhode Island, and Vermont)
- Central Appalachian Network (serving Kentucky, North Carolina, Ohio, Tennessee, Virginia, West Virginia)
- Communities Unlimited (serving Arkansas, Louisiana, Mississippi, Oklahoma, Tennessee, and Texas)
- Region Five Development Commission (serving Minnesota)
- Rural Community Assistance Corporation (serving Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming)
- Rural Development Initiatives (serving Idaho, Oregon, and Washington)

Additional support in the Midwest will come online later in the REDI initiative through the Midwest Assistance Program.

Contact: Ashley Zuelke, Email: [AZuelke@rcap.org](mailto:AZuelke@rcap.org)

Website: [www.rcap.org](http://www.rcap.org) / [www.wealthworks.org](http://www.wealthworks.org)



## McClure Engineering Company

McClure provides a full spectrum of engineering, planning, surveying, design, construction administration, placemaking, and funding assistance throughout the nation. The firm continues to expand its services and impact by working alongside communities to develop a people-centered blueprint for sustainable economic and community development.

For the Rural Economic Development Initiative (REDI), McClure is partnering with CO.STARTERS, a Chattanooga, Tennessee-based firm assisting communities to build entrepreneurial ecosystems through the introduction and use of proven resources and tools. The team will engage with four rural communities across the country. These communities will be guided through a planning process to identify and leverage existing assets to spur economic and community development, strengthen workforce pipelines, and build entrepreneurial ecosystems to capitalize on technological innovation. The outcome will be an economic development plan to improve the quality of life for both current and future residents. Community Visioning/Asset Mapping, Capacity Assessment, Action Plan Development, Local Leader and Small Business Capacity Building, and Implementation Technical Assistance will be undertaken to accomplish the goals of the project.

Contact: Alex Holland, Email: [aholland@mecresults.com](mailto:aholland@mecresults.com)

Website: <http://mcclureplacemaking.com/>



University of Kentucky  
College of Agriculture,  
Food and Environment  
Community and Economic  
Development Initiative of Kentucky

## Purdue University and the University of Kentucky

Purdue University and the University of Kentucky have joined forces to coordinate and implement the REDI Initiative in the North Central and Southern regions of the United States. Combined, the two regions represent 25 of the nation’s 50 states and encompass 78 percent of the nation’s nonmetropolitan counties (i.e., 1,544 counties). The Purdue team is part of the Purdue Center for Regional Development (PCRD) and the Purdue Extension Community Development Program, while the Kentucky team is comprised of individuals connected to the Community and Economic Development Initiative of Kentucky (CEDIK). The mission of the PCRD is to pioneer new ideas and strategies that contribute to regional collaboration, innovation and prosperity while the overall purpose of CEDIK is to catalyze positive change to build engaged communities and vibrant economies.

Partnering with national and state colleagues from USDA Rural Development, the Purdue/Kentucky team will work with self-defined regions to realize the following key objectives: (1) Build a strong, inclusive regional team; (2) Study data on the five critical areas associated with the national “Agriculture and Rural Prosperity Task Force Report” and garner public input on these five key topics; (3) Equip the regional REDI team with the tools and strategies needed to build a sound strategic plan; (4) Guide the team in the producing a multi-year plan; (5) Assist the regional team in hosting focus group meetings to gain support for the plan by residents, agencies and organizations in the region; (6) Work with federal, state local and philanthropic organizations to explore funding sources to help put the regional plan into action; and (7) Track short, intermediate and long-term outcomes of the REDI program in the region.

Contact: Lionel J. Beaulieu, Email: [ljb@purdue.edu](mailto:ljb@purdue.edu)

Website: <https://www.pcrd.purdue.edu/> or <https://cedik.ca.uky.edu/>

# Region 9 – SWCCOG Enterprise Zone

## Contract

To: SWCCOG Board of Directors  
From: Miriam Gillow-Wiles  
Date: 28 February, 2019

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**Comments:** The state approved the SWCCOG Broadband Enterprise Zone application in 2017. This Enterprise Zone (EZ) is specifically for broadband development. The project would allow private land owners to donate Rights of Way, private companies to donate equipment (such as conduit, switches, or fiber) and labor, and private companies or land owners to donate cash. Of note, the EZ cannot accept more than \$750,000 in donations per year, though this is likely not an issue. This contract formalizes the relationship between Region 9 as the Enterprise Zone Administrator and the SWCCOG for the year 2019. The SWCCOG will be approving applications and the day to day work. Region 9 is ultimately responsible for our work on the EZ.

**Details:**

- Region 9 receives 3% of cash contributions, but not to exceed \$500 on any one donation
- No exchange of funding for all other contributions such as ROW, equipment, labor, etc
- Specifics of the Enterprise Zone, such as maximum amount of donations per year, what information is required for donations, and to ensure Region 9 has all the documentation for the Enterprise Zone.

**Attached:**

- MOU
- Enterprise Zone Map (all the shaded area is eligible)
- Enterprise Zone Tax Credit Example

**Legal Review:** Reviewed.

**Fiscal Impact:** Minor, Region 9 receives 3% of cash donations

**Staff Recommendation:** Approve the MOU between Region 9 EDD and SWCCOG for Enterprise Zone management for 2019

# **Memorandum of Understanding for the Southwest Colorado Enterprise Zone**

**This Memorandum of Understanding** is effective the 1st day of January 2019, by and between the Region 9 Economic Development District of Southwest Colorado Inc. dba Southwest Enterprise Zone (herein after referred to as Region 9 EDD), and the sub-grantee, **Southwest Colorado Council of Governments (hereafter referred to as SWCCOG)**.

**Whereas**, Region 9 EDD is the Southwest Enterprise Zone Administrator designated by the Department of Local Affairs of the State of Colorado; and

**Whereas**, CRS 30-103.5(1)(a) allows tax credits for contributions to a designated Enterprise Zone Administrator for the purpose of implementing the economic development plan for the Enterprise Zone; and

**Whereas**, the Colorado Economic Development Commission has approved **SWCCOG** as an Enterprise Zone project for 2019 and agrees to adhere to the Enterprise Zone Policies as set forth by the Commission; and

**Whereas**, the Enterprise Zone statutes allow the Enterprise Zone Administrator to certify organizations/projects to receive contributions from donors for EZ tax credits and to evaluate project activity; and

**Whereas**, the Colorado Department of Revenue has determined that the Zone Administrator, in certifying the appropriate purpose of a contribution, has a responsibility to assure that **SWCCOG** is using tax creditable contributions as intended and is operating within policy guidelines and

**Now Therefore**, it is hereby agreed and understood that:

1. **SWCCOG** must have a file with the Southwest Enterprise Zone Administrator and the following documents **will need to be furnish if they are not on file**: (1) Statement explaining ownership of sub-grantee organization if other than a corporation; (2) proof of legal standing; (3) tax status information such as Tax Identification number (W-9) or Federal Letter of IRS Designation; (4) Board Resolution or Board minutes to enter into this Memorandum of Understanding; (5) Articles of Incorporation; (6) Bylaws; and (7) recent (within one year) Certificate of Good Standing.
2. The SW Enterprise Zone Administrator shall be entitled to receive a three percent (**3%**) **administrative fee** on the value of all cash contributions for administrative costs. There will be a Five Hundred Dollar (\$500) maximum administrative fee on any one donation. The SW Enterprise Zone Administrator will invoice **SWCCOG** on a quarterly basis for the administrative fee. Failure of a project to pay the quarterly administrative fee within 30 days may result in the SW Enterprise Zone Administrator declining to certify contributions from that project until the administrative fee is current.
3. The State reserves the right to request a financial report from each Enterprise Zone Project describing the work completed and the use of funds. **SWCCOG** agrees to furnish any information deemed necessary by the State, if and when requested, to determine the nature of the use of the donations received through the EZ Contribution Project.
4. **SWCCOG** will enter all donor information and contribution amount(s) into the State of Colorado's Office of Economic Development and International Trade (OEDIT) Salesforce online system through the Project's profile, along with uploading a copy of the check and/or other supporting documentation of in-kind contributions. **The highest minimum donation allowed for tax credits is \$250. Please refer to the EZ Policies and User Guide for Certification of Qualified Enterprise Zone Contributions provided by Region 9 EDD.** The SW Enterprise Zone Administrator will approve the contribution forms online and the donor certificate will be returned by email to either the Contribution Project for distribution or directly to the donor, the preference will be predetermined and set by **SWCCOG**. **All donations should be submitted quarterly into Salesforce. All donations for the year MUST be entered by December 31, 2019.**

In the case of in-kind contributions, the local project contact shall require the **donor** to submit a description of the in-kind contribution and a statement of value for the in-kind contribution. Per IRS regulation, the donor will be required to provide a “qualified appraisal” for in-kind contributions in excess of \$5,000. The minimum value of each individual in-kind donation accepted must be at least \$250. **Donated stock certificates, securities etc. are considered by the Colorado Department of Revenue as in-kind donations.**

5. A training on OEDIT’s Salesforce online system will be provided by the Enterprise Zone Administrator.
6. The Colorado Department of Revenue requires that all Certification forms have the **last 4 digits of the social security or business tax id number of the donor** prior to the Enterprise Zone Administrator being able to certify the form.
7. The sub-grantee agrees to hold Region 9 EDD, Inc. harmless from any claim of liability arising from this agreement or in carrying out the Enterprise Zone Contribution project.
8. Enterprise Zone Project Designation is renewed annually. For **Southwest Colorado Council of Governments** to continue as an Enterprise Zone Project, the sub-grantee is required to complete an annual report for the Colorado Economic Development Commission distributed through the Salesforce online system, initiated by the SW Enterprise Zone Administrator in the fall of each year. **SWCCOG** can certify a maximum of \$750K in credits each year but per State guidelines must have at least 5 contributors or at least \$5,000 in EZ contributions for the year to maintain designation.
9. The SW Enterprise Zone Administrator will certify **SWCCOG** contributions directly and retain the signatory authority on all certifications.
10. **SWCCOG** agrees to maintain their Corporation’s legal standing.
11. This Memorandum of Understanding will remain in effect until December 31, 2019 unless terminated by written notification. Enterprise Zone Projects are subject to a five-year term. **SWCCOG’s designation will expire on December 31, 2022.**

**In witness whereof**, the parties here to have executed this Memorandum of Understanding on the date written above.

**Southwest Colorado Council of Governments**

By:

\_\_\_\_\_  
Miriam Gillow-Wiles, Executive Director

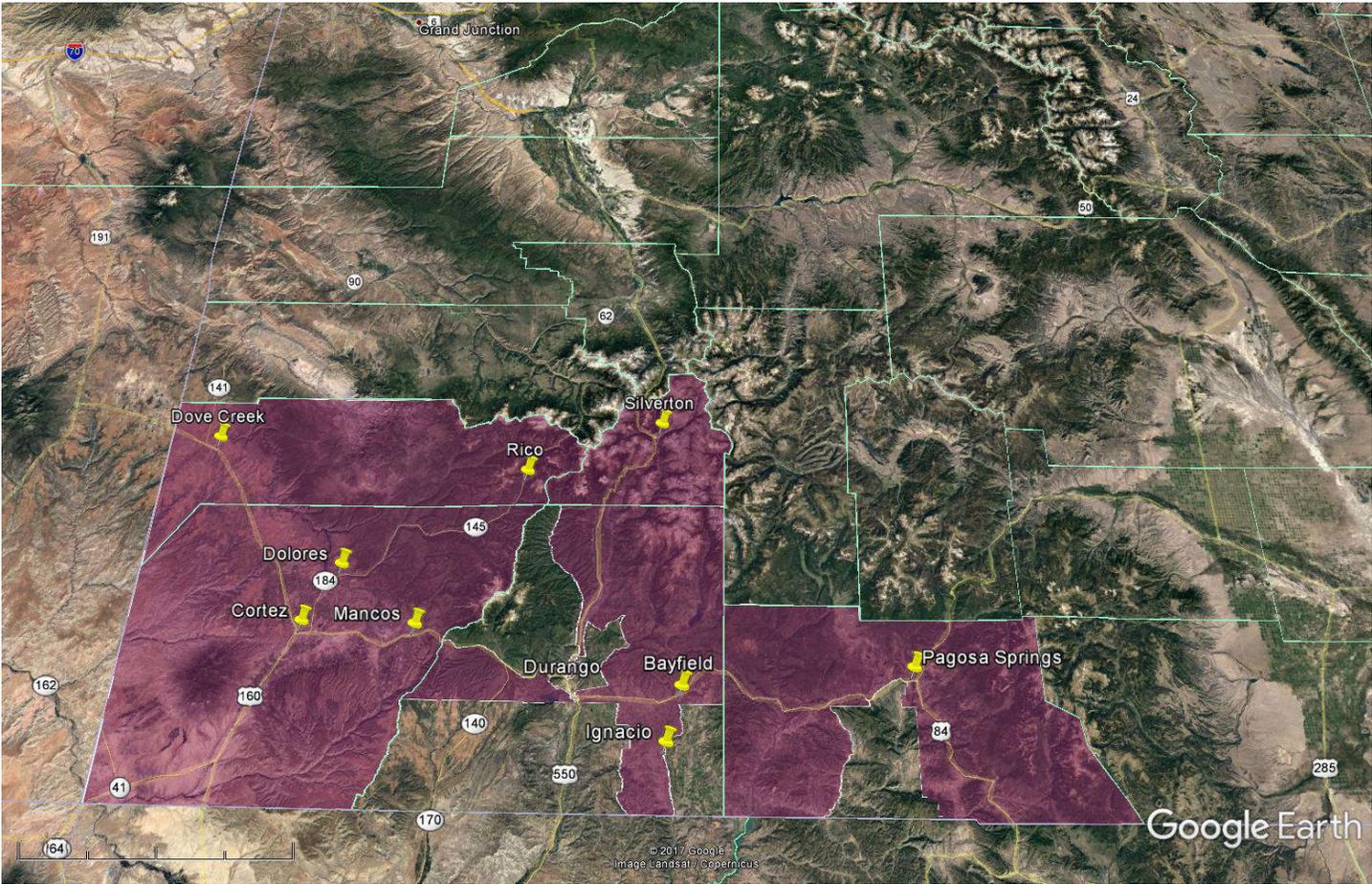
\_\_\_\_\_  
Date

**Southwest Colorado Rural Enterprise Zone**

By:

\_\_\_\_\_  
Laura Lewis Marchino, Enterprise Zone Administrator

\_\_\_\_\_  
Date



Google Earth



# Southwest Enterprise Zone--Contribution Tax Credit Example

## SWCCOG Telecommunications EZ Project

The following is an example of the benefits of donating to a local Enterprise Zone Contribution Project. This is based on the assumption that the contributor is a Colorado resident or a donor with a Colorado State Tax liability:

If you have a Colorado State Tax Liability of: <b>\$10,000</b>	Cash Donation	In-Kind Donation
Say your Cash Donation Total is:	\$ 5,000	
You will receive a 25% state tax EZ credit of:	\$ 1,250	
**Say you In-Kind Donation Total is:		\$ 5,000
You will receive a 12.5% state tax EZ credit of:		\$ 625
<b>Leaving you a net Colorado tax liability of:</b>	<b>\$ 8,750</b>	<b>\$ 9,375</b>

If your Colorado tax liability is less than your benefit (tax credits), you may carry forward excess credits for up to five tax years. The maximum credit you can claim in one year is \$100,000. Please refer to the Colorado Department of Revenue FYI Income 23 for more information regarding Enterprise Zone Contribution Tax Credits.

**Please Note: The SWCCOG is a government agency and is not eligible for the Federal Charitable Contribution Deduction on your Federal Income Taxes.**

*The SWCCOG Enterprise Zone Contribution Project requires a minimum contribution of \$250 to qualify for the Colorado EZ tax credit.*

**\*\*Gifts of property, equipment, labor, or stocks are eligible for in-kind tax credits.**

*Remember - This is just an example of the benefit of your contribution to an EZ Contribution Project. You should contact your own tax preparer for specific benefits related to your individual contribution(s).*

For additional information: Call Terry Blair-Burton with Region 9 at 970.247.9621 or email [terry@scan.org](mailto:terry@scan.org)



# Revised ADA and Title VI Complaint Procedures

To: SWCCOG Board of Directors

From: Jessica Laitsch

Date: 28 February, 2019

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The Americans with Disabilities Act (ADA) prohibits discrimination against individuals with disabilities and Title VI of the Civil Rights Act of 1964 protects people from discrimination based on race, color, and national origin in programs and activities receiving federal financial assistance. The CDOT Division of Transit and Rail requires subrecipients of federal funds to submit plans that document procedures used for complying with FTA's ADA and Title VI requirements to ensure non-discrimination in the recipient's services, programs, and activities.

The SWCCOG has received funding in the past from the CDOT Division of Transit and Rail for the Regional Transit Coordinating Council (RTCC). In 2016, the SWCCOG approved policies and procedures to be in compliance with Title VI. The attached procedures update the previously approved version to be in compliance with the FTA's ADA requirements.

***Fiscal Impact:*** None

***Staff Recommendation:*** Approve the revised ADA and Title VI Complaint Procedures

## **AMERICANS WITH DISABILITIES ACT (ADA) AND TITLE VI COMPLAINT PROCEDURE**

In accordance with the American Disabilities Act of 1990 and the Civil Rights Act of 1964, any person who believes she or he has been discriminated against on the basis of disability, race, color, or national origin by the Southwest Colorado Council of Governments (hereinafter referred to as "SWCCOG") may file an ADA or a Title VI complaint by completing and submitting the SWCCOG's ADA and Title VI Complaint Form. The SWCCOG investigates complaints received no more than 180 days after the alleged incident. The SWCCOG will process complaints that are complete.

Once the complaint is received, the SWCCOG will review it to determine if our office has jurisdiction. The complainant will receive an acknowledgement letter informing her/him whether the complaint will be investigated by our office.

Most complaints will be investigated within 60 days. Investigating a complaint includes interviewing all parties involved and key witnesses. The investigator may also request relevant information such as books, records, electronic information, and other sources of information from all involved parties.

After the investigator reviews the complaint, she/he will issue one of two letters to the complainant: a closure letter or a letter of finding (LOF). A closure letter summarizes the allegations and states that there was not an ADA or Title VI violation and that the case will be closed. An LOF summarizes the allegations and the interviews regarding the alleged incident, and explains whether any disciplinary action, additional training of the staff member, or other action will occur. If the complainant wishes to appeal the decision, she/he has 30 days after the date of the letter or the LOF to do so.

A person may also file a complaint directly with the Federal Transit Administration, at FTA Office of Civil Rights, 1200 New Jersey Avenue SE, Washington, DC 2059

If information is needed in another language, contact [info@swccog.org](mailto:info@swccog.org)  
Si se necesita información en otro idioma, contacto [info@swccog.org](mailto:info@swccog.org)

**ADA AND TITLE VI COMPLAINT FORM**

<b>Section I:</b>				
Name:				
Address:				
Telephone (Home):			Telephone (Work):	
Electronic Mail Address:				
Accessible Format Requirements?	Large Print		Audio Tape	
	TDD		Other	
<b>Section II:</b>				
Are you filing this complaint on your own behalf?			Yes*	No
*If you answered "yes" to this question, go to Section III.				
If not, please supply the name and relationship of the person for whom you are complaining:				
Please explain why you have filed for a third party: _____				
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third party.			Yes	No
<b>Section III:</b>				
Name of agency complaint is against:				
Contact person:				
Title:				
Telephone number:				
I believe the discrimination I experienced was based on (check all that apply):				
<input type="checkbox"/> Disability <input type="checkbox"/> Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin				
Date of Alleged Discrimination (Month, Day, Year): _____				
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person(s) who discriminated against you (if known) as well as names and contact information of any witnesses. If more space is needed, please use the back of this form.				
_____				
_____				

Section IV		
Have you previously filed an ADA or Title VI complaint with SWCCOG?	Yes	No
Section V		
Have you filed this complaint with any other Federal, State, or local agency, or with any Federal or State court?		
<input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, check all that apply:		
<input type="checkbox"/> Federal Agency: _____		
<input type="checkbox"/> Federal Court _____	<input type="checkbox"/> State Agency _____	
<input type="checkbox"/> State Court _____	<input type="checkbox"/> Local Agency _____	
Please provide information about a contact person at the agency/court where the complaint was filed.		
Name:		
Title:		
Agency:		
Address:		
Telephone:		

You may attach any written materials or other information that you think is relevant to your complaint.

Signature and date required below

\_\_\_\_\_

Signature Date

Please submit this form by mail to the address below:

Southwest Colorado Council of Governments  
P.O. Box 963  
Durango, CO 81302