



# SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS

## Regular Meeting Agenda

Thursday, 10 May, 9:00-10:00 am

Durango Recreation Center, 2700 Main Ave, Durango, CO

- I. Introductions
- II. Consent Agenda
  - a. April 2018 SWCCOG Meeting Minutes
  - b. March 2018 Financials
- III. Reports (Staff will be available for questions on the written reports)
  - a. Director's Report
  - b. Broadband Report
  - c. Legislation Report
  - d. Transportation Report
  - e. VISTA Report
- IV. Discussion Items
- V. Decision Items
  - a. Executive Committee Meeting Minutes from February 15 and March 22, 2018
  - b. CDOT Mobility Management Grant
  - c. Good Samaritan Legislation Letter of Support
- VI. Other Items
- VII. Community Updates

# Consent Agenda

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**Southwest Colorado Council of Governments  
February Board Meeting  
Thursday, 5 April 2018, 1:30pm  
1188 E. 2nd Ave., Carnegie Bldg., Durango, CO 81301**

In Attendance:

Willy Tookey – San Juan County  
Chuck Stevens – La Plata County  
Michael Whiting – Archuleta County  
Dick White – City of Durango  
Chris La May – Town of Bayfield  
Louis Fineberg – Town of Silverton  
David Schanzenbaker - Town of Pagosa Springs  
Karen Sheek – City of Cortez  
Steve Garchar – Dolores County (by phone)  
Fred Brooks – Town of Mancos (by phone)

Staff in Attendance:

Miriam Gillow-Wiles – Southwest Colorado Council of Governments  
Jessica Laitsch – Southwest Colorado Council of Governments  
Sara Trujillo – Southwest Colorado Council of Governments (by phone)  
Dylan Lucas– Southwest Colorado Council of Governments

Guests in Attendance:

Ann McCoy Herald – Senator Gardner’s Office  
Patrick Rondinelli – Colorado Department of Local Affairs  
John Whitney – Senator Bennet’s Office  
Peyton Heitzman – City of Cortez  
Karen Thompson

**I. Introductions**

The meeting was called to order at 1:35 pm, everyone introduced themselves.

**II. Consent Agenda**

- a. 1 March 2018 SWCCOG Meeting Minutes
- b. February 2018 Financials

**Dick White motioned to approve the meeting minutes with corrections, Michael Whiting seconded, unanimously approved.**

**Dick White motioned to approve the financials, Willy Tookey seconded, unanimously approved.**

**III. Reports**

Director’s Report:

Miriam reported that most of her work has been related to broadband. The COG is looking for potential office space. The board retreat will be held on May 10, discussion items will include goals and private equity for broadband. She added that there will not be video conferencing available for the retreat.

#### Broadband Report:

Miriam reported that all documentation for the four RFPs is posted to the FCC's website. She does not anticipate receiving the entire requested amount, but does expect to receive some level of funding. The Colorado Telehealth Network (CTN) has been reluctant to modify their contract, she is concerned about the amount of the fee based on their formula. Chris asked if they have provided services. Miriam replied that they posted the RFPs, but did not write the RFPs. She has been working with CTN and legal for some time to address these concerns. Karen asked if there were references for their work. Miriam replied that they work well with lit services, but do not have much experience with builds, unfortunately there are not many options for this type of work.

Miriam reported that the COG submitted a grant application for a broadband coordinator, consulting and M&A for the project. There is capital cost included which is for conduit, the intent is to place conduit when there is road construction happening in the region. Also there will be some personnel cost. Michael mentioned that Archuleta County is working on a dig once policy.

#### Legislative Report:

Miriam reported that there were changes to SB 002 in the House, one result is that there will be more money available in the high cost telephony fund. There was discussion about the other changes made to the bill. HB 1099, the First Right of Refusal, removes the ability of companies to exercise first right of refusal on projects unless they plan to build for the same or better speeds at the same cost.

Miriam explained that there is legislation that would allow counties to give land use authority to the planning commission. There is also a bill to make PERA solvent, she noted that all the local school districts use PERA. The COG is not taking a stance on the PERA bill, but are watching it because it could impact the community. There is a bill to create a state medical leave pool. There is also a bill to create net neutrality in Colorado by requiring net neutral policies be in place before an ISP can receive broadband funding. Karen mentioned that companies are suing states over net neutrality policies, the argument being that this is an interstate issue.

Miriam reported that the legislature is holding the transportation funding bills to allow the ballot issue to move forward.

#### Transportation Report:

Jessica reported that there was a SWTPR meeting, one item was the development of a Transit Development Priority list. The COG is working on the Four Corners Transportation Plan as well as the feasibility of a fixed route bus line between Cortez and Durango.

#### VISTA Report:

Miriam reported that Dylan completed the recycling education program. He has been updating the CARO website. He is also available to attend webinars and take notes if that would be helpful for any partner organizations.

#### IV. Decision Items

Executive Committee Meeting Minutes from January 25, 2018:

**Karen Sheek motioned to approve the minutes, Chris La May seconded, unanimously approved.**

Executive Committee Meeting Minutes from February 15, 2018:

**Tabled**

Contact with Place Dynamics:

Miriam explained that the contract has been reviewed by legal, the project is being paid for by a grant through DOLA.

**Dick White motioned to approve contract for organizational collaboration with Place Dynamics with signature authority to the Executive Director, Michael Whiting seconded, unanimously approved.**

AIRWAVES Letter of Support:

Miriam explained that Senator Gardner's office had asked the COG to look at this as it could be a method to improve connectivity. The local wireless providers were slightly concerned that the major companies would primarily benefit, but the COG does not believe the bill will cause harm. She added that generally this fits within the letter of support policy, but she wanted the Board to have the opportunity to discuss. Chris expressed support for setting aside 10% for rural development.

**Willy Tookey motioned to submit the proposed letter of support, Michael Whiting seconded, unanimously approved.**

MOU between COG and Member Organizations:

Miriam explained that the COG is sometimes able to identify funding that would benefit member organizations, this template ensures all parties are on the same page with respect to responsibilities. Michael asked for clarification that legal has reviewed this and asked whether TABOR language needs to be included. Miriam replied that this was based on the SCAN contract, which is why there is not TABOR language included. Michael asked that the attorney consider whether TABOR language should be included. He added that he would be comfortable approving the template with additional language included if necessary.

**Michael Whiting motioned to approve the SWCCOG member contract template, provided that if necessary TABOR language is included, Dick White seconded, unanimously approved.**

## **V. Community Updates**

Willy reported that San Juan County had a mild winter which has been difficult for winter businesses and is creating concerns about the summer. They are planning to build twelve affordable housing units, which are expected to be ready for occupancy by fall. Karen asked if they are modular. Willy replied yes, they will be manufactured then set on site. He added that they will be rentals.

Chuck reported that La Plata County is working with the City of Durango on homeless issues. They are continuing work on the land use code.

David reported that the sanitation district in Pagosa Springs recently built a sewer pipeline. They have an RFP out for a housing coordinator. They are beginning work on street projects, including a Safe Routes to School project.

Louis reported that the Town of Silverton is updating their trail visioning plan. They are preparing for their annual events. The Master Plan update and Municipal Code revision are underway.

John Whitney reported that Congress passed the final appropriations bill which included approval of PILT, reauthorization of Secure Rural Schools, and began a two year phasing to fix

“fire borrowing” which includes additional funding for firefighting in the meantime. There was additional funding identified for rural broadband, he will keep the COG posted as additional information becomes available. Chris asked if there has been movement on the CAFII funding issue, John replied that Senator Bennet has requested information several times and has not received a response.

Dick White reported that the construction of the City of Durango’s wastewater plant is on-time and on budget. He reported that the Lake Nighthorse recreation has opened, and detailed the approved schedule for different types of recreation. The City is engaging the public related to future funding. They are working with the County on the homeless issue and approved overnight camping at the west end of the off leash dog park, one element will be identifying a place for individuals to store their belongings.

Patrick reported that housing is becoming an increasingly major issue. DOLA is setting up some regional trainings including Budgeting for Outcomes and a Small Communities Workshop. They are working through a new grant cycle, a number of COG members have submitted applications.

Karen reported that the City of Cortez held an election, there will be three new councilors and an extension of the recreation center tax was passed. They have begun advertisements for median construction. Shane Hale will be leaving in May and Chris Burkett will serve as interim City Manager. She introduced the City’s intern.

Michael reported that Archuleta County is in litigation with the State courts, CCI has indicated that it intends to weigh in on the County’s side. They are looking at short term rentals and the impacts on the housing inventory, they may consider an annual registration process. They estimate that half of the short term rentals are not paying lodger’s tax. The County has worked out a deal with the Forest Service and a lumber mill for fire mitigation. There will be a new bouldering gym opening in Pagosa Springs.

Steve reported that the Town of Dove Creek elected four new trustees and a new mayor. Dolores County is looking at organizing annual local events. The senior center received a new wheelchair accessible bus. The County applied for a DOLA grant for chipseal. The wireless broadband project is expected to be completed within a few weeks. Montrose Timber Products will begin collecting beetle kill lumber. They are preparing for a dry summer, specifically looking at fire prevention activities.

Fred announced that the Town of Mancos elected two new trustees.

Chris reported that the Town of Bayfield is nearing completion of the comprehensive plan. Their election was cancelled. There was a traffic related fatality and CDOT has begun looking at intersection improvements.

Miriam reported that Dennis contacted her and would like to return to the region through the Best and Brightest program.

Adjourned at 2:58 p.m.

# March 2018 Financials

To: SWCCOG Board of Directors  
From: Sara Trujillo  
Date: 10 May 2018

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Comments: The following attachments include:

- Balance Sheet as of March 31, 2018
- January 1- March 31, 2018 Profit & Loss

Items to Note:

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

*P&L:* Being on maternity leave put some reimbursement requests behind one month; however, since being back, all requests have been submitted through 3/31/2018.

All broadband consulting funds for DoLA grant 8330 have been spent according to the grant contract including the \$15,000 cash match that was collected from members in 2017.

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

***Staff Recommendation: Approve the March 2018 Financials allowing staff to move forward with the 2018 budget.***

***Legal Review: Not Applicable***

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**Balance Sheet**

As of March 31, 2018

	<u>Mar 31, 18</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
Alpine Bank	
Alpine Bank Account (UR)	149,277.07
Total Alpine Bank	149,277.07
<b>Petty Cash</b>	
AmeriCorps VISTA	104.63
Petty Cash - Other	22.97
Total Petty Cash	127.60
Total Checking/Savings	149,404.67
<b>Accounts Receivable</b>	
Accounts Receivable	11,248.18
Total Accounts Receivable	11,248.18
<b>Other Current Assets</b>	
Prepaid Expense	5,997.00
Total Other Current Assets	5,997.00
Total Current Assets	166,649.85
<b>TOTAL ASSETS</b>	<b>166,649.85</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
Accounts Payable	
Accounts Payable	3,074.39
Total Accounts Payable	3,074.39
<b>Credit Cards</b>	
Credit Cards	
Miriam	1,201.42
Sara	104.98
Total Credit Cards	1,306.40
Total Credit Cards	1,306.40
Total Current Liabilities	4,380.79
Total Liabilities	4,380.79
<b>Equity</b>	
Retained Earnings	74,660.72
Net Income	87,608.34
Total Equity	162,269.06
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>166,649.85</b>

## Southwest Colorado Council of Governments

## Profit &amp; Loss

04/18/18

January through March 2018

Accrual Basis

	Jan - Mar 18
<b>Ordinary Income/Expense</b>	
<b>Income</b>	
All Hazards	
2016 SHSP	0.00
Total All Hazards	0.00
CDOT Grants	
SWTPR Grant	1,043.67
Total CDOT Grants	1,043.67
DoLA Grants	
DoLA 8330	16,285.70
Total DoLA Grants	16,285.70
Dues Revenue	
COG Dues	150,970.00
SWTPR Contributions	6,842.00
Total Dues Revenue	157,812.00
Misc. Income	29,062.90
SCAN Services	
Dark Fiber Leasing	8,538.00
Internet & Transport	2,070.00
Total SCAN Services	10,608.00
Total Income	214,812.27
<b>Gross Profit</b>	214,812.27
<b>Expense</b>	
All Hazards Projects	
All Hazards 2015 SHSP	
Grant 2015 Project 5	31.98
Total All Hazards 2015 SHSP	31.98
All Hazards 2016 SHSP	
Grant 2016 Project 1	2,000.26
Grant 2016 Project 6	3,865.00
Total All Hazards 2016 SHSP	5,865.26
All Hazards 2017 SHSP	
Grant 2017 Project 3	8,124.50
Total All Hazards 2017 SHSP	8,124.50
Total All Hazards Projects	14,021.74
Conference Fee	116.00
Consulting	36,168.20
Employee/Board Appreciation	30.42
Information Technology (IT)	
Software	4,254.75
Total Information Technology (IT)	4,254.75
Insurance Expense	
General Liability	3,621.75
Health	6,426.00
Total Insurance Expense	10,047.75
Internet Connectivity	
Fast Track	2,700.00
Internet Connection (AT&T)	64.64
Total Internet Connectivity	2,764.64
Meetings	14.63
Memberships	6,423.00

## Southwest Colorado Council of Governments

## Profit &amp; Loss

04/18/18

January through March 2018

Accrual Basis

	<u>Jan - Mar 18</u>
Office Equipment	1,736.73
Office Supplies	538.55
Postage and Delivery	28.70
Professional Fees	
Legal	547.20
Misc.	24.43
<b>Total Professional Fees</b>	<b>571.63</b>
Salary and Wages	
457 Retirement	1,855.14
Car Allowance	900.00
Cell Phone Allowance	585.00
Payroll Processing Fee	536.17
Payroll Tax	3,270.87
Salary and Wages - Other	40,629.89
<b>Total Salary and Wages</b>	<b>47,777.07</b>
Travel	2,710.12
<b>Total Expense</b>	<b>127,203.93</b>
<b>Net Ordinary Income</b>	<b>87,608.34</b>
<b>Net Income</b>	<b><u>87,608.34</u></b>

# Reports

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# Director Report

To: SWCCOG Board of Directors  
From: Miriam Gillow-Wiles  
Date: 10 May 2018

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Comments: Lately it seems as if the Broadband and Director's Reports have become more and more intertwined as the push for federal funding has progressed. I have been very busy and frequently overwhelmed with the attempt for FCC USAC RHC funding. As you'll read in the Broadband Report, there has been a lot of changes and legal involvement with the search for federal funding (if you don't read the Broadband Report – don't worry, we are on track, just took divergence with the original plan with CTN).

### **Representative Tipton's New Staff Member**

The Congressman has a local staff member again. Ashley Greco. Ashley originally hails from Grand Junction, but worked for Representative Tipton in DC before jumping at the chance to head back to the W. Slope for the Field Representative position here. Her Contact Info is:

[Ashley.Greco@mail.house.gov](mailto:Ashley.Greco@mail.house.gov)

970-259-1490

### **Southwest Colorado Incident Management Team**

Staff has been working closely with the leadership at the SWIMT to iron out the purchasing processes for the Team with the State. Additionally, the funding for 2018 will be either returned or spent by June 30<sup>th</sup> (end of the State Fiscal Year). The SWIMT just submitted the FY2018-2019 grant application , which includes up to \$3800 for SWCCOG M&A (depending on the grant award). Additionally the SWCCOG is looking into the cost of insurance and ownership of the SWIMT trailers and other equipment, as the SWIMT is not a recognized entity under the IRS. The cost of such would be part of grant applications, and is included in the 2018-2019 grant.

### **SWCCOG – Member Jurisdiction Contract Template**

SWCCOG Legal and the Town of Bayfield added proper TABOR language as well as more specific indemnity language to protect each agency. SWCCOG and Bayfield have agreed on the language and the contracts are at the Towns of Bayfield and Ignacio for signature before work on the DOLA Downtown funding (from the DOLA 2018 Technical Assistance grant for the SWCCOG) will begin.

# Broadband Report

To: SWCCOG Board of Directors  
From: Miriam Gillow-Wiles  
Date: 10 May 2018

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Comments April has been a very long month with lots of twists and turns and stress regarding USAC Rural Healthcare funding. Staff also has been working on aggregation costs, CAFII follow-up with the Federal delegation, and pretty much all things related to Broadband.

## **FCC USAC Rural Healthcare**

Staff updated the SWCCOG Board on the status of contract negotiations with Colorado Telehealth Network (CTN) at the April Board meeting. At that time both parties were operating under “good faith”, but we had not come to an agreement on the contract. The SWCCOG still had not received a scope of work, and CTN was unwavering in their contract. As we tried again and again to negotiate, including attempting to set up an in-person meeting on a trip to Denver, CTN would refuse to change their contract. The contract in question was CTN’s template contract – which included monthly recurring costs and other lit services provisions. Needless to say this did not fit our needs when we were applying for infrastructure funding.

In mid-April, we receive an email asking us to approve terms of a contract with no contract. These terms were payment of \$150,000 due in 30 days, and \$100,000 due when award letters were received. As this was outside Board meetings, and there was no agreed upon contract, Staff obviously did not agree and requested an updated contract with scope of work. We were then provided another copy of the CTN unedited contract and a scope of work which only included filing forms on behalf of the Health Care Providers. A few days after receiving the contract and scope of work, CTN sent another email, on a Wednesday late afternoon, demanding we send over a signed agreement or they would pull the RFPs from the FCCs website on Friday – two days later.

A variety of people working in Broadband were contacted, in an attempt to find a contact at the FCC. Multiple people suggested speaking with Joanne Hovis of CTC Energy and Technology, based in Washington DC. Staff contacted CTC after hours local time, and received a call back almost immediately to set up a call the next day with the CEO, Joanne, and several top staff. They were immediately helpful and generous with their time. CTC is contracting with NeoConnect so we are able to utilize their services and expertise to guide us through the FCC funding process.

Requesting funding from USAC Rural Healthcare is still on track with the minor detour from the challenges with CTN. The SWCCOG was required to form a consortium to apply for the USAC Funding for the four agencies, it is a non-entity and just an ad hoc consortium to apply for funding, we creatively named it the Southwest Colorado

# Broadband Report

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Council of Governments Healthcare Consortium (SWCCOGHC). In 2017 we had discussed this route, but working with CTN seemed to be an easier route at that time. The FCC has approved the consortium, and the participating agencies: Dolores County Health Department, San Juan County Health Department, San Miguel County Department of Health and Environment, and Southwest Health Systems (SW Memorial Hospital in Cortez) all resigned Letters of Authorization allowing the SWCCOGHC the ability to represent them in front of the FCC.

At this time, we are just awaiting on a few documents to be approved and then we can repost the RFPs for each agency. The RFPs must be open for 28 days, and the funding request window closes June 29<sup>th</sup>. We will have enough time to have the RFPs up and submit requests to the FCC based on the responses from the RFPs. At this point staff is much more confident and understanding of the FCC process. We are also excited to continue to pursue federal funding for broadband development.

Please note, if a vendor contacts your jurisdiction regarding these RFPs, please send them back to us. The FCC is very strict, and answering questions and having bidding conferences will lengthen the amount of time the RFPs have to be posted. This will cause the process pass beyond the funding window.

## **Aggregation of Services**

Staff also has been working on aggregation of services for connectivity and will have a more through discussion during the Board Retreat where we will work through amount of Mbps purchased, and what that looks like to aggregate the costs.

## **Connect America Fund II Follow Up**

Senator Bennet's office has obtained files of locations upgraded by CenturyLink under the CAFII money. However, these files have address level data, identifying specifically which households were upgraded. We are working with the Senator's office to come up with some data that is not quite so specific and granular but still creates a picture of the how the funding was deployed.

# Legislative Update

To: SWCCOG Board of Directors  
From: Jessica Laitsch  
Date: 7 May, 2018

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

**SWCCOG 2018 Legislative Summary - State**

Bill No	Short Title	Subject	Summary	Sponsors	Recent Action	Action Date	Position	Staff Comments
SB 18-001	<a href="#">Transportation Infrastructure Funding</a>	Transportation	As amended, SB 1 makes two transfers from the general fund for transportation; \$495 million in 2018 and \$150 million in 2019. Both of these transfers would feature a local share for county transportation projects: \$62 million in 2018 and \$19 million in 2019. There is also a share given to multi-modal projects, and counties would be eligible to apply for grants from these funds through a new program at the Division of Transit and Rail at CDOT. SB 1 also places a question on the 2019 ballot, asking voters to authorize the issuance of \$2.35 billion in Transportation Revenue Anticipation Notes (TRANS) to begin work on critical state transportation projects across Colorado. By waiting until 2019 to refer the bonding question to the voters, the General Assembly clears the way for a citizen-initiated measure on transportation funding and bonding this fall. If a citizens' ballot measure is brought forward this fall and passes, the TRANS bonding question will not go forward in 2019.	Cooke, Baumgardner, Carver, Buck, Coram, Crowder, Gardner, Grantham, Hill, Holbert, Lambert, Lundberg, Marble, Neville, Scott, Sonnenberg, Tate, Leonard	House Floor Work	8-May-2018	Monitor	
SB 18-007	<a href="#">Affordable Housing Tax Credit</a>	Housing	Renaming the low-income housing tax credit the Colorado affordable housing tax credit and extending the period during which the Colorado housing and finance authority may allocate affordable housing tax credits.	Guzman, Tate, Becker, Duran, Court, Fenberg, Fields, Jones, Merrifield, Todd, Zenzinger	Senate concurred with House Amendments	27-Apr-2018	Monitor	CML, Club 20, CCI, CCAT and EDCC support
SB 18-158	<a href="#">School Access To Interoperable Communication Technology</a>	Telecommunications, Education	Grant recipients may use the money received through the grant program to provide training in procedures for effective communications with first responders in an emergency, to update school crisis management plans, and to work with the vendor selected by the chief information officer in the office of information technology to make specified upgrades [maintain or improve existing or provide new] in connection with interoperable communications abilities.	Coram, Garcia, Catlin, Duran	Senate concurred with House Amendments	27-Apr-2018	Monitor	

**SWCCOG 2018 Legislative Summary - State**

SB 18-200	<a href="#">PERA Reforms</a>	State Government	Makes changes to the hybrid defined benefit plan administered by the public employees' retirement association (PERA) to modify benefits, increase contributions, ensure alignment of contributions, service credit, and benefits, and make other modifications	Priola, Tate, Becker, Pabon, Jahn	Senate request conference committee, Senate Floor Work	9-May-2018	Monitor	CML supports
HB 18-1195	<a href="#">Tax Credit Contributions Organizations Affordable Housing</a>	Housing	Concerning the creation of a credit against the state income tax to promote contributions to nonprofit organizations engaged in the development of affordable housing for home ownership.	Pabon, Tate, Landgraf, Gardner, Scott	House Floor Work	7-May-2018	Monitor	

# Transportation Report

To: SWCCOG Board of Directors  
From: Jessica Laitsch  
Date: 4 May, 2018

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Comments: Transportation:

The next SWTPR meeting will be held at 9:00 a.m. Thursday, 7 June, 2018 at the Carnegie Building, 1188 E 2nd Ave., Durango.

Transit:

5304 Four Corners Coordinated Transit Plan – We are working with the steering committee members and the consultant to identify a stakeholder group, collect additional pieces of information, and move to the next phase of the project.

NADO Technical Assistance Cortez/Durango fixed route bus – The consultant had a site visit in April which included stakeholder meeting and a drive along the proposed route.

There will be a meeting on May 8, 2018 to discuss the region's transit development priority list.

# VISTA's Report

To: SWCCOG Board of Directors  
From: Dylan Lucas  
Date: 27 April, 2018

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Comments: **Recycling Education Program**

In mid-April I was invited to participate in one of the classrooms of Kemper elementary to help teach the students about recycling during their earth sciences unit. I participated in the classroom for a total of two days with three different classes, seeing about 70 students in total. The first day consisted of lessons that taught students to think critically about how long different types of garbage take to decompose, and what materials can be recycled and what happens to them during the recycling process.

The next day was a question and answer type day where we first started with a little story telling the history of recycling in the modern world. From there the day moved towards answering any questions that I could answer about recycling for them. The students had great questions and were very interested in what they could do for recycling in their area. The class ended with them coming up with ideas for posters to celebrate recycling for the next week's art fair. I helped them come up with some slogans to put up around the school.

Overall, it was a very gratifying experience and it seemed that a lot of the students took the lessons to heart. The teachers and I are trying to stay in contact so we can answer more questions the students have about recycling when they come up. My biggest take-away from the two days there is that the students just need to be more informed of the options that are available to them and their families for diverting materials and not just throwing things away.

# Discussion Items

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# Decision Items

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# SWCCOG Executive Committee Minutes

To: SWCCOG Board of Directors

From: Miriam Gillow-Wiles

Date: 10 May 2018

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Comments: Executive Committee Minutes from February 15 and March 22, 2018 for approval. There was not enough Executive Committee members at the April meeting to vote on this decision item.

**Legal Review:** None

**Fiscal Impact:** None

**Staff Recommendation:** Executive Committee approve the attached minutes from February 15 and March 2018.

**Southwest Colorado Council of Governments  
Executive Committee Meeting  
Thursday, February 15 2018, 1:30 p.m.**

In attendance:

Gwen Lachelt – La Plata County

Chris La May – Town of Bayfield (via phone)

Miriam Gillow-Wiles – Southwest Colorado Council of Governments

Sara Trujillo – Southwest Colorado Council of Governments

The meeting began at 1:37 p.m.

Miriam said with the February and March meetings being close together, the March agenda is simply the usual items at this time with nothing under decision or discussion. However, there might be a contract with Colorado Telehealth Network (CTN) under decision items if it gets done in time.

Chris asked what the status is on San Juan Basin Health (SJBH) in regards to the broadband infrastructure grant. Miriam said the SJBH board had some questions and while some answers have been received, she is still trying to get answers to others. Questions pertain to ownership, management of fiber, and legal exposure among others. Gwen asked if any answers have been sent to Liane Jollon with the SJBH. Miriam said no that she was waiting to send all answers at the same time. Gwen said it would be helpful to send what answers Miriam has now so the SJBH board and Liane Jollon can see that effort is being made to answer their questions. Miriam will send what she has. Miriam said if SJBH does not want to participate, she would advocate moving forward with the application and apply for Archuleta and La Plata Counties next year or the year after next. Chris said this would mean hiring CTN twice and spending twice the money on the application process. Miriam said she can try Axis but has had issues receiving any response in the past.

Miriam said she and Laura Lewis met regarding the facilitation between the two agencies and went through the different proposals received. They agreed that the 2 best proposals came from the company out of Wisconsin and the local respondent. There are some additional questions Miriam would like to ask the contractors. Gwen asked if both Laura and Miriam are on the same page. Miriam said yes and they would like staff and Executive Committee engagement versus multiple full board meetings. Gwen asked when the Executive Committees would meet. Miriam said a contract needs to be in place first and a contractor time line, most likely in the spring. Chris asked if the current Executive Committee members are members of both organizations. Miriam said William Tookey, Shane Hale, and Dan Fernandez comprise the Region 9 Executive Committee all of whom are COG board members with the exception of Mr. Fernandez. Chris asked if a contractor recommendation will be given at the next board meeting. Miriam said that is the goal.

Miriam reported that DoLA does not want to give an extension on the existing grant and do not want to extend the deadline for the new grant. Working with DoLA is becoming more stringent.

Miriam said the Legislative Committee meets tomorrow. There are two items of concern one being SB02 regarding broadband funding where 15 different amendments were proposed during the hearing in the senate. CCI is opposing while CML will not take a stance. Gwen asked if Miriam has talked to Barbara McLachlan regarding this bill. Miriam said no, but that is the next step. In addition, Miriam would like to talk to the Legislative Committee about sending a letter. Gwen asked Miriam to put together a fact

sheet of what is negative about this bill. The other item of concern is if there is federal funding received in an area, that area is ineligible for the broadband high cost funds. For example, if we receive CAFII, E-Rate, or Rural Healthcare funding, our ISPs are no longer eligible to receive broadband high cost funds. Miriam will copy the Executive Committee on anything that goes to the Legislative Committee to ensure all are up-to-date.

The meeting ended at 2:12 p.m.

**Southwest Colorado Council of Governments  
Executive Committee Meeting  
Thursday, March 22, 2018, 1:30 p.m.**

In attendance:

Chris La May – Town of Bayfield (via phone)

Karen Sheek – City of Cortez (via phone)

Miriam Gillow-Wiles – Southwest Colorado Council of Governments

Jessica Laitsch – Southwest Colorado Council of Governments

The meeting began at 1:37 p.m.

Miriam explained that it will be a short meeting, there will be executive committee minutes from February and a couple letters of support, including for Good Samaritan legislation for cleaning up mine waste. She added that this has been an ongoing issue for at least 15 years. Chris mentioned the Gold King Mine spill. Miriam replied that this would not apply to the EPA, but rather to community groups. She added that it should fit within the policy guidelines. Additionally, Senator Gardner's office requested a letter of support for the AIRWAVES Act to auction off available spectrum, the local ISPs indicated that it would neither hurt nor help. Karen asked if the COG wants to support something that isn't helpful. Miriam replied that this won't harm the local providers. There was discussion that this would demonstrate the COG's willingness to support our delegation's efforts. Miriam added that she met with Representative Tipton's office as he has a new local office employee. She added that Tipton's office is working hard to get cooperation from Century Link, she will follow up with each of the delegation regarding CAF funding.

She is working to negotiate costs for aggregation of connectivity. She asked if she should wait to discuss this with the board until after she receives all the proposals. Miriam replied that she is waiting for one proposal, though that provider is not enthusiastic about the a-la-carte option. Chris asked if she expects to receive a proposal. Miriam replied that she will be meeting with the provider and does expect to receive a proposal. Chris recommended waiting for all proposals then presenting the board with a recommendation. There was discussion about specific concerns for ISPs with respect to pursuing this type of proposal. There was discussion about various challenges with building infrastructure in the region. Miriam suggested that focusing on education before the next legislative session could be important.

Miriam reported that the rural healthcare funding documentation has been submitted, they are putting in four RFPs, one for each participating county: San Miguel, Montezuma, San Juan, and Dolores. Working with Colorado Telehealth has been challenging as they have previously only worked with lit services, for example through e-rate, rather than the self-provisioning that the SWCCOG will be doing. This has caused some delays and requires negotiation to set the cost for their role in the process. She reported that she does not know what the final contract will look like.

Miriam reported that she and Laura met with the consultant for the organizational collaboration project. The retreat has been scheduled for May 10, they will move the regular board meeting to be held the same day in order to minimize travel.

There is a significant amount of legislation. She reported that there was agreement to place the transportation bill on hold in order to allow the ballot proposal to move forward. Coram is also

sponsoring legislation funding for coordination between first responders. There is also a bill for funding for schools to coordinate with first responders. There is also a bill to revise how PERA is handled, it will change the contribution for employees and employers that participate. Chris reported that he has been involved in discussions on this bill, some local governments have been advocating that different funds be handled differently, but this does not seem likely. There was discussion about the challenges with stagnant wages and government funding challenges. The bill on the right-of-first-refusal, HB 1099, passed the House Committee and the House for consideration in the Senate. Miriam described the reason for this bill and that she testified in favor of it. SB 2 passed both houses, many of the troubling amendments were negated, the legislation ended up less troubling than it had been.

The meeting ended at 2:27 p.m.

# CDOT Transit Grant

To: SWCCOG Board of Directors

From: Miriam Gillow-Wiles

Date: 1 May 2018

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The SWCCOG has administered and promoted the Regional Transit Coordinating Council for many years. In past years we received funding to work on developing open lines of communication between the human service providers and the transit providers, purchase a video conference system, and generally work towards development of regional transit. The SWCCOG needs a dedicated staff position to help move forward on Transit Council priorities and filling identified gaps in service such as the development of transit along Highway 160.

CDOT Division of Transit and Rail just released their Notice of Funding Availability for 5310 Mobility Management. Staff would like to apply for funding for State FY 19 to hire a .8 FTE person to focus on developing the Transit Council goals/needs and CDOT identified goals.

Attached is an overview of job duties and a basic budget for the position. This budget includes a portion of the .8 FTE employee working as an Administrative Assistant for the SWCCOG, with the remainder of the 32 hours/week as a Transportation Coordinator. The portion of the position that is paid with SWCCOG member dues for an Administrative Assistant will be the match, the match must be at least 20% of the total project cost.

Pros:

- Would add staff dedicated to Transit
- Cover some of existing staff expenses

Cons:

- Would add staff via grant funding, would need to plan on future funding for employee

Budget Line   Description	Year 1 Grant Amount	Year 1 Local Match	
1 Salaries and Wages	\$18,636.80	\$7,987.20	
2 Employee Benefit	\$7,807.97	\$3,346.27	
3 Facility Maintenance	\$0.00	\$0.00	
4 Purchased Transit Services	\$0.00	\$0.00	
5 Advertising and marketing	\$0.00	\$0.00	
6 Contracted Services	\$0.00	\$0.00	
7 Fuel	\$0.00	\$0.00	
8 Utility	\$0.00	\$0.00	
9 Supplies and materials	\$500.00	\$500.00	
10 Insurance	\$0.00	\$0.00	
11 Training	\$500.00	\$0.00	
12 Consultant Service	\$0.00	\$0.00	
13 Audit	\$0.00	\$0.00	
14 Communications	\$0.00	\$0.00	
15 Lease and Rental	\$0.00	\$0.00	
16 In-State Travel	\$2,375.00	\$0.00	
17 Out of State Travel	\$0.00	\$0.00	
18 License Fees and Taxes	\$0.00	\$0.00	
19 Memberships and Subscriptions	\$0.00	\$0.00	
20 Indirect	\$0.00	\$0.00	
21 In Kind Match	\$0.00	\$0.00	
22 Program Income (Negative)	\$0.00	\$0.00	
23 Other expense (Please explain)	\$0.00	\$0.00	
<b>Total Budget</b>	<b>\$29,819.77</b>	<b>\$11,833.47</b>	<b>28.409%</b>



**Southwest Colorado Council of Governments  
Transit Coordinator - Job Description**

The Transit Coordinator will oversee transit program coordination within the Southwest Colorado 5-county region. This includes short- and long-term planning; coordination and promotion of transportation services; administrative support for the Southwest Transit Coordinating Council (TC); and management of activities and projects for improving coordination among transportation and human service providers.

**Essential Duties and Responsibilities:**

Duties include, but are not limited to:

- Develop and promote partnerships with local agencies and transit service providers to coordinate, enhance and expand travel options and increase mobility in the region.
- Work with political entities, transit agencies and human service agencies to coordinate rural transportation services from an administrative and operational perspective.
- Track and research transit needs and usage. Provide strategies for meeting local needs and recommendations for transportation services funding and implementation.
- Gather and analyze data to evaluate the transportation service options for the design of the most efficient and cost effective options possible.
- Coordinate and attend TC meetings. Compile agenda packets, set up meeting location, prepare minutes, and disseminate information.
- Seek and coordinate local training opportunities for transit providers.
- Write, edit, document and maintain TC policies and procedures.
- Provide periodic transit updates to the Southwest Regional Transportation Planning Commission.
- Advocate for transit options and prepare positions on policy issues at both the regional and statewide level to allow for the creation of new partnerships and to support the development of transit services throughout and extending beyond the SWCCOG region.
- Improve community and business support for the TC and transit systems.
- Increase resources for marketing transit systems to users.
- Design, distribute and regularly update the Regional Transit Guide.
- Develop and promote distribution of consistent information and resources to residents, consumers, and transportation service agencies.

- Provide recommendations and and develop strategies for seeking additional funding opportunities.
- Assist with grant writing and project management of grant opportunities for transit coordination activities.
- Perform other duties as assigned.

**Supervision Received:**

Work is highly independent under the general guidance of SWCCOG Executive Director.

**Supervisory Responsibilities:**

This position is not responsible for the supervision of other employees.

**Qualifications:**

The requirements listed below are representative of the knowledge, skills and abilities required to perform the necessary functions of this position. An equivalent combination of related education, training and experience that demonstrates the knowledge, skills, and ability to effectively perform the functions of this position may be considered.

*Education:*

A Bachelor's Degree from an accredited college or university with major work in planning or business with an emphasis in urban or transportation planning, public or business administration, transit or transportation management, economic or community development, or related field and three (3) years of progressively responsible experience. A Master's Degree in Transportation or Urban Planning, Economic or Community Development, Business or Public Administration or a related field may be substituted for one (1) year of the required experience.

*Experience:*

Candidates with experience in transit systems, working with the human services sector, group facilitation or related experience are preferred. Minimum level of experience needed to acquire the knowledge, skills, and abilities to perform the essential functions of the position.

*Knowledge, skills, and abilities:*

- Ability to work independently and with others in an effective manner.
- Ability to analyze data, define problems, identify potential solutions, develop implementation strategies and evaluate outcomes.

- Ability to apply principles of logical thinking to define problems, collect data, establish facts and draw valid conclusions.
- Ability to read and understand transportation and program planning documents and standards.
- Ability to establish and maintain effective working relationships with community leaders, government representatives, staff from local agencies, as well as the general public.
- Ability to interpret a variety of information and present it in a format for public use.
- Ability to devise plans, implement courses of action, and modify/revise plans based on experience and outcomes.
- Ability to use one's knowledge effectively and readily in execution or in performance of duties.
- Basic knowledge of specialized areas such as transit and para-transit operations, and the activities of local human service providers.
- Knowledge of principles and practices of planning, public administration and related disciplines.
- Demonstrated ability to plan, coordinate, and manage effective public outreach.
- Good project management skills.
- Strong communication skills, both orally and in writing.
- Good computer skills that include word, excel, access and powerpoint.
- Ability to learn new computer software applications.
- Knowledge of the Americans with Disabilities Act (ADA) and its specific applications to public transportation.
- Knowledge of federal programs providing transportation funding for the targeted population.
- Knowledge of the principles, procedures and strategies of coordinated human services transit-transportation planning and coordination strategies.
- Knowledge of Federal Transit Administration (FTA) and Colorado Department of Transportation (CDOT) policies, procedures and practices.
- Excellent written and oral communication skills including ability and proficiency in presenting results in concise reports and presentations to TC and various community representatives, government agencies and other groups.
- Ability to read, analyze, and interpret general business periodicals, professional journals, technical procedures, and governmental regulations.
- Ability to write business correspondence, reports, and planning documents.
- Ability to effectively present information and respond to inquiries from management, the TC, public groups, and the general public.

*Certificates, licenses, registrations:*

A valid driver's license is required.

## **Work Environment:**

### *General Work Environment:*

Work is generally performed in a typical office environment. Field visits to area agencies and transit providers are an integral component of the job.

### *Material and Equipment Used:*

Proficiency with computers, including competency in standard spreadsheet, database, presentation and word processing software. Use of general office equipment including phone, photocopier, and scanner. Ability to drive a motor vehicle.

### *Physical Demands:*

This position is generally performed in an office environment with frequent travel necessary within throughout the 5-county region via automobile or other mode of transportation. Work hours will generally be performed during business hours with occasional evening, night, or weekend meeting times required. While performing the duties of this job, the employee is frequently required to stand, walk, sit, talk, hear and drive. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

# Good Samaritan Legislation Letter of Support

To: SWCCOG Board of Directors  
From: Miriam Gillow-Wiles  
Date: 4 May 2018

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Comments: The Southwest Colorado Council of Governments has been asked to write a letter in support of introduction and passage of Good Samaritan Legislation. Such legislation would allow well-qualified and capable persons and organizations to perform liability-free mine remediation work. If approved, we would send letters to Senators Bennet and Gardner and Representative Tipton.

A letter of support on this legislation partially fits in the SWCCOG's letter of support policy:

- 1) The request is from Trout Unlimited, not from a member of the SWCCOG
- 2) The request does have regional impact
- 3) This proposal supports the SWCCOG's goals related to environment
- 4) Other considerations:
  - In the past, when similar legislation has been considered, some SWCCOG member communities wrote letters in support of such legislation

**Legal Review:** None

**Fiscal Impact:** None

**Staff Recommendation:** Approve the Letter of Support for the introduction and passage of Good Samaritan Legislation.

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# SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS

10 May, 2018

Senator Michael Bennet  
United States Senate  
261 Russell Senate Office Building  
Washington, DC 20510  
Phone: 202-224-5852

RE: Good Samaritan Remediation of Orphan Hardrock Mines

Dear Senator Bennet,

The Southwest Colorado Council of Governments (SWCCOG) is located in the southwest corner of the State of Colorado. The mission of the SWCCOG is to provide regional leadership on behalf of governments throughout Southwest Colorado by defining regional issues, advocating for mutual goals, and administering regional programs. The region includes the counties of Archuleta, Dolores, La Plata, Montezuma, and San Juan, the municipalities of the Cities of Cortez and Durango, and the Towns of Bayfield, Dolores, Dove Creek, Ignacio, Mancos, Pagosa Springs, Rico, and Silverton, as well as the two Native American Tribes of the Southern Ute and the Ute Mountain Ute.

Southwest Colorado is covered with hundreds of abandoned mines, many of which are sources of heavy metal pollution and acidity in the headwaters of our rivers. Current laws make it difficult, if not impossible for well-intentioned, non-responsible parties to perform much needed mine remediation for fear of long-term liability. This issue of liability is a significant deterrent and must be addressed through legislation. Good Samaritan legislation would help assure that well-qualified and capable persons and organizations could perform liability-free mine remediation work in our region.

In Southwest Colorado, the adverse impacts of not thoroughly cleaning up abandoned mines are incalculable, for communities both local and downstream. Disasters such as the Gold King Mine waste water spill highlight the wider regional impact of environmental emergencies and natural disasters. We urge you to make Good Samaritan legislation a priority. Such legislation would encourage improved water quality for our region while creating jobs and improving the quality of life in our region.

Please contact us if we can be of any assistance in advancing Good Samaritan legislation. Thank you for your leadership on this critical issue.

Sincerely,

Chris La May, Chair  
Southwest Colorado Council of Governments

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

970-779-4592

PO Box 963, Durango, CO 81301

2018-05-07

## Other Items

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