

Southwest Colorado Council of Governments
January Board Meeting
10 January 2014
La Plata County Court House

Board in Attendance:

Michael Whiting – Archuleta County
Julie Westendorff – La Plata County
Joe Kerby – La Plata County
Ron LeBlanc – City of Durango
Michelle Nelson – Town of Bayfield
Andrea Philips – Town of Mancos
Shane Hale – City of Cortez
Lana Hancock – Town of Dolores
David Mitchem – Town of Pagosa Springs
William Tookey – San Juan County (phone)
Chris Tookey – Town of Silverton (phone)

Staff in Attendance:

Miriam Gillow-Wiles – Executive Director
Tony Casale – Regional Housing Coordinator
Erica Keter – Regional Transit Coordinator

Guests in Attendance:

Scott Brandstetter – Region 9 / SWCCOG Bookkeeper
Laura Lewis Marchino – Region 9
Ed Morlan – Region 9
Wanda Cason, Senator Udall's Office
David Bygel - La Plata County
Gloria Kaasch-Buerger – City of Durango
Mary Beth Miles – City of Durango

I. Call to Order

La Plata County Commissioner Julie Westendorff introduced herself as likely replacement for Commissioner Bobby Lieb.

II. Consent Agenda: Minutes & Financials

Motion to Approve the Agenda: Ron LeBlanc, Second: Shane Hale. Passed by a unanimous voice vote.

III. Decisions:

Extend Contract between SWCCOG & Dr Rick Smith

Motion to discuss and add on to agenda as decision item: Shane Hale, Second: Andrea Philips. Passed by unanimous voice vote.

Ed Morlan led some of the discussion on financial status of telecom grant. Miriam Gillow-Wiles stated she and Dr. Rick had discussed the contract extension, and he said he would work through February but not much past the end of February. Contract extension would be through March to ensure we are covered through the end of the DOLA grant. Shane Hale wanted to know where

the additional construction money came from. Ed Morlan said they moved \$40,000 from administration to construction when they extended the grant to March 2014. Ron LeBlanc asked if it would make sense to include in the motion for the amount of Dr. Rick Smith's contract not to exceed \$13,000, which would provide enough money to cover his time through most of March.

Motion to extend the contract with Dr. Rick Smith until March 31st 2014 and not to exceed \$13,000: Ron LeBlanc, Second: Shane Hale. Passed by unanimous voice vote.

Purchasing Policies:

Miriam Gillow-Wiles started the discussion with the question of what is "local" to the COG. Michael Whiting said he thought it should be within the five counties, including cities and towns compromising the COG. There was some discussion regarding the entities in Montezuma County and most likely businesses will have an address that is in a city or town who is a member of the COG. Andrea Phillips discussed the phrase "department heads" was used in Mancos' policy but may not be applicable in this context. Staff stated it was left in for future growth.

Motion to adopt: Andrea Phillips, Second: Michelle Nelson. Passed by unanimous voice vote.

Signer for Ft Lyon Grant:

Staff reported the need to do monthly reporting on grant and need to be able to sign documents outside of the COG meeting schedule for Fort Lyons. Michael Whiting asked if we want to keep the signer specific or general for COG activities.

Motion to adopt Resolution 2014-01: Shane Hale, Second: Ron LeBlanc. Passed by unanimous voice vote.

Katherine Therapy Associates Fort Lyons MOU:

Miriam Gillow-Wiles stated the blue lined version was the response from legal, it emphasizes liability insurance, limits transporting people to Ft Lyons to avoid liability issues, and the exhibits were not included due to length and already having gone through the Board when initially approved. Andrea Phillips asked if this was put out to bid, as the policy now states that over \$10,000 needs to go out to bid. Staff responded that no it had not, as the only respondents to the initial DOLA RFP was Mary Katherine representing the Ute Mountain Ute Tribe. The Ute Mountain Ute Tribe could not take the grant due to only being able to serve Tribal members. Michael Whiting asked what if there was only one interested party. Julie Westendorff asked if there were any open meeting issues because final version was not on the website since the revision were received this morning and were not able to be posted to the website. Shane Hale stated that the changes are not in substance and most deal with legal language. Ron LeBlanc asked about auto insurance and moving people from the region to Fort Lyon if Mary Katherine would not be transporting people.

Motion to approve the contract with Mary Katherine Associates for Fort Lyons: Julie Westendorff, Second: Shane Hale. Passed by unanimous voice vote.

Contract for Anthony Casale:

Staff gave an explanation of funding for background of the position. Miriam Gillow-Wiles spoke with Ken Charles (DoLA) to clarify that sustainability funds can be used, which it can. Shane Hale asked if the money in discussion was a grant that was already received and if the grant had something to do with SWConnect. Staff confirmed that both were correct, and said that it may come down to a question of focus on SWConnect or housing. Michael Whiting asked if this was more of a question for the retreat. Andrea Phillips asked if this extension is through May, what

happens after May. Miriam Gillow-Wiles responded that would give us more time to find additional funding sources if SWCCOG wants to focus on housing.

Motion to authorize Miriam Gillow-Wiles to create a contract and enter into negotiations: Andrea Phillips, Second: Shane Hale. Further discussion regarding full time or part time status, pay roll taxes, current hours worked, hourly or monthly pay, how many hours will be worked, and clarification of contractor vs employee criteria ensued. Other questions regarding the expectations for the sustainability grant, including the identified areas in the grant of Aging, Housing, and Transit were discussed. Continued discussion centered on having the contract go before the Executive Committee or allowing the Director to make decisions outside of meetings.
Passed by unanimous voice vote.

SWConnect:

Miriam Gillow-Wiles started off with an explanation of SWConnect history and connection between SWConnect and United Way 211. Erica Keter explained that United Way is granting \$4500/year, and the AAA granting \$3000 for 2014 and 2015 to help automate process of updating 211. Miriam Gillow-Wiles also summarized the DOLA Sustainability grant. Laura Lewis Marchino stated there is roughly \$14,000 left to drawdown. Miriam explained the sustainability grant had used Susan Hakanson's time as match for the \$50,000 grant which was awarded in March of 2013, but we were unable to do any draws until December 2013, and that the grant expires at the end of February of 2014. Staff then reviewed the RFP for web developer and the actions around the web development for SWConnect, which was not to exceed \$36,000, did not get approval of the Board for award of contract, no contract exists, and that the COG has never been invoiced for the web development. Andrea Phillips asked if there is no contract with the web developer, is the SWCCOG obligated to pay. It was unclear as to the legal standing. Erica Keter stated that a work plan was developed for SWConnect with housing identified as priority and that web development progress may not be observed because not published yet but was unsure of amount of web development work being done 'behind the scenes'. Shane Hale asked if there was any other agency that would like to take this on. Miriam Gillow-Wiles responded that the check from MOU between Adult Education Center (AEC) and the former acting director had not been cashed, but it seemed as if the contract was to hand over SWConnect. It was then discussed this was more of a retreat discussion and if the SWCCOG should be housing SWConnect. Staff said we need pay the past due web hosting fees of \$239.97. Other questions regarding the need and applicability of the website vs Google, and if there was enough money in the grant to pay the web development fees.
Motion to pay the web hosting bill: Ron LeBlanc Second: David Mitchem. Passed by unanimous voice vote.

Contract with Payroll Department:

Miriam Gillow-Wiles stated this was the formalized contract to ensure staff can get paid and that we are and have been using their services since November 2013.
Motion to approve the contract with Payroll Department: Ron LeBlanc, Second: Shane Hale. Passed by unanimous voice vote.

Recycling Resources Economic Opportunities Grant:

Staff started the discussion regarding the RREO grant by stating it fits environmental aspect of our goals and would like to direction to explore further. There were questions about other communities recycling including Cortez. Questions then centered on what kind of grant and what opportunities there were with this grant. Miriam Gillow-Wiles answered questions including that this would be for a hub and spoke model, and not specifically a planning grant. Board Members

then spoke about some of the different needs in each community, and how we could reuse material in the region. Julie Westendorff and Andrea Phillips both stated that La Plata County and Mancos would be interested this grant. Staff was given approval to work on the grant and bring fine tuning to the February meeting. Many ideas of who to contact and what organizations already worked on recycling in the region were also given.

Letter of Support

Discussion started with the proposed changes and the updated language to the 2005 Senate Bill 152. Proposed changes to 2005 Bill and language within. Ron LeBlanc stated he thought this is a good thing to support after Legislative Committee met and phone call with Ken Fellman.

Motion to approve the letter of support for the changes of SB05-152: Ron LeBlanc, Second: David Mitchem. Passed by unanimous voice vote.

La Plata County had a few more questions regarding the types of changes in the proposed legislation, how substantial the changes were, and clarification on municipalities can offer bandwidth to providers. The questions were answered by Ron LeBlanc who said we can anticipate push back from large telecom providers and that the currently public facilities cannot be used to deliver service with the current language.

IV. Discussion

Michael Whiting was in Washington DC and spoke about public lands renewable energy act. Currently no clear way for counties to bring money back to jurisdictions from federal renewable energy projects within county lands. The importance comes from western states/counties with large tracts of federal land being more impacted than densely populated eastern states. Is this important enough for COG members to put together a letter of support? There were questions about utility companies receiving money for their transmission. Michael Whiting said that transmission considerations and power purchasing arrangements need to be considered but that the regulatory language is a barrier. Currently 100% of royalties on renewable energies go back to Washington DC. The position of the BLM and Forest Service was questioned, and Michael Whiting responded that more clarity will help land management agencies in their decision making process on leasing public lands. Shane Hale asked if this was truly a COG issue. David Mitchem replied that if it helps the COG counties, then it should be helpful to all the COG members. It was then discussed if this was what the COG should be spending political capital on. Michael Whiting said that Senators Bennet and Udall, as well as Congressman Tipton were in support of the proposed legislation and understood the importance to local counties.

Motion to direct staff to write a letter of support: Ron LeBlanc, Second: Michelle Nelson. Passed by unanimous voice vote

V. Reports

Director's Report:

Miriam elaborated on her report in the packet and gave a verbal update of nothing to report with the SWIMT. Shane Hale had a question about where are things with AAA. She replied that she was waiting on an updated budget to get a better financial picture. Julie Westendorff asked if having a small COG group to discuss with the AAA board would be useful. Michael Whiting said this goes back to topic that will be covered at retreat – program vs project – we need to use 2014 to figure this out. It was then discussed if there was an urgency in bringing the AAA under the COG. Discussion followed about that it may be easier to bring the AAA under the COG because they seem to be pretty well functioning. That point was counted that AAA has not been able to make matches on grants, and who should be responsible.

Housing Report:

Tony Casale provided a brief summary and stated the Supportive Housing Toolkit Brief will be hosted on February 4th and 5th in Durango.

There were no other questions about the other reports in the Board Packet.

VI. Adjourned