



Monthly Meeting, January 4, 2013

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

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

AGENDA

- 1:30 pm** **1. Meeting Called to Order & Introductions:** Bryce Capron Chair
- Additions/Changes to the Agenda**
- 2. Consent Agenda**
- A. Approval of Board Meeting Minutes for Friday, December 7, 2012
- B. Financial Report for November 2012
- 2:00** **3. Discussion**
- A. EagleNet – Update as possible**
- 2:50** **4. Decision**
- A. SWCCOG Existing Business
- i. Southwest Colorado Incident Management Team MOU
- ii. SWCCOG Signature authority
- iii. Operations of SCAN Network on Second Reading
- iv. Reallocation of Grant Funds on First Reading
- v. Audit Letter of Engagement
- B. SWCCOG New Business
- i. GM Contract Extension
- 3:10** **5. SWCCOG Priority Project Reports**
- A. Telecommunications**
- i. General Manager Services Report
- ii. Responsible Administrator Report (See DoLA Report)
- a. CIRSA Important Dates List
- iii. Telecommunications Committee Chair Report (as part of GM report)
- B. All Hazards Committee Grant update**
- C. Transit Council minutes & update**
- D. Housing**
- E. GIS**
- F. Public Safety (see GM Report)**
- G. CARO**
- Announcements-** Next regular meeting will be February 1, 2013, 1:30–3:30 pm at the La Plata Courthouse.
- 3:30 pm** **Adjourn**



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

Meeting Minutes

<p>Members Present:</p> <p>Bryce Capron, Town of Dove Creek Miriam Gillow-Wiles, Town of Ignacio Shale Hale, City of Cortez Chris La May, Town of Bayfield Bobby Lieb, La Plata County Clifford Lucero, Archuleta County Michelle Nelson, Town of Bayfield Todd Starr, Archuleta County Willy Tookey, San Juan County Jason Wells, Town of Silverton Michael Whiting, Archuleta County Ernie Williams, Dolores County Dick White, City of Durango Tom Yennerell, Town of Mancos</p>	<p>Guests:</p> <p>Ken Charles, DoLA David Bygel, LPC Wanda Casey, Congressman Tipton's office Chris Tookey, Town of Silverton Pat Swonger, EagleNet Jim Spratlin, Durango Police Drew Peterson, OEM, Archuleta County Sherri Dugsdale, City of Durango</p> <p>Staff/Consultants:</p> <p>Susan Hakanson Shirley Jones Erica Keter Ed Morlan Dr. Rick Smith</p>
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1:32 pm Meeting Called to Order & Introductions: Tom Yennerell Chair

Additions/Changes to the Agenda:

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

Motion: *Bobby Lieb: Approve agenda as amended*

Second: *Clifford Lucero*

Approved Yes No

2. Consent Agenda

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

Motion: *Willy Tookey; Approve Consent Agenda*

Second: *Jason Wells*

Approved Yes No

1:40

3. Public Hearing – 2013 Proposed Budget

A. Budget

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

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

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

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

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

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

Second: *Bobby Lieb*

Approved Yes No

2:00

4. Discussion

A. EagleNet – Pat Swonger Presentation and Discussion

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

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

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

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

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

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

What is the worst case scenario for you?

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

What percentage of the project is complete at this point?

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

How much of the grant did you already spend?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Are there environmental concerns attached to this?

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

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

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

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

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

B. DoLA – Ken Charles

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

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

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

D. Overall Planning for Telecommunications Grant (Ernie) -

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

2:50

5. Decision

- A. SWCCOG Existing Business
 - iii. Nominations and Elections of Officers for 2013
Report from nominating committee-
*Nominate **Bryce Capron** moving from Vice Chair to Chair*
*Nominate **Michael Whiting** as Vice Chair*
*Nominate **Dick White** as Secretary/ Treasurer*

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

Second: *Clifford Lucero*

Approved Yes No

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

Susan had been asked to clarify, from the by-laws, the difference between voting and non-voting members on committees: "official voting committee members should only be

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

Appoint new committee members:

Legislative Committee (+Policy):

Chris Lemay (remove)

Ron LeBlanc

Shane Hale -request for elected official on committee

Bobby Lieb (new)

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

Telecom Committee:

Ernie Williams

David Mitchem

William Tookey

Jason Wells

Miriam

Non-voting:

Brian Crawford

Rick Smith

Rick Smith

Erik Pearson

David Bigal?

Larry Eskew

Brian Crane

Administrative Committee:

Ron LeBlanc

New Archuleta County Administrator

Bryce Capron

Shane Hale

CARO Representative: *Bryce Capron*

Motion: *Todd Starr: Approve new committee members as presented*

Second: *Willy Tookey*

Approved Yes No

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

B. New Business

i. Southwest Colorado Incident Management Team

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

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

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

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

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

Second: Shane Hale

Approved Yes No

ii. SWCCOG Staffing- Fiscal Support

Motion: Todd Starr: Move forward with hiring SWCCOG bookkeeper and have Admin committee make recommendation in Jan.

Second: Bryce Capron

Approved Yes No

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

Second: Miriam Gillow-Wiles

Approved Yes No

3:10

6. SWCCOG Priority Project Reports

A. Telecommunications

- i. General Manager Services Report
- ii. Responsible Administrator Report
- iii. Telecommunications Committee Minutes for October. 20, 2012
- iv. Telecommunications Committee Chair Report
- v. SCAN Completion Process
 - a. Job Descriptions
 - b. Community Project Binders

B. All Hazards Committee Grant update-

C. Transportation: Transit Council minutes & update

- D. Housing
- E. Regional GIS
- F. Other

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

3:30 pm Adjourn

- Announcement/Proclamation
- Special Presentation
- Report

- Consent
- Decision

AGENDA SUBMISSION FORM
Southwest Colorado Council of Governments

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

Background:

In your packet are November financial reports produced through Quick books for the SWCCOG. The first one is the Combined Profit/Loss by Class through November 2012. This shows total Net income of \$1,048,096.32 and total expenses of \$986,373.07. The next report is the Profit/loss by Class for November. There was no activity in Fund 100 and only the E-Tics invoicing in Fund 900.

The third report is the Combined Balance Sheet by Class through November. Total assets total \$79,417.03 and there are no current liabilities.

The final sheet is the SWCCOG bank statement for November, showing \$62,637.55 in the account. The Financials have been sent to the SWCCOG Treasurer.

This month, the upcoming SWCCOG Treasurer, Dick White was also trained and met with both Laura and Shirley.

Fiscal Impact:

As referred to above.

Recommended Action:

The recommended action is to approve the November Financial Statements.

Accompanying Documents:

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

ADDITIONAL INSTRUCTIONS None

Southwest Colorado Council of Governments

Profit & Loss by Class

January through November 2012

12/18/12

Accrual Basis

	100-General	200-All Hazards	830-Telecom	900-SCAN	TOTAL
Income					
4000 · Sales	0.00	0.00	0.00	8,310.00	8,310.00
4005 · Other Income (e-tics)	0.00	0.00	0.00	9,270.11	9,270.11
4010 · Grant-DOLA Admin	0.00	0.00	46,602.81	0.00	46,602.81
4020 · Grant DOLA-Construction	0.00	0.00	542,724.95	0.00	542,724.95
4040 · Grant-Transit	13,697.38	0.00	0.00	0.00	13,697.38
4041 · All Hazards Grant	0.00	118,260.24	0.00	0.00	118,260.24
4950 · Match-GOV Admin	13,999.00	0.00	86,092.55	0.00	100,091.55
4951 · Match-GOV Construction	0.00	0.00	39,938.78	0.00	39,938.78
4952 · Region 9-Matching Funds	20,000.00	0.00	11,755.95	0.00	31,755.95
4955 · In Kind Project Match	0.00	0.00	137,444.55	0.00	137,444.55
Total Income	47,696.38	118,260.24	864,559.59	17,580.11	1,048,096.32
Cost of Goods Sold					
5000 · Cost of Goods Sold	0.00	0.00	0.00	1,743.75	1,743.75
Total COGS	0.00	0.00	0.00	1,743.75	1,743.75
Gross Profit	47,696.38	118,260.24	864,559.59	15,836.36	1,046,352.57
Expense					
5200 · All Hazard Project	0.00	118,260.24	0.00	0.00	118,260.24
5510 · Travel & Ent	908.34	443.10	2,359.93	0.00	3,711.37
5512 · Meeting Exp	393.14	0.00	226.55	0.00	619.69
5515 · Legal Fees	3,563.60	0.00	8,355.08	0.00	11,918.68
5520 · Advertising	273.80	0.00	0.00	0.00	273.80
5521 · Website	120.00	0.00	0.00	0.00	120.00
5525 · Audit	8,250.00	0.00	0.00	0.00	8,250.00
5527 · Internet & software	0.00	0.00	112.50	0.00	112.50
5532 · Postage	112.07	0.00	18.70	0.00	130.77
5535 · Printing/Reproduction	457.50	0.00	0.00	0.00	457.50
5540 · Membership/Sub	250.00	0.00	0.00	0.00	250.00
5550 · Supplies	193.23	0.00	0.00	0.00	193.23
5555 · Liability Insurance	3,897.00	0.00	0.00	0.00	3,897.00
5637 · SCAN GM	0.00	0.00	56,750.00	0.00	56,750.00
5638 · Region 9 EDD	0.00	1,045.25	48,290.28	0.00	49,335.53
5639 · Infor Services-Project Mgmt	0.00	0.00	2,200.00	0.00	2,200.00
5640 · Consulting	0.00	0.00	731.25	0.00	731.25
5641 · Regional Project Mgmt	0.00	0.00	50,553.77	0.00	50,553.77
5642 · Project Engineering & Mgmt	0.00	0.00	104,029.84	0.00	104,029.84
5643 · Transit	13,033.34	0.00	0.00	0.00	13,033.34
5644 · AmeriCorp Member	2,199.77	0.00	0.00	0.00	2,199.77
5645 · Project Construction	0.00	0.00	413,210.13	0.00	413,210.13
5650 · training/conf	120.00	0.00	0.00	0.00	120.00
5941 · E-tics expense	0.00	0.00	0.00	8,570.11	8,570.11
5955 · In Kind Project expense	0.00	0.00	137,444.55	0.00	137,444.55
Total Expense	33,771.79	119,748.59	824,282.58	8,570.11	986,373.07
Net Income	13,924.59	-1,488.35	40,277.01	7,266.25	59,979.50

1:50 PM

12/19/12

Accrual Basis

Southwest Colorado Council of Governments

Profit & Loss by Class

November 2012

	<u>200-All Hazards</u>	<u>830-Telecom</u>	<u>900-SCAN</u>	<u>TOTAL</u>
Income				
4010 · Grant-DOLA Admin	0.00	10,894.26	0.00	10,894.26
4020 · Grant DOLA-Construction	0.00	8,145.12	0.00	8,145.12
4041 · All Hazards Grant	12,190.24	0.00	0.00	12,190.24
4952 · Region 9-Matching Funds	0.00	819.31	0.00	819.31
4955 · In Kind Project Match	0.00	742.50	0.00	742.50
Total Income	<u>12,190.24</u>	<u>20,601.19</u>	<u>0.00</u>	<u>32,791.43</u>
Gross Profit	12,190.24	20,601.19	0.00	32,791.43
Expense				
5200 · All Hazard Project	12,279.00	0.00	0.00	12,279.00
5637 · SCAN GM	0.00	5,000.00	0.00	5,000.00
5638 · Region 9 EDD	305.25	3,277.22	0.00	3,582.47
5640 · Consulting	0.00	106.25	0.00	106.25
5645 · Project Construction	0.00	2,227.50	0.00	2,227.50
5941 · E-tics expense	0.00	0.00	700.00	700.00
5955 · In Kind Project expense	0.00	742.50	0.00	742.50
Total Expense	<u>12,584.25</u>	<u>11,353.47</u>	<u>700.00</u>	<u>24,637.72</u>
Net Income	<u>-394.01</u>	<u>9,247.72</u>	<u>-700.00</u>	<u>8,153.71</u>

No activity in fund 100 this month.

1:47 PM

12/19/12

Accrual Basis

Southwest Colorado Council of Governments
Combined Balance Sheet by Class
 January through November 2012

	100-General	200-All Hazards	830-Telecom	900-SCAN	TOTAL
ASSETS					
Current Assets					
Checking/Savings					
1001 · 1st Southwest Bank	38,653.57	0.00	0.00	0.00	38,653.57
Total Checking/Savings	38,653.57	0.00	0.00	0.00	38,653.57
Accounts Receivable					
1200 · Accounts Receivable	6,864.04	12,279.00	19,015.31	2,605.11	40,763.46
Total Accounts Receivable	6,864.04	12,279.00	19,015.31	2,605.11	40,763.46
Other Current Assets					
1090 · Due To/ Due From	117,166.52	-106,221.74	-14,890.92	3,946.14	0.00
1499 · Undeposited Funds	0.00	0.00	0.00	0.00	0.00
1550 · Prepaid expense	0.00	0.00	0.00	0.00	0.00
Total Other Current Assets	117,166.52	-106,221.74	-14,890.92	3,946.14	0.00
Total Current Assets	162,684.13	-93,942.74	4,124.39	6,551.25	79,417.03
TOTAL ASSETS	162,684.13	-93,942.74	4,124.39	6,551.25	79,417.03
LIABILITIES & EQUITY					
Liabilities					
Current Liabilities					
Accounts Payable					
20000 · Accounts Payable	0.00	0.00	0.00	0.00	0.00
Total Accounts Payable	0.00	0.00	0.00	0.00	0.00
Other Current Liabilities					
2200 · Deferred Revenue	0.00	0.00	0.00	0.00	0.00
2210 · Deferred Member Contributions	0.00	0.00	0.00	0.00	0.00
Total Other Current Liabilities	0.00	0.00	0.00	0.00	0.00
Total Current Liabilities	0.00	0.00	0.00	0.00	0.00
Total Liabilities	0.00	0.00	0.00	0.00	0.00
Equity					
32000 · Retained Earnings	15,491.74	0.00	3,945.79	0.00	19,437.53
Net Income	13,924.59	-1,488.35	40,277.01	7,266.25	59,979.50
Total Equity	29,416.33	-1,488.35	44,222.80	7,266.25	79,417.03
TOTAL LIABILITIES & EQUITY	29,416.33	-1,488.35	44,222.80	7,266.25	79,417.03



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

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

071 00065 01

ACCOUNT:

DOCUMENTS:

XXXXXX2610

20

PAGE: 1

11/30/2012

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

30
6
14

=====
FSB Non-Profit Checking ACCOUNT XXXXXX2610
=====

		LAST STATEMENT 10/31/12	27,785.89
AVG AVAILABLE BALANCE	78,589.25	6 CREDITS	158,194.38
AVERAGE BALANCE	78,589.25	14 DEBITS	123,342.72
		THIS STATEMENT 11/30/12	62,637.55

- - - - - DEPOSITS - - - - -					
REF #	DATE	AMOUNT	REF #	DATE	AMOUNT
	11/05	3,047.00		11/09	1,728.00
	11/05	106,070.00		11/09	6,495.00
				11/16	12,076.00
				11/28	28,778.38

- - - - - CHECKS - - - - -					
CHECK #	DATE	AMOUNT	CHECK #	DATE	AMOUNT
1199*	11/16	39,617.20	1220	11/19	228.00
1201*	11/19	24,782.00	1221	11/16	250.00
1206*	11/16	25,868.15	1222	11/30	144.00
1218	11/15	6,000.00	1223	11/14	700.00
1219	11/14	5,000.00	1224	11/16	120.00
			1225	11/14	6,924.00
			1226	11/14	1,969.50
			1227	11/20	5,625.00
			1228	11/20	6,114.87

(*) INDICATES A GAP IN CHECK NUMBER SEQUENCE

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

*		TOTAL FOR	TOTAL
*		THIS PERIOD	YEAR TO DATE

*	TOTAL OVERDRAFT FEES:	\$.00	\$.00

*	TOTAL RETURNED ITEM FEES:	\$.00	\$.00

- - - - - DAILY BALANCE - - - - -			
DATE	BALANCE	DATE	BALANCE
11/05	136,902.89	11/09	145,125.89
		11/14	130,532.39

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



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Durango • Saguache • Pagosa Springs

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

071 00065 01

ACCOUNT:

DOCUMENTS:

XXXXXX2610

20

PAGE: 2

11/30/2012

SW CO COUNCIL OF GOVERNMENTS
WILLIAM TOOKEY
THOMAS YENNERELL

=====

FSB Non-Profit Checking ACCOUNT XXXXXX2610

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

DATE.....	BALANCE	DATE.....	BALANCE	DATE.....	BALANCE
11/15	124,532.39	11/19	45,743.04	11/28	62,781.55
11/16	70,753.04	11/20	34,003.17	11/30	62,637.55

- END OF STATEMENT -



Announcement/Proclamation
 Special Presentation
 Report

Consent
 Decision

AGENDA SUBMISSION FORM
Southwest Colorado Council of Governments

Date of Board Meeting: January 4, 2013		<input type="checkbox"/>
Staff: Susan Hakanson	Presentation Time: 2 minutes	<input type="checkbox"/>
Subject: MOU allowing the SWCCOG to act as the fiscal agent for the regional Southwest Incident Management Team (SWIMT)	Discussion Time: 3 minutes	
<p>Reviewed by Attorney? <input checked="" type="checkbox"/> Yes Attorney: _____ <input type="checkbox"/> N/A <input type="checkbox"/> No fiscal impact</p> <p>Committee Approval _____ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A</p>		

Background:

The Southwest Colorado Incident Management Team (SWIMT) was created I 2008 as a group of the Southwest All-Hazards Advisory Council to provide for incident safety, operational coordination, support and fiscal accountability in an expedient manner within the Southwest Colorado Homeland Security Region and as requested during all risk emergency operations.

In November of 2012, after many years of planning and training as well as event and incident management, the Southwest Colorado Incident Management Team has been approved by the state to be a recognized Type III Incident Management Team. This designation is pending a secure fiscal agent.

As the team is made up of regional members, representing the 5 county region of the SWCCOG, and the SWCCOG has already begun acting as the fiscal agent of the All-Hazards Advisory Council, It is staffs' recommendation that the SWCCOG become that fiscal agent.

Fiscal Impact: The SWIMT includes a 10% administrative amount in all grants and other funding sources to cover fiscal management expenses.

Recommended Action: Approve the MOU between the SWCCOG and the Southwest Incident Management Team, (SWIMT) naming the SWCCOG as the fiscal agent for the SWIMT, giving signature authority to the Chair.

Accompanying Documents: Draft MOU between the SWCCOG and the SWIMT

ADDITIONAL INSTRUCTIONS

Three signed copies to be delivered to 1) SWCCOG, 2) Archuleta County Emergency Manager, 3) City of Durango Police Dept.

Memorandum of Understanding
Regarding Southwest Incident Management Team
and
Southwest Colorado Council of Governments

THIS MEMORANDUM OF UNDERSTANDING (hereinafter “MOU”) is entered into this ____ day of _____, 2013, by and between the Southwest Incident Management Team (hereafter “SWIMT”), an interagency team sanctioned by the Southwest Region All Hazards Advisory Council, whose address is 990 E 2nd Avenue, Durango, CO 81301, and the Southwest Colorado Council of Governments (hereafter “SWCCOG”), a political subdivision of the State of Colorado, whose address is 295A Girard St., Durango CO 81303 (collectively the “Parties”):

Whereas, in March 2009 the SWIMT was formed as a multi-agency team that supports the management of complex all-hazard situations in Southwest Colorado and surrounding areas; and

Whereas, the SWIMT is comprised of specialty personnel from 20 entities, including public health, law enforcement, fire districts, search and rescue, emergency management, municipalities, counties, tribes the US Forest Service and the Bureau of Land Management; and

Whereas, when any jurisdiction is overwhelmed by an incident, the SWIMT can be requested and the team can respond and assist said jurisdiction with incident management, organization and support; and

Whereas, when the SWIMT is deployed, there is a possibility they will receive funds for services rendered, and those funds can be distributed by SWIMT to its member entities and used for equipment purchases and replacement and repair of equipment; and

Whereas, the SWIMT is required to have a fiscal agent to maintain its certification as a Type 3 team with the State of Colorado; and

Whereas, SWCCOG was formed to promote regional cooperation and coordination among local and tribal governments and between levels of government for the geographic area comprising the Counties of Archuleta, Dolores, La Plata, Montezuma, and San Juan, Southern Ute Indian Tribe and Ute Mountain Ute Indian Tribe;

Whereas, the Parties now wish to enter into this MOU for a period of up to three years extending from _____, 2013 through _____, 2015; and

Whereas, SWCCOG having been formed to support regional governmental programs and projects, consents to operate as the fiscal agent to the SWIMT pursuant to the terms of the MOU;

Now, Therefore, the Parties agree as follows:

1. The term of this MOU shall be for three years, commencing January 15, 2013 and ending December 30, 2015. Financial obligations of any party payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available. The Parties do not anticipate that this MOU will require the appropriation of any funds. To the extent any funds must be appropriated in order to carry out this MOU, this MOU shall terminate on the last day of the then current calendar year, provided however, that all Parties may agree to appropriate necessary funds and continue this MOU.
2. Notwithstanding any provision to the contrary, any previous MOU between the Parties shall terminate on January 15, 2013 and this MOU shall become effective on January 15, 2013, or upon execution by the SWCCOG Board or its Director as designee, whichever is later.
3. As compensation for serving as fiscal agent, SWCCOG shall receive 10 percent of the gross operating and capital revenue income of the SWIMT due upon receipt by SWIMT
4. The total operating and capital revenue of SWIMT is presently undetermined. Funding will vary depending on the number of deployments during each year.
5. SWIMT will not approach SWCCOG for any funding outside of dedicated funds that were generated by deployments. SWCCOG is not and will not be responsible for the spending of the funds allotted to the SWIMT. SWIMT will cover any of its own losses during the term of this MOU through the net funding overrun and its own contributions.

Either party may terminate its involvement in this MOU as provided in paragraph 7.

6. The usage data shall be compiled by SWIMT and will be made available to the SWCCOG on a monthly basis. The payment formula in paragraph two shall remain in effect through June 30, 2015 at which time it will be reviewed for equity by the Parties. A change in the payment formula will not be made unless agreed to in writing by the
7. Either party may terminate its participation in this MOU by providing written notice to the other no later than one hundred eighty (180) days prior to the end of the current calendar year.
8. SWIMT shall provide monthly reports to SWCCOG detailing the costs calculated in the usage of the team's personnel and equipment and providing SWCCOG with the invoices

SWIMT issued to its clients or others. The Coordinator of the SWIMT shall be responsible to provide SWCCOG with the above documentation.

9. The SWIMT shall operate under the exclusive control, direction and supervision of the SWIMT.
10. Subject to the limitations and protections set forth in Section ___ of this MOU, and to the extent permitted by law, SWIMT agrees to defend, indemnify and hold harmless the SWCCOG, as well as SWCCOG's employees and agents, from and against any and all injuries, damages, claims, causes of action, judgments, attorney's fees and costs, and liabilities of any kind incurred as a result of any act or omission by the SWIMT, or its employees, agents, subcontractors, or assignees arising out of the operation of the SWIMT, and against all claims, demands, losses, expenses, attorney fees, causes of action, judgments and liability which are or may be brought or claimed by any person or entity against the SWCCOG as a result of the SWCCOG acting as the fiscal agent for SWIMT, to the maximum extent allowable by law.
11. SWCCOG is an Independent Contractor, not an employee of the SWIMT, and is not within the SWIMT personnel system. SWIMT shall rely upon the SWCCOG's expertise in acting as Fiscal Agent. SWIMT is also free from control and direction by the SWCCOG, and the SWCCOG shall not oversee any activities or services of SWIMT, and shall not instruct or advise SWIMT as to how SWIMT perform its activities or services. SWCCOG is free to provide Fiscal Agent services to others and is not required to work exclusively for SWIMT in providing Fiscal Agent services. Compensation to SWCCOG provided under this MOU is set at a contract rate for the work, and is not set as a salary or hourly-employment rate.
12. All payments owed pursuant to this MOU to SWCCOG shall be made by checks payable to the SWCCOG and not to any individual. SWCCOG is responsible for providing its own tools and benefits at its own cost. SWCCOG is not entitled to workers' compensation benefits or unemployment insurance benefits. SWCCOG is not obligated to pay federal (including social security) and state income tax on any monies earned pursuant to this contract relationship. SWIMT is and shall remain a separate and distinct entity from the SWCCOG. The business operations of SWIMT shall in no way combine with the business operations of the SWCCOG.
13. SWIMT agrees to charge its clients and customers, including any governing bodies, for use of SWIMT services, personnel or equipment. Upon delivery of any services, personnel, or equipment by the SWIMT, SWIMT agrees to secure the authorized signature of its client or customer upon an agreement to pay SWIMT for its services, personnel or equipment at the approved reasonable commercial rate for the services,

personnel or equipment provided, except for the current SWIMT policy that waives the first 24 hour fees to a member entity on the team in good standing

14. This MOU is the entire agreement between the parties and shall supersede any and all, prior or contemporaneous agreements, statements, understandings not contained herein. This MOU may not be amended except in writing and signed by the Parties.
15. The Parties agree not to assign rights or delegate duties under this MOU or subcontract any part of the performance required under the contract without the express, written consent of the other party, which shall not be unreasonably withheld. Except as herein otherwise provided, this MOU shall inure to the benefit of and be binding upon the Parties hereto and their respective successors and assigns.
16. It is expressly understood and agreed that the enforcement of the terms and conditions of this contract and all rights of action relating to such enforcement, shall be strictly reserved to the Parties. Nothing contained in this MOU shall give or allow any claim or right of action whatsoever by any other third person. It is the express intention of the Parties that any other person or entity, receiving services or benefits under this MOU shall be deemed an incidental beneficiary only.
17. Notwithstanding any other provision of this MOU to the contrary, no term or condition of this MOU shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protection, or other provisions of the Colorado Governmental Immunity Act, Section 24-10-101, et.seq., CRS, as now or hereafter amended, or any other applicable sovereign or governmental immunity. The Parties understand and agree that liability for claims for injuries to persons or property arising out of negligence of the State of Colorado, its departments, institutions, agencies, boards, officials and employees is controlled and limited by the provisions of Section 24-10-101, et. seq., CRS, as now or hereafter amended and the risk management statutes, Section 24-30-1501, et. seq., CRS, as now or hereafter amended.
18. To the extent that this MOU may be executed and performance of the obligations of the parties may be accomplished within the intent of the MOU, the terms of this MOU are severable, and should any term or provision hereof be declared invalid or become inoperative for any reason, such invalidity or failure shall not affect the validity of any other term or provision hereof. The waiver of any breach of a term, provision, or requirement of this MOU shall not be construed or deemed as waiver of any subsequent breach of such term, provision, or requirement, or of any other term, provision, or requirement.
19. SWIMT certifies that, at the time of entering into this contract, it has currently in effect all necessary licenses, certifications, approvals, insurance, permits, etc. required to properly perform the services and/or deliver the supplies and equipment covered by this

MOU. SWIMT warrants that it will maintain all necessary licenses, certifications, approvals, insurance, permits, etc. required to properly perform this MOU. Additionally, all volunteer employees of the SWIMT performing services under this MOU shall hold the required certifications, if any, to perform their responsibilities. Any revocation, withdrawal or non-renewal of necessary licenses, certifications, approvals, insurance, permits, etc. required for SWIMT to properly perform its functions under this MOU shall be grounds for termination of this MOU by SWCCOG for default. At the time of contract execution the SWIMT shall provide evidence of the following certifications:

- a. Signed application by each of its member entities and their department heads authorizing their membership with a signature by the SWIMT Coordinator for approval. (Signed application to include designation that SWIMT members are covered under the insurance of their sponsoring agency).
- b. Certificates of all certified member positions.

20. All notices required to be given by the Parties shall be hand delivered or given by certified or registered mail to the individuals at the addresses set forth below. Either party may from time to time designate in writing substitute addresses or persons to whom such notices shall be sent.

To SWIMT: SWIMT Co-Coordinator
Archuleta County Sheriff's Office – Emergency Management
P.O. Box 638
Pagosa Springs, CO 81147

To SWIMT: SWIMT Co-Coordinator
Durango Police Department
990 E 2nd Avenue
Durango, CO 81301

To SWCCOG: Director
295 A Girard Street,
Durango, CO 8130 81303

21. Counterparts. This MOU may be executed in counterparts, each of which shall be deemed to be an original and all of which together shall constitute one original MOU.

22. Signatory Authority. Each person signing this MOU in a representative capacity, expressly represents the signatory has the subject party's authority to so sign and that the subject party will be bound by the signatory's execution of this MOU. Each party expressly represents that except as to the approval specifically required by this MOU; such party does not require any third party's consent to enter into this MOU.

IN WITNESS WHEREOF, the parties hereto have executed this MOU the day and year first above written

AGREED:

(SEAL) SOUTHWEST INCIDENT MANAGEMENT TEAM

ATTEST:

[Redacted Signature],

Team Co- Coordinator

ATTEST:

[Redacted Signature],

Team Co- Coordinator

(SEAL) SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS

ATTEST:

[Redacted Signature], Director

Distribution:

Southwest Colorado Council of Governments

Southwest Incident Management Team

- Announcement/Proclamation
- Special Presentation
- Report

- Consent
- Decision

AGENDA SUBMISSION FORM
Southwest Colorado Council of Governments

Date of Board Meeting: Friday, January 5, 2013		<input type="checkbox"/>
Staff: Laura Lewis Marchino	Presentation Time: 5 minutes	<input type="checkbox"/>
Subject: Check Signature Authority	Discussion Time: 2 minutes	

Reviewed by Attorney? Yes Attorney: _____ N/A No fiscal impact

Committee Approval _____ Yes N/A

Background:

With changes in SWCCOG leadership, staff would like to update the list of check signers on the SWCCOG account. Clifford Lucero and Tom Yennerell will be removed and Dick White will be added. Past Chair Willy Tookey and current Chair, Bryce Capron are already on the account.

Fiscal Impact:

There is no fiscal impact

Recommended Action:

The recommended action is to approve Resolution #13-01 to update the list of SWCCOG check signers for 2013.

Accompanying Documents:

Resolution for Signature authority

ADDITIONAL INSTRUCTIONS

Once the resolution is signed, staff will take to First Southwest Bank and update the signature card to reflect the new signers on the account.



RESOLUTION #13-01

Resolution designating the opening of a checking account and providing authority to account signers

WHEREAS, the Southwest Colorado Council of Governments (SWCCOG) has a bank account; and,

WHEREAS, the SWCCOG requires there be designated signers on each account; and

WHEREAS, the SWCCOG feels it is prudent to annually review and reauthorize the designated signers on the account,

THEREFORE, BE IT RESOLVED, that the Board of Directors of the SWCCOG acknowledge the attached signers on the account and authorizes each of them to sign checks and related account documentation when required.

Approved this ____ **day of January 2013** by the Board of Directors of the Southwest Colorado Council of Governments.

Bryce Capron, Chair

Dick White, Secretary/Treasurer

AUTHORIZED SIGNERS FOR SWCCOG CHECKING ACCOUNTS

First Southwest Bank Checking Account

(each check requires two signatures)

William Tookey

and/or

Dick White

and/or

Laura Lewis Marchino

and/or

Bryce Capron

- Announcement/Proclamation**
- Special Presentation**
- Report**

- Consent**
- Decision**

AGENDA SUBMISSION FORM
Southwest Colorado Council of Governments

Date of Board Meeting: January 4, 2013		<input type="checkbox"/>
Staff: Susan Hakanson	Presentation Time: 2 minutes	<input type="checkbox"/>
Subject: 2013 SWCCOG SCAN Broadband Network Policy on Second Reading	Discussion Time: 7 minutes	
Reviewed by Attorney? <input type="checkbox"/> Yes Attorney: _____ <input checked="" type="checkbox"/> N/A <input type="checkbox"/> No fiscal impact Committee Approval _____ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A		

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

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

Fiscal Impact:

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

Accompanying Documents: SCAN Broadband Network Policy

ADDITIONAL INSTRUCTIONS

None



Broadband Network Policy – *DRAFT on Second Reading*

Mission Statement

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

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

Vision Statement

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

Description of Regional Network Architecture

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

The regional network will provide connectivity for Southwest Colorado Council of Governments (SWCCOG) members ranging from Pagosa Springs on the east, to Dove Creek on the west. The regional network will include two hub locations for the outlying communities and colleges to connect. The two regional hubs (Durango and Cortez) will be connected via a 10G backbone. Each community will build an intra-community network to aggregate services at a common point. Aggregation of demand region-wide is a major goal of the project. Where feasible, each community aggregation point will connect to one or both of the regional hub sites. Upstream connectivity will be from the regional hubs, or from community aggregation points for communities where connectivity to the regional hub is infeasible.

Inter- and intra-community SCAN network segments may be: new construction executed by the SWCOG members; new construction executed by private carriers in partnership with the SWCCOG members; leased services from private carriers; or other deployments. High capacity connectivity at reasonable

4.A iii.2

operational costs is the hallmark of the project. When feasible, fiber connectivity is preferred, but copper and wireless services will be considered where fiber deployment proves to be unrealistic.

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

Beliefs:

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

SCAN Access and Users

First Tier:

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

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

Town of Bayfield

City of Cortez

Town of Dolores

Town of Dove Creek

City of Durango

Town of Ignacio

Town of Mancos

Town of Pagosa Springs

Town of Rico

Town of Silverton

Archuleta County

Dolores County

La Plata County

San Juan County

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

Second Tier:

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

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

Third Tier:

4.A iii.2

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

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

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

General Operations

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

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

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

If a community chooses to release funds back to the SWCCOG for other communities or if a community elects to use additional DoLA grant funds, it's administration fee will be adjusted accordingly.

SCAN Operations

Fees

Ramp Fee (Connectivity Fee)

- Fee covers Network maintenance (staff hours and fiber).
- Ramp Fees will be paid by any entity that touches the SCAN Network.

4.A iii.2

- This fee will be re-evaluated bi-annually to determine what is necessary for maintenance.

Internet Bandwidth Usage

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

Internet Admin Fee

- Fee covers cost of routers & equipment.
- Leased Assets
Revenue from fiber IRU's with vendors. If the member organizations wish that agreements be *developed, and services researched or developed or administered by SCAN staff, an administrative fee will be required. Fees paid for SCAN administration will be based on the original DOLA grant associated with 75% of the member communities' fiber project total cost.*

E-Tics Software

- Direct payment for service from SWCCOG Members.

Other

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

Fiber Repair Fund

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

- Announcement/Proclamation
- Special Presentation
- Report

- Consent
- Decision

AGENDA SUBMISSION FORM
Southwest Colorado Council of Governments

Date of Board Meeting: January 4, 2013		<input type="checkbox"/>
Staff: Susan Hakanson	Presentation Time: 2 minutes	<input type="checkbox"/>
Subject: 2013 SWCCOG SCAN Reallocation of SCAN Grant Funds – Policy on First Reading	Discussion Time: 5 minutes	
Reviewed by Attorney? <input type="checkbox"/> Yes Attorney: _____ <input checked="" type="checkbox"/> N/A <input type="checkbox"/> No fiscal impact Committee Approval _____ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A		

Background:

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

Fiscal Impact:

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

Accompanying Documents: Reallocation of SCAN Grant Funds – Policy on First Reading, Community Match Worksheet will be attached separately as an excel document to allow for ease of use.

ADDITIONAL INSTRUCTIONS

None



Reallocation of SCAN Grant Funds – Policy on First Reading

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

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

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

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

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

- a.*
- b.*
- c.*
- d.*

Suggestions: The funds will be distributed based on:
-meeting grant requirements to-date
Can meet match requirements
Ability to complete by grant deadline
SWCCOG Board priorities (determined)

Announcement/Proclamation
 Special Presentation
 Report

Consent
 Decision

AGENDA SUBMISSION FORM
Southwest Colorado Council of Governments

Date of Board Meeting: January 4, 2013		<input type="checkbox"/>
Staff: Susan Hakanson	Presentation Time: 2 minutes	<input type="checkbox"/>
Subject: Audit Letter of Engagement	Discussion Time: 3 minutes	
<p>Reviewed by Attorney? <input type="checkbox"/> Yes Attorney: _____ <input checked="" type="checkbox"/> N/A <input type="checkbox"/> No fiscal impact</p> <p>Committee Approval _____ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A</p>		

Background:

Background: In compliance with state requirements that an annual audit be performed for government organizations. The COG selected Beckstead & Co., LLC following COG procurement procedures to perform the 2011 audit. The COG has used his expertise in 2010.

Mr. Todd Beckstead was in Durango reviewing the Letter of Engagement. At that time, several questions were asked, and as a result, the price of the Audit was reduced from \$10,750 to \$8,250.

Attached you will find the Letter of Engagement dated 12/31/12.

Fiscal Impact: The proposed cost of the 2012 audit is \$8,250.

Recommended Action: Approval of Letter of Engagement as presented by Beckstead & Co., LLC to complete the 2012 SWCCOG Audit.

Accompanying Documents: Amended Letter of Engagement

ADDITIONAL INSTRUCTIONS

None

December 31, 2012

Management and Board of Directors
Southwest Colorado Council of Governments
Via Email: laura@scan.org

We are pleased to confirm our understanding of the services we are to provide Southwest Colorado Council of Governments for the year ending December 31, 2012. We will audit the financial statements of the governmental activities and each major fund, which collectively comprise the basic financial statements of Southwest Colorado Council of Governments as of and for the year ending December 31, 2012.

Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement Southwest Colorado Council of Governments' basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to Southwest Colorado Council of Governments' RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis.
- 2) Budgetary Comparisons

Audit Objective

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and will include tests of the accounting records and other procedures we consider necessary to enable us to express such opinions. If our opinions on the financial statements are other than unqualified (unmodified), we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

Management Responsibilities

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. You are also responsible for making all management decisions and performing all management functions; for designating an individual with suitable skill, knowledge, or experience to oversee our assistance with the preparation of your financial statements and related notes and any other nonattest services we provide; and for evaluating the adequacy and results of those services and accepting responsibility for them.

Management is responsible for establishing and maintaining effective internal controls, including monitoring ongoing activities; for the selection and application of accounting principles; and for the fair presentation in the financial statements of the respective financial position of the governmental activities and each major fund of the Southwest Colorado Council of Governments and the respective changes in financial position and where applicable, cash flows, in conformity with U.S. generally accepted accounting principles.

Southwest Colorado Council of Governments
December 31, 2012
Page 2

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud or illegal acts affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws and regulations.

You are responsible for the preparation of the supplementary information in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report. Your responsibilities include acknowledging to us in the representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) that you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) that the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards. In addition, an audit is not designed to detect immaterial misstatements, or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors or any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Southwest Colorado Council of Governments
December 31, 2012
Page 3

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We may request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about the financial statements and related matters.

Audit Procedures—Internal Control

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. An audit is not designed to provide assurance on internal control or to identify deficiencies in internal control. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of Southwest Colorado Council of Governments’ compliance with the provisions of applicable laws, regulations, contracts, and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash or other confirmations we request and will locate any documents selected by us for testing.

We expect to begin our audit on approximately April 29, 2013 and to issue our reports no later than June 30, 2013. Todd Beckstead is the engagement partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it. Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses will not exceed \$8,250. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered as work progresses on the following schedule.

75% billed at completion of fieldwork	\$ 6,185
25% billed at delivery of audited financial statements	<u>2,065</u>
	<u>\$ 8,250</u>

In accordance with our firm policies, work may be suspended if your account becomes overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report. You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

Southwest Colorado Council of Governments
December 31, 2012
Page 4

We appreciate the opportunity to be of service to Southwest Colorado Council of Governments and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,
BECKSTEAD & CO., LLC



Todd Beckstead, CPA, CFE

RESPONSE:

This letter correctly sets forth the understanding of Southwest Colorado Council of Governments.

Signature

Title

- Announcement/Proclamation
- Special Presentation
- Report

- Consent
- Decision

**AGENDA SUBMISSION FORM
Southwest Colorado Council of Governments**

Date of Board Meeting: January 4, 2013		<input type="checkbox"/>
Staff: Susan Hakanson	Presentation Time: 2 minutes	<input type="checkbox"/>
Subject: GM Contract	Discussion Time: 5 minutes	
Reviewed by Attorney? <input type="checkbox"/> Yes Attorney: _____ <input checked="" type="checkbox"/> N/A <input type="checkbox"/> No fiscal impact Committee Approval _____ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A		

Background:

Dr Rick Smith has been acting as the General Manager of the SCAN project through 2012. It was his intention to leave this project and continue to pursue his private business in December of 2012. A search was conducted in November and December of 2012 to hire a replacement. Three individuals were interviewed. It became apparent that, given the complexities of the project, the political nature of the project and the short team completion date, that the best possible outcome for the SCAN project would be to ask Dr. Rick to extend his contract for 6-9 months. Dr. Rick has graciously agreed to extend his contract to complete the project. It is the recommendation of the staff to renew Dr. Rick's contract through September 2013.

Fiscal Impact: Through SWCCOG membership dues, DoLA Grant funds, administrative funds in the original Tele Com Grant, and fees being paid through the SCAN, funds have been budgeted for this position through 2013. Extending Dr. Ricks contract should reflect a savings to the SWCCOG over the hiring of a new individual.

Recommended Action: Approval of the ccontract for Services between Southwest Colorado Council of Governments and Dr Rick Smith dba Arona Enterprises.

Accompanying Documents:

ADDITIONAL INSTRUCTIONS

None

4.B i 1 GM Contract - A

4.B i 2 SWCCOG Contract Extension for Dr Rick Smith - SD

**Contract for Services Between
Southwest Colorado Council of Governments
And Dr Rick Smith dba Arona Enterprises**

Contract Extension

The current contract expiring on January 31, 2013 can be extended by mutual written agreement. The term is hereby extended to September 30, 2013 under the same scope of work, terms and conditions.

Dr. Rick Smith, Arona Enterprises Date

Bryce Capron, Chair, SWCCOG Date

- Announcement/Proclamation
- Special Presentation
- Report

- Consent
- Decision

AGENDA SUBMISSION FORM
Southwest Colorado Council of Governments

Date of Board Meeting: January 4 , 2013		<input type="checkbox"/>
Staff: Susan Hakanson	Presentation Time: minutes	<input type="checkbox"/>
Subject: Telecommunications Reports	Discussion Time: minutes	
Reviewed by Attorney? <input type="checkbox"/> Yes Attorney:_____ <input checked="" type="checkbox"/> N/A <input type="checkbox"/> No fiscal impact Committee Approval _____ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A		

Background: Included in Reports:

A. Telecommunications

- i. General Manager Services Report (Attached)
- ii. Responsible Administrator Report (See Attached DoLA Report)
 - a. CIRSA Important Dates List (Attached)
- iii. Telecommunications Committee Chair Report (as part of GM report)

- B.** All Hazards Committee Grant update (Unavailable at time of packet)
- C.** Transit Council minutes & update (Attached)
- D.** Housing (Attached)
- E.** GIS (Attached)
- F.** Public Safety (see GM Report)
- G.** CARO (Attached)

Fiscal Impact:

Recommended Action:

Accompanying Documents:

ADDITIONAL INSTRUCTIONS

None

5.A i, ii, iii B-G

BOARD MEMORANDUM

TO: SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS BOARD (SWCCOG)
FROM: DR. RICK SMITH
SUBJECT: MONTHLY GM UPDATE
DATE: 12/27/2012

This month was devoted to acquiring the remaining quotes for builds and community decisions on the build and the vendor. In addition, I worked with Susan to file the DoLA report on SCAN progress.

I. COG

- a. Continuing the building community notebooks for the COG and individual communities that cover the process for each fiber build along with maps check list and any other pertinent information.
- b. Worked with Susan to complete the SCAN project update report requested by Ken Charles from DoLA.
- c. There was NO Telecomm Committee meeting this month. Instead, worked with Rick Smith, Dave Bygel and Eric Pearson to begin a regional view of the SCAN network in terms of possible services.
 - i. Rick Smith and the City of Cortez hosted a regional meeting of law enforcement personnel to discuss collaboration.
 - ii. A quick report was given on the progress of the SCAN build.
 - iii. A discussion around video arraignment was held and the opportunity to share equipment and test connectivity between the incarceration facilities and the different courts in Cortez and Durango.
 - iv. Also discussed the use of the video capabilities in the officers' vehicles to link officers with the courts to provide testimony without having to leave their respective responsibilities.
 - v. Discussed the logical design of the SCAN network and specifically the type of switches to purchase for each community.
 - vi. Discussed the routing options for the two HUB routers in Cortez and Durango. We anticipate using the professional services of ISC who sold the routers to the respective communities.
- d. I will be attending meetings in Denver the first week of January with Senator Bennet's staff on the state of Eagle Net. Specific topics will be when can construction resume and how can the Southwest get a guarantee of a cooperative fiber installation.

II. Community Updates

a. Dolores –

- i. No change from last month with Dolores!
- ii. Still awaiting Eagle-Net to finish the build in Dolores (place fiber in the conduit) and connect Dolores back to the Cortez HUB.

b. Mancos -

- i. No change from last month with Mancos!
- ii. Still awaiting Eagle-Net to finish the build in Mancos connecting Mancos to the Cortez HUB.

c. Ignacio -

- i. In January, I will present to the Town Board about the SCAN build progress.

d. Pagosa Springs / Archuleta County -

- i. USA Communications is continuing the joint build of fiber in Pagosa Springs between the east side of Pagosa to the intersection of Piedra Rd. and HWY 160.
- ii. Worked with the Pagosa Springs financial officer to get their first invoice paid.
- iii. Still awaiting Eagle-Net to complete the fiber build connecting Pagosa Springs to Bayfield.

e. Bayfield -

- i. The construction vendor is trenching the river as opposed to hanging the fiber from the existing bridges. It was also decided to use concrete as opposed to steel casing in burying the fiber conduits under the river.
- ii. Still awaiting Eagle-Net to complete the fiber build connecting Bayfield to Durango.
- iii. Bayfield will be partnering with FastTrack Communications on fiber IRU to complete the Bayfield loop. Bayfield also has the opportunity to use FastTrack Communications to connect back to the Durango HUB.

f. Dolores County / Dove Creek -

- i. Waiting for a decision from Dove Creek Town Council on their desire to participate in the SCAN project. Both Dolores County and Dolores County School District have reserved funds in their budget to account for their respective matches.

- ii. We again are waiting on Eagle-Net's progress in Dolores County with a guaranteed time frame for access to the fiber.

g. Silverton / San Juan County –

- i. I presented to the Silverton Town Board in December on the current fiber route with the associated cost estimates from DB Technologies.
- ii. The Town Board asked I seek a construction bid from a local contractor to lower the cost of burying the conduit. They also requested a bid for attaching the fiber to the existing cable TV lines. Both of these will be presented at the January Town Board meeting.
- iii. Silverton is also anxiously waiting for word on fiber in 2013.

h. Durango / La Plata County –

- i. Durango will most likely purchase the HUB equipment this month when pricing is favorable. Durango and the County have selected a location for the HUB equipment and will install when it arrives.

i. Rico

- i. I have had e-mail communications with Mike England, Rico Town Manager on the fiber options for Rico.
- ii. Susan and I will be attending the January Rico Town Board meeting to present fiber options and seek guidance from the Town Board.

j. Cortez

- i. Cortez hosted the law enforcement collaboration meeting. This is a great start to building a SCAN Service Catalog in conjunction with Internet aggregation and the possibilities with GIS services.
- ii. We are also waiting on Eagle-Net to connect to the Cortez Service Center. No word as of yet.

III. January FOCUS

- a. Get all communities ready for their fiber builds with all necessary documents in the respective binders.
- b. Plan to meet with the new Mancos Town Manager in early January.
- c. Complete Silverton's notebook with final route design and vendor selection.
- d. Complete the Rico notebook with fiber options and vendor selection.
- e. Continue building the SCAN 'Service Catalog' with specific opportunities for regional collaboration.

2013

Important Dates



JANUARY

- 1st** Closed in observance of New Year's Day
- 14th** 2012 Workers' Compensation Audit – sent to members

FEBRUARY

- Members qualifying for property appraisals to be visited by our contracted appraiser (February - May)*
- 22nd** 2012 Workers' Compensation Audit Due
- 18th** Closed in observance of Presidents Day

MARCH

- 1st** CIRSA Scholarship Applications Due

APRIL

- 3rd** CIRSA Orientation Workshop, Denver Office
- 19th** Member Equity Letters mailed with audit report
- 29th** 2014 Property/Casualty and Workers' Compensation Renewal Applications sent to members

MAY

- 27th** Closed in observance of Memorial Day

JUNE

- 7th** 2014 Property/Casualty and Workers' Compensation Renewal Applications due
- 19th** General Membership & Safety Meeting; Donovan Pavilion, Vail, CO

JULY

- 4th** Closed in observance of Independence Day

AUGUST

- 30th** 2014 Quote of Contribution Renewal letters mailed

SEPTEMBER

- 2nd** Closed in observance of Labor Day

OCTOBER

- 2014 Optional Coverage Quotations and Certificate of Insurance Renewal List mailed*
- 1st** 2014 Renewal Quote of Contribution acceptances due
- 2nd** CIRSA Orientation Workshop, Denver Office

NOVEMBER

- 11th** Closed in observance of Veterans Day
- 28th** Closed for Thanksgiving Holiday
- 29th** Closed for Thanksgiving Holiday

DECEMBER

- 2014 Auto Proof of Insurance Cards Mailed & 2014 Certificates of Insurance Renewed*
- 24th** Closed for Holidays
- 25th** Closed for Holidays

Southwest Colorado Regional Transit Coordinating Council

November 30, 2012

3 to 5pm

Those in attendance: *Laura Lewis- Marchino, Erica Keter, Terry Woodward, Martha Mason, Peter Tregellius, Clayton (Road Runner). Krystian Boreyko (phone)*

3pm

I. Welcome & Introductions (Erica Keter, AmeriCorps)

Several folks unable to make it due to PASS training happening today.

II. Additions/Changes to the Agenda

No changes requested.

III. Review of September, 2012 Meeting minutes

Talk about vouchers: work with developing regional voucher system that is interdisciplinary. Laura having some trouble receiving materials requested at last meeting from Ralph Powers.

3:15pm

IV. Organization Updates: Everyone

- Clayton/ Peter (Road Runner)- Road Runner has received about \$8,000 more from CDOT than they had requested, and \$12,000 from Town of Bayfield and as a result will be restoring the 4th daily run to Bayfield soon. Dial a ride in Ignacio is doing well, 1100 trips per month. Have had some trouble with Aztec traffic police; had the driver and 2 passengers wait 35min to be weighed- so looking at getting licensed by the state of New Mexico. Received CDOT money (\$200,000+8 months operating costs) to start inter-city route from Durango to Grand Junction; after renovations, bus will carry 47 people and currently working with Greyhound to coordinate scheduling with the best connection times in Grand Junction. Our area is considered very high priority (#3) for inter-city transportation; looking to start daily service early May, and will rent an apartment in Grand Junction for drivers to rest between routes.

Martha (SWCI) - Asked for \$5,000 from the county for transportation vouchers to use mostly for low vision and elderly for getting into town. Will be doing transportation plans with individuals, but can also give neighbors or other folks money for driving folks into town. Has used \$5,000 in vouchers in 6 months without trying very much, looking at bringing in Department of Voc Rehab for voucher planning. Looking at collecting data in satisfaction survey, and requiring feedback for those receiving bus passes. Working with different agencies and drivers to train for cultural sensitivity in presenting the travel training

Krystian (Easter Seals) - year of technical assistance is coming to an end, however is willing to continue to support transit council if needed.

Laura (Region 9 EDD) - National Highway Commission looking at opening up national highways designation and were looking at some roads in our area. Not sure if this will be a benefit or not (may have to increase quality without additional funding OR may be a higher priority due to national status). Laura to follow-up.

3:45 pm V. Update from SW Connect: Transit Mapping Project

Moving forward in creating regional transit structure, SWConnect works to provide centralized access to all transit providers and map to local resources as well. SWConnect will use the list of resources identified throughout transit council to begin to map resources. Once that is in our system we will start looking at next steps in moving toward a one click service. Whether we eventually end up completing the whole 1-click services, the first few steps will be significantly helpful to our region either way (map all resources in one place, develop common folksonomy and tagging) begin to understand how to incorporate schedules, rates, and routes. SWConnect will also be creating a landing page for all transportation related resources.

We would like to schedule training for all Transit providers to enter their information into SWConnect. We would like to have all providers RSVP to SWConnect with some basic organizational information; we would then hold the training and work with providers as a group to complete detailed information on their organization in SWConnect. There is still a need for individual follow up with each agency, however the process will be less intrusive with this approach.

4:00pm VI. Old Business

- a. November PASS training: Amber
Happening as we speak.
- b. Current Transit grant/SWCCOG: Laura
Grant is expiring, has \$302 left, paid for AmeriCorps (John, and Erica) able to use remaining money for reimbursing mileage, as well as training related to transit.
- c. Vanpool webinar: Peter
Road Runner and Council members had been getting phone calls from Durango residents who work in Farmington requesting transit options. Road Runner will not be doing public service anytime soon in Farmington, however would like to start Vanpooling. Did a webinar on vanpooling, and found that Enterprise Rent-a-Car said they can start a vanpool in 3 days. They hold vanpool formation meeting based on local interest. Identify different roles for participating folks, Enterprise provides vehicle, and participants pay monthly to retain their seat. Outreached top 10 employers in each county about putting together van pools and have had 12 folks on a call with all of them.

4:15pm VII. New Business

- a. New Transit Coordinating Council Funds & Grant Review
No match required! Based on our size we are likely to aim for 20,000 will probably receive at least 10,000; has to be for starting a transit coordinating council, and for specific projects. Asked for greatest needs (a-h on grant draft.) Identifying those we have worked on in the past year, writing for the voucher program and for grant writing assistance (staff to contract with part time, to work on collaborative grant writing) Also included "next steps" for SWConnect relating to transit. Looking for feedback before submitting grant and presenting to SWCCOG Dec. 7th. Martha to send wording from the voucher grants she applied for. Requesting support from council members.

- b. Strategy for Educating Election Officials @ Transit needs/services: Peter *Start with education for elected officials (description of all transit providers and services) ALSO look at congressional delegations and rural transportation is a big focus nationally. Increase communication with congressional delegates; develop strategy for informing them of this information as well.*

4:45pm

IX. Next meeting

- a. Request for future agenda items
Discuss looking at having a meet and greet with county commissioners etc...to introduce players in the transportation game and talk with them about involvement in transportations.
- b. Other

5pm IX. Adjourn

Announcement/Proclamation
 Special Presentation
 Report

Consent
 Decision

AGENDA SUBMISSION FORM
Southwest Colorado Council of Governments

Date of Board Meeting: January 4 , 2013		<input type="checkbox"/>
Staff: Susan Hakanson	Presentation Time: 0 minutes	<input type="checkbox"/>
Subject: Housing	Discussion Time: 0 minutes	
Reviewed by Attorney? <input type="checkbox"/> Yes Attorney: _____ <input checked="" type="checkbox"/> N/A <input type="checkbox"/> No fiscal impact Committee Approval _____ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A		

Background:

Working in conjunction with the Regional Housing Alliance, Community Foundation Serving Southwest Colorado, the SWCCOG sponsored a regional conversation to discuss the interrelate topics of Housing, Transportation, Senior Services and Services for our most vulnerable populations.

The Meeting, "Mapping Our Road Home – Pathways to Resiliency" was planned as an initial conversation to discuss ways that our region could be more efficient and effective in the ways that we plan and deliver services.

54 participants took part, and several outcomes where taken away from the meeting.

A regional task group was formed, and a meeting will take place in mid January. Better communication and collaboration region wide were two top priorities.

Staff will update the board at the February meeting.

Fiscal Impact:

Recommended Action:

Accompanying Documents:

ADDITIONAL INSTRUCTIONS

None

- Announcement/Proclamation
- Special Presentation
- Report

- Consent
- Decision

AGENDA SUBMISSION FORM
Southwest Colorado Council of Governments

Date of Board Meeting: January 4, 2013		<input type="checkbox"/>
Staff: Susan Hakanson	Presentation Time: 0 minutes	<input type="checkbox"/>
Subject: Regional GIS Initiative	Discussion Time: 0 minutes	
Reviewed by Attorney? <input type="checkbox"/> Yes Attorney: _____ <input checked="" type="checkbox"/> N/A <input type="checkbox"/> No fiscal impact Committee Approval _____ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A		

Background:

Jon Gottsegen, State, GIS Coordinator from the Governor's Office of Information Technology came to meet with the SWCCOG GIS Team on November 13, 2012, to discuss the needs of the regional effort to map all regional fiber, as well as state wide initiatives to develop addressing standards and other GIS issues.

Mr. Gottsegen discussed how the state might support the efforts of the regional SWCCOG GIS team, with staff expertise as well as potentially with funds.

Next Steps:

The team will work to develop a policy and procedure regarding a common set of attributes and data set information to be collected at the time of construction of the SCAN project. This is necessary to ensure that common information is entered into Etics and local GIS utility layers.

The team will meet with regional safety committee, and work on common issues regarding road center line matching, so that maps between counties and municipalities match up. The team will also address addressing as a public safety issue, and work with staff on the state-wide addressing initiative.

Fiscal Impact:

Recommended Action:

Accompanying Documents:

ADDITIONAL INSTRUCTIONS

None

Announcement/Proclamation
 Special Presentation
 Report

Consent
 Decision

AGENDA SUBMISSION FORM
Southwest Colorado Council of Governments

Date of Board Meeting: January 4, 2013		<input type="checkbox"/>
Staff: Laura Lewis	Presentation Time: 0 minutes	<input type="checkbox"/>
Subject: CARO	Discussion Time: 0 minutes	
<p>Reviewed by Attorney? <input type="checkbox"/> Yes Attorney: _____ <input checked="" type="checkbox"/> N/A <input type="checkbox"/> No fiscal impact</p> <p>Committee Approval _____ <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A</p>		

Background:

The Colorado Association of Regional Organizations met at the DRCOG offices on December 13th. The group discussed:

- The Blueprint Economic Development Forums held for regional partners, key industries on November 29th and Colorado Cabinet member's forum held December 6th. Laura Lewis Marchino represented CARO at this meeting.
- Chose a website designer for a CARO website
- Worked on strategic plan and plan a facilitated meeting in February to complete.
- Celebrated Region 10 Director, Paul Gray's upcoming retirement
- Received agency updates from DoLA, USDA's Deputy Director, The Colorado Dept of Labor & Employment and the Office of Economic Development and International Trade.
- Each of the regions provided an update on their activities
- Discussed Chair and Vice Chair elections for 2013 as well as any changes in agency representation.
- Due notices will be sent out in January.
- Viewed presentation around Blueprint Goal #5 which is to meet the state workforce needs of the future.

Fiscal Impact: N/A

Recommended Action: N/A

Accompanying Documents:

ADDITIONAL INSTRUCTIONS

EIAF Contract Statement of Work (SOW) Template

Please send this to the Contract Drafting Office ONLY AFTER you have received a copy of the signed award letter.

CONTRACT CATEGORIES	YES, INCLUDE	DETAILS (PLEASE TYPE IN ARIAL 10 FONT)
Project Number and Name (as it appears on the award letter)	X	EIAF 7030 Southwest Colorado Council of Governments Region 9 Community Development 13
Contractor's Address	X	295 A Girard Street Durango, CO 81303
Responsible Administrator's Name (include gender for salutation) and Title: The contract will be sent to this person unless otherwise indicated below.	X	Ms. Susan Hakanson, SWCCOG Acting Director
Responsible Administrator's Email Address: The contract will be emailed to this person unless otherwise indicated here.	X	susan.hakanson@co.laplata.co.us
Grant Amount and Source of Funds	X	\$ _____ 50,000 _____ Grant Amount ____xx_____ State Severance _____ Federal Mineral Lease
Loan Amount and Terms		\$ _____ Loan Amount Length of Loan _____
Project Description: Must include a) name of the Contractor; b) size, capacity, quantity, quality of project elements; c) address of proposed improvement, d) entity that will own the improvements, and e) any other important aspects or components of the project.	X	The project consists of partially financing community and economic development projects for the Southwest Colorado Council of Governments (SWCCOG) (Contractor). The SWCCOG consists of local governments in state planning Region 9. The Projects include: <ol style="list-style-type: none"> 1. In collaboration with a qualified consultant(s), produce a Broadband operations and business plan, needed agreements, MOUs or IGAs and recommended policies for the Southwest Colorado Access network (SCAN). 2. In collaboration with a qualified consultant(s), facilitate a discussion between

		<p>SWCCOG members and staff that will help determine the best use of SWCCOG efforts and resources.</p> <p>3. In coordination with the regional housing organizations , the regional transit providers in the southwest and the regional senior services providers in the southwest, develop a data base of services, develop and select priorities and produce a web based information system and develop a strategic plan for the SWCCOG and its individual members as it relates to these three service areas referred to as Southwest Connect.</p>
CDPHE Standards		The Contractor shall comply with all applicable statutory design and construction standards and procedures that may be required by the Colorado Department of Public Health and Environment and shall provide the State with documentation of such compliance.
Construction Plans and Specs (Engineer or Architectural Services)		Construction plans and specifications [shall be or have been] drawn up by a qualified engineer or architect licensed in the State of Colorado, or pre-engineered in accordance with Colorado law, and hired by the Contractor through a competitive selection process.
Construction Selection Process		A construction contract shall be awarded to a qualified construction firm through a formal selection process with the Contractor being obligated to award the construction contract to the lowest responsible bidder meeting the Contractor's specifications.
Consultant Services	xx	A contract shall be awarded to a qualified firm through a formal RFP or competitive selection process.
Materials, Equipment and Vehicle Purchases		A contract shall be awarded to a qualified vendor or firm through a competitive selection process with the Contractor being obligated to award the contract to the lowest responsible bidder meeting the Contractor's specifications.
Cost Savings: Indicate which, if any, of these statements should be included in the contract.	<p>_____</p> <p>_____</p> <p>xx _____</p>	<p>1. Any cost savings incurred while completing the Project [will or may] be divided equally between the Contractor and the State.</p> <p>OR</p> <p>2. Energy/Mineral Impact Assistance funds will be matched on a dollar for dollar basis with the Contractor's cash contribution.</p> <p>OR</p> <p>3. If cost savings are incurred while completing the Project, the State may require that those savings be split on a pro-rata basis between the State and the Contractor.</p>
Ownership/Change of Use: Indicate which, if any, of these statements should be included in the contract.	_____	1. During a period of ten (10) years following the date of closeout of the Project by the State, the Contractor may not change the use or planned use of the property. If the Contractor decides to change the use of the property to a use which the State determines

		<p>does not qualify in meeting the original intent of the Project, the Contractor must reimburse to the State an amount equal to the current fair market value of the property, less any portion of the value attributable to expenditures of non Energy Impact funds for acquisition of and improvements to, the property. At the end of the ten(10) year period following the date of completion and thereafter, no State restrictions on use of the property shall be in effect</p> <p>OR</p> <p>2. The Contractor warrants that the facility will continue to be utilized as a _____ for at least ten (10) years following completion of the project. If the facility is used for any purpose other than intended during that ten-year period, the Contractor shall return a portion of the grant funds based on the following payback schedule: In year one, one hundred percent (100%) of the grant funds must be returned; in year two, ninety percent (90%); in year three, eighty percent (80%); in year four, seventy percent (70%); in year five, sixty percent (60%); in year six, fifty percent (50%); in year seven, forty percent (40%); in year eight, thirty (30%) percent; in year nine, twenty (20%) and in year ten, ten (10%) percent. At the end of the ten (10) year period following the date of completion of the renovations and thereafter, no State restrictions on use of the property shall be in effect.</p> <p>OR</p> <p>3. During a period of ten (10) years following the date of closeout of the Project by the State, the Contractor may not change the ownership of the equipment. If the Contractor decides to change the ownership of the equipment to an entity which the State determines does not qualify in meeting the original intent of the Project, the Contractor must reimburse to the State an amount equal to the current fair market value of the equipment, less any portion of the value attributable to expenditures of non Energy Impact funds for acquisition of and improvements to, the equipment. At the end of the ten (10) year period following the date of completion and thereafter, no State restrictions on ownership of the equipment shall be in effect.</p>
<p>Eligible Expenses: Must include a listing or description of expenditures eligible for payment from state resources. If appropriate, identify ineligible or excluded expenses.</p>	<p>X</p>	<p>Eligible project expenses include consultant services.</p> <p>The contractor expects to provide both a cash contribution as well as in-kind labor. The value of the in-kind labor is \$32,000. The contractor is required to document the time and value of the in-kind labor.</p>
<p>Sub-contracts</p>	<p>X</p>	<p>Copies of any and all contracts entered into by the Contractor in order to accomplish this Project shall be submitted to the Department of Local Affairs upon execution, and any and all contracts entered into by the Contractor or any of its subcontractors shall comply with all applicable federal and state laws and shall be governed by the laws of the State of</p>

		Colorado.			
DOLA Acknowledgement	X	The Contractor agrees to acknowledge the Colorado Department of Local Affairs in any and all materials or events designed to promote or educate the public about the Project, including but not limited to: press releases, newspaper articles, op-ed pieces, press conferences, presentations and brochures/pamphlets.			
Energy and Mineral Impacts	X	<p>All forms of mining and extraction has occurred in all five counties within the SWCCOG. The extraction of resources such as carbon dioxide (CO2), natural gas, and oil play a major role in the region, both in terms of fiscal impacts as well as impacts on the physical environment. Company revenue from gas production is forecast to fall 46%, from \$1.6 billion in 2008 to \$864 million in 2018.</p> <p>Current information from the Colorado Labor Market (12- 8- 09) indicates that region-wide, there are 13 major employers in the oil and gas extraction industries. In 2007 (most recent data available) there were 1,277 people employed in the mining and utilities sector, with an estimated 3,320 people employed in supporting industries. This employment sector also offers the highest average annual wages in the region.</p>			
Time of Performance: Indicate contract deadline	X	December 31, 2013.			
Budget <i>(If you decide to include in-kind contributions within this budget, you must track those expenses in the Pay Request Form)</i>	X	REVENUES		EXPENDITURES	
		EIAF	50,000	1.SCAN Project	\$50,000
		Contractor Cash	20,000	2.COG Planning	14,000
		Contractor In-kind	32,000	3.Southwest Connect	38,000
				4.	
				5.	
				6.	
				7.	
				8.	
		Total	\$102,000	Total	\$102,000
Please use the following activity descriptions: (see definitions in Manual) Real Property Acquisition Equipment, Vehicles or Materials Acquisition Building or Facility Construction Clearance/Demolition/Site Prep Rehabilitation/Remodel of Public Structures					

		Consultant Services Construction/Improvement of Public Roadways Construction/Improvement of Public Utilities Architectural/Engineering Services Salaries/Benefits Operations/Program Costs Other (Describe)
Remit Address: If different from Contractor Address Above		
Payment Distribution: Grant (under most circumstances 90%-10%)		\$ Available for interim payments reimbursing the Contractor for actual expenditures made in the performance of this Contract. Payments shall be based upon properly documented financial and narrative status reports detailing expenditures made to date. \$ Available for final payment to be made to Contractor upon the completion of the Project and submission by the Contractor of final financial and narrative status reports documenting the expenditure of all Energy/Mineral Impact Assistance funds for which payment has been requested. \$ Maximum Available
Payment Distribution: Loan		\$_____ This amount, the entire amount of the loan, will be paid to Contractor upon execution of this Contract. Energy and Mineral Impact Assistance loan funds shall be expended in full prior to the distribution of any grant payments for this project. If a grant contract is associated with this project, loan proceeds must be spent prior to any grant funds being distributed.
Payment Procedure	X	The State shall establish billing procedures and pay the Contractor for actual expenditures and/or encumbrances made in the performance of this Contract based on the submission of statements in the format prescribed by the State. The Contractor shall submit requests for reimbursement, using the Departments Pay Request Form setting forth a detailed description of the amounts and types of reimbursable expenses. Payments pursuant to this Contract shall be made, in whole or in part, from available funds encumbered for the purposes of this Contract. The liability of the State, at any time, for

		such payments shall be limited to the amount remaining of such encumbered funds. In the event this Contract is terminated, final payment to the Contractor may be withheld at the discretion of the State until completion of final audit. Incorrect payments to the Contractor due to omission, error, fraud, or defalcation shall be recovered from the Contractor by deduction from subsequent payment under this Contract or other contracts between the State and the Contractor, or by the State as a debt due to the State.
Contract Monitoring	X	The State shall monitor this Contract on an as-needed basis, as determined by the State in its sole discretion. The State or any of its duly authorized representatives shall have the right to enter, inspect and examine the Project upon twenty-four (24) hours advance written notice to the Responsible Administrator.
Reporting Schedule	X	At the time the Contractor submits payment requests, the Contractor shall submit financial and narrative status reports detailing Project progress and properly documenting all to-date expenditures of Energy and Mineral Impact Assistance funds. The form and substance of such status reports shall be in accordance with the procedures developed and prescribed by the State. The preparation of reports in a timely manner shall be the responsibility of the Contractor and failure to comply may result in the delay of payment of funds and/or termination of this Contract.

Please use the following activity descriptions: (see definitions in Manual)

Line Item Category	May Include, but not limited to, these costs:
Real Property Acquisition	Real property purchase price, right-of-way acquisition, appraisal fees, closing costs, legal and attorney's fees
Building or Facility Construction	Labor and materials costs, bond and insurance costs, bid advertisements, purchase and erection of pre-engineered buildings, attorney's fees,
Rehabilitation/Remodel of Public Structures	Labor and materials costs, bond and insurance costs, bid advertisements, purchase and erection of pre-engineered additions, attorney's fees,
Construction/Improvement of Public Roadways	Labor and materials costs, bond and insurance costs, bid advertisements, attorney's fees, right-of-way acquisition,

Architectural/Engineering Services	Consultant fees, RFP/bid advertisements, survey work, water/sewer testing fees, CDPHE permit fees, attorney's fees,
Operations/Program Costs	Clerical services, vehicle costs such as mileage or gas purchases, telephone and internet costs, attorney's fees,
Equipment, Vehicles or Materials Acquisition	Vehicles, equipment and materials costs, freight costs, RFP/Bid advertisement costs, hardware, software and training costs, attorney's fees,
Clearance/Demolition/Site Prep	Labor and materials costs, bond and insurance costs, bid advertisements,
Consultant Services	Consultant fees, RFP/bid advertisements, attorney's fees,
Construction/Improvement of Public Utilities	Labor and materials costs, bond and insurance costs, bid advertisements, attorney's fees, right-of-way acquisition,