

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

In Attendance:

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

Staff in Attendance:

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

Guests in Attendance:

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

**I. Introductions**

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

**II. Consent Agenda**

December 2018 SWCCOG Meeting Minutes

December 2018 Financials

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

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

**Reports**

Director's Report:

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

Broadband Report:

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

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

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

#### Legislative Report:

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

#### Transportation Report:

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

#### VISTA Report:

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

### III. Discussion Items

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

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

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

### IV. Decision Items

#### Appointment of 2019 COG Treasurer:

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

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

#### Auditor Engagement Letter:

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

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

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

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

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

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

Approved with prior item.

Letter of Opposition: HB19-1086 Plumbing Inspections:

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

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

REDI Grant Application:

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

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

RREO Grant Application:

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

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

Robert Wood Johnson Foundation Grant Application:

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

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

REDI Grant Broadband Funding:

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

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

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

## **V. Community Updates**

David Black, Town of Bayfield:

- Working on the new intersection

Ronnie Maez, Archuleta County:

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

Steve Garchar, Dolores County:

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

Andrea Phillips, Town of Pagosa Springs:

- Working to identify funding for a consolidated maintenance facility

Mark Garcia, Town of Ignacio:

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

Gwen Lachelt, La Plata County:

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

John Whitney:

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

Karen Sheek, City of Cortez:

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

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

Adjourned at 3:18 p.m.