

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

In Attendance:

Gwen Lachelt – La Plata County  
Michael Whiting – Archuleta County  
Dick White – City of Durango  
Chris La May – Town of Bayfield  
Fred Brooks – Town of Mancos  
Mark Garcia - Town of Ignacio (by phone)  
Kari Distefano – Town of Rico (by phone)  
David Schanzenbaker - Town of Pagosa Springs

Staff in Attendance:

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

Guests in Attendance:

Ben Lewis-Ramirez – Foresite Group (by phone)  
John Whitney – Senator Bennet’s Office  
David Liberman - Law Office of David Liberman

**I. Introductions**

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

John Whitney explained that Senator Bennet has contacted the FCC about the allocation of CAF II funds and they are having difficulty receiving the requested information. There was discussion about the possibility of filing a FOIA request, but it would be very unusual for a Senator’s office to do this.

**II. Consent Agenda**

- a. 8 February 2018 SWCCOG Meeting Minutes
- b. January 2018 Financials

**Michael Whiting motioned to approve the consent agenda, Dick White seconded, unanimously approved.**

**III. Reports**

Director’s Report:

Miriam reported that most of her recent work has revolved around broadband. She reported that the request to extend the 2018 Technical Assistance grant was denied. She will be taking vacation time in the spring.

Broadband Report:

Miriam reported that the FCC Rural Healthcare application process is open, the RFP will be submitted next week. She reported that San Juan Basin Health Department (SJBHD) chose not to participate in the process at this time, accordingly the COG will submit an application for work

in the western side of the region. Chris asked which organizations would be the applicants. Miriam replied the applicants would be San Miguel Public Health, San Juan County Public Health, Dolores County Public Health and the Southwest Memorial Hospital District. Miriam added that each agency is eligible for up to \$17 million, if this was submitted as one RFP the entire project would be limited to \$17 million. She is working with CDOT, specifically with respect to right-of-way. Dick asked what portion of the region is included in SJBHD. Miriam replied that they cover La Plata and Archuleta Counties. Dick asked what portion of the total project cost that represents. Miriam replied the most expensive part would be over Wolf Creek Pass. Chris asked if there will be a match. Miriam replied that FCC would pay up to 65% of the total project cost. She will discuss possible options for other funding sources at the next meeting. Michael clarified that the SJBHD is not opposed to the project, they just have some concerns at this point. Miriam provided an overview of the expected benefits for CDOT.

Miriam reported that she is also working on aggregation of services with the local ISPs. There is the potential to save the jurisdictions a significant amount of money by having fixed costs with the option to change providers. Kari asked if Rico would be included. Miriam replied that she is trying to get Rico included, however there are some challenges related to the nearby providers.

#### Legislative Report:

Miriam reported that SB 002 was initially a good bill, there have been a number of amendments that created issues with the bill including low definition of minimum speeds, disallowing funding if an area received federal funding, disallowing funding if a neighboring census block is served, prohibiting the use of DOLA funding in conjunction with high cost broadband funds, and defining overbuilding as being near an incumbent's infrastructure. CCI and CCUA have opposed this bill, CML is working to have changes made. There are possible amendments planned to include FCC broadband speeds which would improve it somewhat. She mentioned that those from Coram's district have been the most vocally concerned about this bill. Another bill is HB 1099 which would update the right of first refusal requiring the incumbent to put in the same or better speeds than the applicant if the right of first refusal is exercised. Miriam testified in favor of this bill, it has passed out of House committee and a fight is expected in the Senate. Jessica reported that there were two transportation bills, the House bill died in committee and the Senate bill is being heard today. Miriam added that neither bill included new funding, which when factoring in TABOR would impact funding for other State needs.

#### Transportation Report:

No updates.

#### VISTA Report:

Dylan reported that he completed his data analytics course. He has been working on a grant application through RREO.

## **IV. Discussion Items**

### **V. Decision Items**

#### Colorado Telework Network Agreement:

Miriam explained that the Colorado Telehealth Network (CTN) is affiliated with the Colorado health system to help rural health centers apply for federal funding. The COG has been trying to negotiate a contract, since there have been challenges she is requesting to allow staff to

negotiate a contract in consultation with the executive committee and then approve the contract in preparation for the application next week. One issue of contention is that their standard ongoing fees do not seem appropriate for this project. If the fee can be set as a percentage of the amount awarded she would like to use a DOLA grant to cover this. David added that this contract seems to have been developed for different types of organizations and situations, but CTN has stated that they won't change their formal contract. He suggested that it may be possible to include an addendum to address portions that do not apply to this project. Fred asked who they typically work with. Miriam replied that they typically work with single organizations and it is to reduce cost, not to build infrastructure. Chris asked about the DOLA grant. Miriam replied that this will be applied for in the summer. Michael asked what the request is for this item. Miriam replied this is to allow staff, the attorney and the executive committee to negotiate and sign the contract before the next meeting. Chris asked if there is concern about the DOLA grant not being awarded. Miriam clarified that if there is no funding awarded then there is no payment to CTN, this is why she would prefer the DOLA grant end at the end of the federal cycle. Fred asked how long there will be to obtain funding for the remaining portion. Miriam replied 3 years. There was discussion about risks and potential sources for receiving alternate funds. David asked about match for the DOLA grant. Miriam replied she would use the federal funds as the DOLA match.

**Dick White motioned allow staff to negotiate a contract with CTN, with approval from legal and the executive committee prior to signing, before the April 2018 Board Meeting, Michael Whiting seconded, unanimously approved.**

Executive Committee Meeting Minutes from January 25, 2018:

**Tabled until the next meeting.**

RREO Grant Application:

Dylan explained that the RREO is accepting applications for ongoing operations for recycling centers. The COG's application is to hold household hazardous waste events throughout the region. There was discussion about the types of materials that would be accepted. Michael asked if this is the annual application. Dylan replied that this is an annual grant and this funding would be for one year. Michael mentioned that Archuleta has a significant amount of tires that they cannot afford to process. There was discussion that the RREO does not like to fund roving equipment due to a loss many years ago. Miriam requested input on needs from the communities for inclusion in future grant applications. There was discussion about options for how to set up the events.

**Dick White motioned to approve submission of the RREO grant, Gwen Lachelt seconded, unanimously approved.**

Region 9 – SWCCOG Facilitation:

Miriam explained that Region 9 and the SWCCOG are looking for facilitation to figure out how to better work together. The COG has received DOLA funding for this, at the last meeting there had not been a stand-out proposal. Staff went back to get additional information about the top two proposals. The two proposals were Karen Thompson and Paul Roithmayr, who are local, and Place Dynamics who had a very clear proposal. The COG does have a local preference of the lesser of 10% or \$500. There is still not a clear frontrunner, Place Dynamics was quick to pick up the new expectations but they have less expertise with local governments, while Thompson/Roithmayr have local knowledge but remained more focused on facilitation. Dick mentioned that Place Dynamics is offering that more be included within the project, as opposed

to certain elements that Thompson recommends deferring. Miriam added that Place Dynamic's proposal was very clear. There was discussion about anticipated outcomes. Mark asked about the difference in cost in the Thompson/Roithmayr proposal. Miriam replied that they are offering to give a discount.

**Michael Whiting motioned to negotiate a contract with Place Dynamics at the indicated rate, Dick White seconded, unanimously approved.**

## **VI. Community Updates**

Fred reported that the Town of Mancos will be bringing in a consultant for land use codes. They will be purchasing a new plow.

Gwen reported that La Plata County is working on an updated land use code. They are also working on the homeless issue.

Dick reported that the City of Durango is holding a public meeting about Lake Nighthorse recreation. There are opposed opinions about motorized boating and they are trying to find a viable compromise. They will also be hosting a series of public meetings about priorities while facing flat revenues. The character district initiative is moving forward, and staff is beginning to discuss an urban renewal district.

Michael reported that Archuleta County is suing the State courts to begin holding court within the county again. They are looking at a sales tax ballot question for a justice center. The school is also looking at ballot issue in November. They are working closely with the Town of Pagosa Springs on the three joint strategic priorities of broadband, early childhood, housing. They are working on issues related to short term rentals.

David reported that he will be the COG representative for Pagosa Springs since John's term ends in April. He reported that short term rentals is a major issue, particularly as it impacts long term rentals.

Mark reported that the Town of Ignacio will have a sales tax question in April, there will be no races. They are preparing for projects in the summer related to irrigation systems and water utility. They are working on town beautification.

Kari reported that the Town of Rico had a good turnout for their winter carnival. They received grant funding from the Southwestern Water Conservation District for Silver Creek. They are looking to apply for a grant for engineering analysis. Their shuttle is running and has been successful and had increasing ridership. They are working to identify a water leak.

Chris reported that the Town of Bayfield will host an open house to seek input on the comprehensive plan update. They will host a public input forum on river corridor planning. The election has been cancelled; there will be two new members and two returning.

Adjourned at 2:58 p.m.