

**Southwest Colorado Council of Governments
June Board Meeting
Thursday, 28 June 2018, 1:30pm
1188 E. 2nd Ave., Carnegie Bldg., Durango, CO 81301**

In Attendance:

Willy Tookey – San Juan County
Chris Tookey – Town of Silverton
Mark Garcia – Town of Ignacio
Ron LeBlanc – City of Durango
Chris La May – Town of Bayfield
Andrea Phillips - Town of Pagosa Springs
Karen Sheek – City of Cortez (by phone)
Fred Brooks – Town of Mancos (by phone)
Kari Distefano – Town of Rico (by phone)

Staff in Attendance:

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

Guests in Attendance:

John Whitney – Senator Bennet’s Office
Peyton Heitzman – City of Cortez
Ty Churchwell – Trout Unlimited
Ashely Greco – Representative Tipton’s Office
Darlene Marcus – Representative Tipton’s Office
Diane Kruse – NEO Connect (by phone)
Jawaid Bazyar – Forethought (by phone)

I. Introductions

The meeting was called to order at 1:37 pm, everyone introduced themselves.

Chris La May asked for agenda item VI. h. to be moved before VI. c. due to time constraints for guest attendees that need to participate in the discussion.

Mark Garcia motioned move the agenda item, Willy Tookey seconded, unanimously approved.

II. Consent Agenda

- a. April 2018 SWCCOG Meeting Minutes
- b. May 2018 SWCCOG Meeting Minutes
- c. March 2018 Financials
- d. April 2018 Financials
- e. May 2018 Financials

Ron asked if there was quorum at the May meeting. Miriam confirmed no and that the May document is notes versus minutes with no need of approval.

Willy Tookey motioned to approve all consent agenda items except the May minutes that are simply notes, Karen Sheek seconded, unanimously approved.

III. Reports

Director's Report/Broadband Report:

Miriam said the director and broadband reports will be merged into one. She met with folks at Municipal Capital Markets to discuss what funding might be available for the SWCCOG and how to move forward as a non-taxing agency, there will be a presentation in August. Miriam was informed of a type 203 Corporation, which in state statutes is essentially a local government LLC. This would be formed in the same way a COG or IGA is formed.

The Universal Service Administrative Company (USAC) Healthcare Connect Fund (HCF) Program is moving forward and will be discussed further in the agenda. Aggregation of services will also be discussed.

Transportation Report:

Jessica reported that the next Transit Council meeting will be July 20 and the next TPR meeting August 2. There is a written report in the board packet regarding the Four Corners Coordinated Transit Project, 5304. The next step will be a stakeholder meeting between the TPR and COG meetings; this will be a brown-bag lunch meeting, more details to come. Mark asked about the Bustang route. Jessica said this has been an ongoing discussion for some time and is the route that Roadrunner was running.

VISTA Report:

Dylan reported that he completed an inventory of COG office equipment for insurance purposes. The COG owns \$10,000 worth of in-use technology and \$2,000 in redundant back-up technology. Dylan has been working on the Colorado Association of Regional Organizations (CARO) website that launched yesterday.

IV. Decision Items

Executive Committee Meeting Minutes from April 19, 2018:

Karen Sheek motioned to approve the Executive Committee meeting minutes from April 19, 2018, Chris La May seconded, unanimously approved.

Good Samaritan Legislation Letter of Support

Miriam said the SWCCOG has been asked to write a letter in support of introduction and passage of Good Samaritan Legislation. Such legislation would allow well-qualified and capable persons and organizations to perform liability-free mine remediation work. The letter will be sent to Senators Bennet and Gardner and Representative Tipton.

Ron LeBlanc motioned to approve the Letter of Support for the introduction and passage of Good Samaritan Legislation, Willy Tookey seconded, unanimously approved.

Selection of USAC Rural Healthcare RFPs

Miriam Gillow-Wiles explained the rationale for pursuing USAC Rural Healthcare funding. She described the work over the past nine months, including initially working with Colorado Telehealth Network (CTN), then working with CTC Energy & Technology and creating the Southwest Colorado Council of Governments Healthcare Consortium (SWCCOGHC). She explained that the SWCCOGHC is able to work with local healthcare agencies to apply for funding on their behalf. She added that for this round of funding they are applying on behalf of Dolores County Public Health Department, San Juan County Department of Public Health, San Miguel County Department of Health and Environment, and Southwest Health System. She explained that the four RFPs closed yesterday and three proposals were received. The first proposal was for lit services for Dolores, San Miguel and San Juan Counties. The second proposal was for fiber optic builds between all the different agencies. The third proposal was for

equipment. She explained that because some areas did not receive more than one bid that self-provision of fiber may be an option. She described elements of the various proposals. Dove Creek to Cortez was very expensive for lit service, the self-provision fiber was only slightly higher than lit service for five years and would last longer. Staff recommendation is to move forward on FCC funding for Dove Creek to Cortez for self-provisioned fiber. Cortez to Telluride would be a high cost and challenging build. It appears the bid may not be realistic. Staff recommendation is to not move forward with this build at this time, rather identify alternative options before moving forward. Cortez to Durango would create a redundant and more secure route. There was one bid which was for self-provisioned fiber. Staff recommendation is to move forward with USAC funding for Southwest Health Systems. The bid for lit services for San Juan County was nearly \$2 million. The bid for self-provision did not account for existing assets, so staff believes the bid was too high and the actual cost would be approximately \$3.4 million. Staff recommendation is to negotiate to use existing assets and move forward.

Chris asked for clarification that the recommendation is to move forward with three RFPs, working with Light Works for all three. Miriam replied this is correct. Diane Kruse clarified that they need to get USAC approval. Miriam added that all negotiations are contingent on USAC funding. Chris asked about the next steps. Miriam replied that, if the board approves, staff will submit required documentation to USAC tomorrow, then there is a several month waiting period. In the interim, staff will continue work with CDOT and seek private equity. Chris asked what happens if not able to identify another revenue source. Miriam replied that funding could be declined if a match is not identified. Andrea asked if the proposals were sent with the meeting packet. Miriam replied no, that proposals were received yesterday afternoon. Chris asked for clarification that the board is not approving a contract at this time, only moving forward with applying for funding with Light Works as a partner. Miriam replied yes, and asked if Ciena should also be included. Diane replied that including them would be preferable. Chris asked if staff has checked references. Miriam replied that she has not yet, she could do so tomorrow or before any contracts are finalized.

Andrea Phillips asked if San Juan Basin Health Department (SJBHD) chose not to participate. Miriam replied that they chose not to participate in this round. There was discussion about SJBHD's decision not to participate at this time.

Ron LeBlanc expressed concern about the lack of documentation prior to the meeting. Miriam described the delays stemming from failed negotiations with CTN, followed by the time required to create the healthcare consortium, receive authorization to file forms, and have the RFPs posted for the appropriate amount of time. She added that the funding window closes tomorrow and the next cycle would open in 2019. Ron asked how Durango would benefit from these projects. Miriam replied that this would improve redundancy throughout the region and improve connectivity therefore supporting first responders. Chris added that ideally SJBHD would have participated in this round which would have benefitted the entire region.

Andrea asked about the match. Miriam replied that it is 35 percent. Andrea asked if the member jurisdictions would be asked to contribute. Miriam replied that she would like to avoid this due to budget challenges. Chris asked if the reduction in cost to San Juan County is due to existing facilities, such as EagleNet conduit. Miriam replied that EagleNet has been dissolved, however it should be possible to negotiate to use the assets. Ron asked if there would be a cost to Durango. Miriam replied that she does not anticipate requesting funding from the local jurisdictions. Karen Sheek asked when the next funding opportunity is. Miriam replied that they could apply again in early 2019. Chris asked if the FCC application asks about match. Miriam replied that they do not have specifics, but will be working with CDOT and to identify private

equity. Karen asked for clarification that if the requests are approved but something doesn't work out as expected there wouldn't be harm in declining funding. Diane replied that this is similar to E-rate funding, with that program declining funding has not negatively impacted applicants with future funding requests. There was discussion about the impacts of not moving forward and the time spent working on this so far.

Willy Tookey asked how San Miguel County became involved. Miriam replied that Cortez to Telluride is the best route, it would create redundancy and any fiber would go past Dolores and Rico. Mark Garcia asked if the main hub to Monticello runs through that area. Miriam replied it does not, there is a gap from Dove Creek to Monticello. Andrea asked if this would all be buried fiber. Miriam replied yes.

Willy motioned to proceed with submitting proposals to USAC at the recommendation of staff, Mark seconded.

Ron expressed discomfort with voting to approve without adequate documentation. Mark expressed agreement, but expressed concern about missing this cycle. Karen stated that this has been an ongoing topic of discussion. She asked if this is significantly different than what has been discussed previously. Miriam replied that the specific vendors weren't known until shortly before the meeting. Chris mentioned that there will be additional detail in the RFPs that staff will be relied on to evaluate. Miriam stated that she could distribute the RFPs and responses to the board. Karen asked if Diane is familiar with Light Works. Diane replied that she is not familiar with their work. She recommended that the proposals move forward with the condition that staff does due diligence on Light Works to ensure they can meet the requirements of the RFP.

Chris mentioned that there is a motion on the floor. **Willy amended the motion to make this conditional on due diligence.** Miriam asked for clarification whether due diligence is expected before or after submitting the application. Willy replied after. **Mark seconded, unanimously approved.**

CDOT Wolf Creek Fiber Letter of Support

Miriam said CDOT requested a letter of support for their Wolf Creek Pass Advanced Technology project. The proposal includes installing fiber and electrical infrastructure over Wolf Creek Pass. The grant application was due June 18, 2018, the Executive Committee directed staff to send a letter with ratification at the June meeting.

Willy Tookey motioned to ratify the letter of support for CDOT's Wolf Creek Pass Advanced Technology project, Ron LeBlanc seconded, unanimously approved.

Relocation of BLM National Office Letter of Support

Miriam said the SWCCOG has been asked to write a letter encouraging the relocation of the national Bureau of Land Management (BLM) office to southwest Colorado. The proposal would be to move the office into a soon to be vacated facility near the Durango-La Plata County Airport.

Ron LeBlanc motioned to approve the letter encouraging the relocation of the national (BLM) office to southwest Colorado, Willy Tookey seconded, unanimously approved.

RHA-SWCCOG Professional Services Agreement Renewal

Sara said the current RHA-SWCCOG Professional Services Agreement contract runs from July 1, 2017 – June 30, 2018. The renewal will run from July 1, 2018 – June 30, 2019. The dates of service were updated and audit duties removed as there will be no audit in 2019. The RHA Board approved the renewal contract on June 18, 2018 at the annual board meeting.

Ron LeBlanc motioned to approve the RHA-SWCCOG Professional Services Agreement for July 1, 2018 – June 30, 2019, Willy Tookey seconded, unanimously approved.

Contract with FastTrack for IP addresses

Miriam said that during the creation and development of the Southwest Colorado Access Network(SCAN), the SWCCOG contracted with FastTrack for connectivity and IP addresses. This contract has long since expired, and instead of renewing the connectivity and IP address parts of the contract, staff has worked on an aggregation of telecommunication services instead. However, it is important to maintain the same IP addressing which the SWCCOG Members have been using since 2013. FastTrack owns the blocks of IP addresses the SWCCOG proposes to lease.

Ron LeBlanc motioned to approve the attached Service Order for IP addresses with the FastTrack Communications, Mark Garcia seconded, unanimously approved.

Aggregation of Services Contracts

Miriam said that at the SWCCOG Board Retreat in May, staff presented the Board with pricing and general overview of an aggregation of telecommunication services. At that time the Board gave staff the green light to solidify pricing and develop the contracts for the aggregation. Important specifics of these contracts:

- Length of term is 120 days for contracts with SWCCOG Members and CAIs
- Length of term is 90 days between SWCCOG and Forethought
- SWCCOG can contract with multiple other ISP for services while maintaining the contract with Forethought
- All technical support will be handled by Forethought
- Forethought rates are guaranteed for three years
- SWCCOG and Member contracts are based on the previously approved contract for grant administration and management contract

Legal has reviewed the contracts.

Ron LeBlanc motioned to approve the contracts for Aggregation between SWCCOG – Forethought.net, SWCCOG – Member Governments, and SWCCOG – Community Anchor Institutions, Mark Garcia seconded, unanimously approved.

V. Other Items

Miriam said the current auditor, Haynie and Company, has been a bit challenging to work with due to slow responses and inaccurate draft financials. The audit presentation was supposed to happen at this meeting but due to errors and multiple draft documents, the auditor will not present until the August 2 meeting. Since this is after the deadline, a 60-day extension will be requested with the state. The current contract was for 1 year with an option to renew for 2 additional years. Staff will send a non-renewal letter and begin an RFP process for a new auditor.

Chris La May asked about recycling and said materials are being stockpiled to ship to China, but are not being shipped. Miriam said China is no longer accepting plastics. Dylan said he is putting together a presentation for the August meeting.

Andrea asked the status of a Broadband Coordinator. Miriam said staff was working with the NWCOG but have run into challenges with the position and DoLA funding. Staff applied for DOLA funding in April, but DoLA requested we withdraw and resubmit in August. Miriam said staff plans to look for someone local to fill this position.

VI. Community Updates

Chris Tookey – Town of Silverton

- The town is getting a lot of local support. The train is bussing tourists in every day.
- There will be no fireworks.
- Greg Schulte has been hired as the interim Town Manager.

Willy Tookey – San Juan County

- Foundation construction has begun for a new apartment building.

Andrea Phillips – Town of Pagosa Springs

- Multiple road projects happening.
- No fireworks; stage 2 fire restrictions.
- The town has had tourists visiting.

Mark Garcia – Town of Ignacio

- The major focus right now is an infrastructure project.

Karen Sheek – City of Cortez

- The city has new council members and will be choosing a new manager.
- The old high school will be demolished.
- The city is selling 3 acres to the housing authority for affordable housing.
- Fireworks will be held.

Keri Distefano – Town of Rico

- The closing of the forest had a negative effect on the town, but it is back open.
- There is a fire burning close by, which is concerning.
- The town hired an engineering firm to do a preliminary water line report to create water system.
- Rico is looking to do a sanitary sewage project in the commercial core that would make unusable commercial buildings usable.
- Ron Taylor is helping with a marketing project and to improve Rico's website.

Chris La May – Town of Bayfield

- There is another meeting scheduled with citizens to talk about marijuana; this will be going on the November ballot.
- There are road improvements happening in conjunction with the school improvements.

John Whitney – Senator Bennet's Office

- Reauthorization of the farm bill passed out of committee. They are working along with state legislators to fully legalize hemp in this bill. This would be federal legalization allowing financing, banking, insuring, use of federal water, and use of labor visas.
- A bill was introduced that would dramatically increase fines for flying drones during a fire making this a felony charge.

Adjourned at 3:37 p.m.