



ASSOCIATED GOVERNMENTS  
OF NORTHWEST COLORADO

MINUTES

**AGNC BOARD OF DIRECTORS & MEMBER MEETING**

**September 15, 2021**

**9:00 am to 1:00 pm**

**ZOOM:** <https://us02web.zoom.us/j/2510562431> **Password:** 2462

**PHONE:** +1 (669) 900-6833 **Meeting ID:** 251 056 2431 **Password:** 2462

**Call to order** – Mike Samson, Chairman, called the meeting to order at 9:03 am. Mike introduced himself and asked everyone in the room and on the Zoom call to do the same. Jeff Comstock served as the voting alternate for the Moffat County.

**Project and Committee Reports:**

**Area Agency on Aging**

Heather was not in attendance at the meeting because she was in Denver in Ombudsman Onboarding training. She has not received an update regarding American Rescue Plan funds from the State Unit on Aging. Heather believes she will be receiving about \$41,000 in COVID-19 vaccination funds for vaccination education, transportation, and marketing. The AAoAs are in the process of reviewing the final draft of the Policies and Procedures for Senate Bill 290.

Heather recently gave a presentation to the Strategic Action Planning Group on Aging regarding COVID-19 impact on AAoA.

Heather noted that there is a huge concern regarding the recent long-term care facility staff vaccination mandate from Governor Polis. The concern is that residents will have to be discharged or facilities may have to close due to staff shortages.

**Legislative Update** – Dianna and Richard Orf, Orf & Orf

Dianna and Richard Orf provided a legislative update noting that 3 interim committees held meetings and will request draft legislation for the 2022 session: Wildfire, Water Resources, and Tax Policy. Regarding Wildfire, there is an interest in the need for statewide building codes or fire-resistant materials in the Wildland-Urban interface areas. The 2021 legislature also added cooperative agreements and increased funding for fire mitigation and watershed protection. Regarding Water Resources, there will not be a Dredge and Fill Permit Program before the legislature this year. Richard foresees an expansion of RICDs (Recreational In-Channel Diversion). These structures allow for use of kayaks and similar recreational devices under a controlled release and flow rate. This is a topic of the committee's Sept. 14 meeting. They also will discuss Water Efficiency in Agriculture. Finally, regarding Tax Policy, the committee has investigated state tax expenditures (credits, exemptions, and deductions). They are debating Federal Taxable Income approach versus Adjusted Gross Income approach to income tax.

Richard said there has been a new committee formed to decide how to use the American Rescue Plan Act's State Economic Relief and Recovery Cash Fund. He also said there is a public Transportation Commission meeting on Sept. 17 in Grand Junction to discuss climate considerations in Transportation Planning and Spending. They will be discussing HB 19-1261 and how to decrease greenhouse gas emissions from the transportation sector by 2030.

Lastly, Richard discussed the following 3 Ballot Issues that will be on the November 21 ballot:

1. A constitutional requirement that custodial money must be spent only in accordance with the appropriation process.
2. A learning enrichment program funded by sales tax on marijuana
3. A reduction in the residential property assessment rate from 7.15% to 6.5% and for non-residential property from 29% to 26.5% coupled with approval to retain and spend \$25M per year for 5 years for the Homestead Exemption

There was a discussion from Chris Nichols and Jeff Comstock regarding water rights and water parks in our region. Everyone believes that this is a hot topic and one to watch closely. There was also a lengthy discussion regarding greenhouses and whether they should be classified as ag. They use less water, but they use a great deal of energy. There is some concern about Colorado setting a precedent regarding greenhouses. Ray Beck said we need to be careful about how far we allow the legislature to impact rural Colorado through the business personal property tax.

### **Region 10 Broadband** – Michelle Haynes and Corey Bryndal, Region 10

Michelle and Corey joined the meeting to give a brief update on the Broadband line from Grand Junction to Rifle. They signed a non-compete agreement with Scott Henderson and hope to have a contractor hired for Rifle and Glenwood Springs' CNLs soon. They have an RFP going out in the next month for optical equipment going into Rifle and Glenwood Springs. They have had conversations to coordinate meetings with Rifle and Glenwood Springs to determine the location of the CNLs. Melonie from Collbran said they are continuing to work with Mesa County to provide a match for their Broadband DOLA grant. She said that Collbran is working on a plan with NeoConnect to have community partners (hospital, school, job corp) on the match. Mesa County has set aside \$1M for the project.

### **Economic Development Coordinator** – Karl Paulson

Karl gave an overview of what he's been working on regarding Economic Development. He discussed the CEDS process. He said he has built up a good database and will update it annually. He wants to follow up on data points and use it to determine potential opportunities. Karl presented the FlexJobs initiative where we will connect people with remote jobs. FlexJobs has a long track record of connecting people with the right jobs. We will have a landing page and will have a kick-off meeting with FlexJobs and stakeholders. He feels like remote work is one of the opportunity areas as we go through the coal mine closings. Bonnie Petersen also gave an overview of the project.

Karl also discussed the success of the Economic Development Summit AGNC hosted on September 9th in Rifle. He said there was a great deal of information about funding opportunities presented at the Summit, which was very well received by the attendees. Karl attended a good meeting with CHFA in Craig. He feels like they understand rural issues. Karl said that Tri-State submitted a request to the DOE about clean hydrogen production in our region.

Karl said he is talking with OEDIT at least bi-weekly. He said good things are happening in Rangely and that he has discussed a Build Back Better initiative regarding trails with them. He said that Rangely had requested Senator Bennet place a line item for their COGENCY – a net zero electric plan for \$5.6B – which would be a great win if it goes through.

Karl said that the CO NW Development Council considered application for a Build Back Better grant coalition under EDA since they want an industrial park at the Hayden airport, but they think they will roll that into the AGNC/Region 10 BBB application.

Karl attended a 2-day meeting in Rio Blanco County that highlighted real issues and challenges in the county. Attendees included Sen. Rankin, Sen. Scott, Rep. Will and representatives from Sen. Bennet and Hickenlooper. They highlighted the huge opportunity of Wolf Creek Reservoir. Legislation around methods of irrigation will significantly impact the ag operators. They also discussed forests, land, and wild horses.

Karl is now focused on the EDA Build Back Better grant and other funding opportunities. He will pull together a list of projects that may be considered. He needs to determine if matching funds exist. The applications are due in 40 days – timelines are short, and resources are limited. Karl concluded by reviewing projects being discussed across the region.

**Approval of Minutes** – Cody Davis made a motion to approve the August minutes. Jeff Comstock seconded the motion. The motion passed.

**Financial report:** Bonnie Petersen provided an overview of the financials for August. Total income was about the same as budgeted. The budget for sponsorship and attendance fees for the Economic Development Summit were exceeded. The check register reflected normal expenditures. Regarding the A/R Aging, we are waiting on several Summit sponsorship checks. Routt County has not yet responded to our invoice. We were happy to be contacted by a Glenwood Springs Council member to say that they would like to rejoin our organization after attending our Economic Development Summit.

Jeff Comstock moved to approve the financial report; Ken Krie seconded the motion; the motion passed.

### **Update on Wolf Reintroduction**

#### **Donald Broom:**

Donald gave us an update on the Stakeholder Advisory Group. They had a Meet & Greet on June 26 and their 2nd meeting on July 25. The group seems to be waiting for the Technical Working Group. Their next meeting is on September 22 and that meeting should be more informative. The Stakeholder Advisory Group is open to the public and seems to be some sort of check the box committee. He feels that the Stakeholder Advisory Group is diverse. They all understand that the wolf reintroduction has been decided by voters, and they need to make the pieces fit together. They were told that the time for the reintroduction would be extended if they were not happy with how the project was progressing.

#### **Bonnie Brown:**

Bonnie is the Executive Director of the Colorado Woolgrower's Association. Bonnie gave her comments about the Wolf Reintroduction effort. She is encouraging her members to attend the Stakeholder Advisory Group meetings. She said they are limiting comments to 2 minutes which is a discredit to landowners and rural communities. It is frustrating that the Working Group and the Stakeholder Advisory Group are segregated. She believes that pro-wolf entities are swamping the Working Group. It is important that the public have an idea of what the livestock compensation structure should look like but that is not forthcoming. There are fears that big game impacts appear to be totally disregarded. It has been stated that CPW does not want to put the wolves near state boundaries but keep them 75 miles from state borders which would result in introductions in the Flattops, the White River, the Grand Mesa, and Gunnison.

Jeff Comstock commented that a group from Moffat County attended a CPW event recently and there was discussion that it was a travesty that the Working Group is not public. He suggested that the Attorney General should be asked about making the Working Group meetings open to the public. AGNC will formalize a request to the Attorney General's office to investigate whether open meeting rules apply to the Working Group meetings.

#### **Terry Fankhauser**

Terry Fankhauser, Executive Vice President of Colorado Cattlemen's Association, said he was pleased to have AGNC and our counties as partners on many issues. He complimented Bonnie Brown on her job regarding the wolves and said her synopsis is spot on. They are trying to stay coordinated so anti-wolf entities are organized and informed. Terry believes that the true stakeholders have not been involved in the process. He wants to have Open Houses for people who have no clue that the wolves are being reintroduced. He said transparency is lacking in the process. He believes that the administration is pushing for as many wolves as possible. He said that we need to invest time and resources to develop something ourselves rather than waiting for the Working Group, the Stakeholder Advisory Group, or CPW to present something. Terry would like to see us looking at international models. He was told by CPW that there are no resources

and that it would not be done. Terry said that the Working Group will continue to try to be a resource for the Stakeholder Advisory Group. They will continue to meet regularly.

Bonnie said that we need to revise the AGNC letter in the wolf process. We are going to make revisions with the purpose of sending it to the news media. There was a consensus that we need to stand up for our counties and the people in the Western Slope people.

### **Merrit Linke**

Merrit Linke is part of the Working Group and was on the 4th meeting call of the group on the meeting day. He has a concern about their meetings being open to the public. He said we have to be careful what we ask for because if it opens, it opens up to everyone. Merrit thinks it is important to have livestock considerations. Merrit said there is a joint meeting with the Stakeholder group scheduled for December 13 and 14. Jeff Comstock said that he appreciates Merrit's participation. Jeff said that he does not advocate participation in the group but would like to be able to allow elected officials to at least observe the meetings. Merrit indicated that allowing observation of the meetings might be a solution to some of the concerns.

### **AGNC CEDS Update Approval**

Bonnie Petersen explained that we are at the end of our CEDS Review period and made a call for discussion. There was little discussion. Chris Nichols made a motion to approve the CEDS document; Melody Villard seconded the motion; the motion was approved unanimously and the updated CEDS will be submitted to EDA.

### **Federal Delegation Updates**

Hogan Peterson from Senator Hickenlooper's office discussed the relocation of the BLM headquarters. He said there was no substantial input from the BLM representative at Club 20. He said that it would be a shame if the location choice becomes a political football. Congresswoman Boebert added an amendment to a bill to eliminate funding to move the HQ back to Washington DC. On two recent spending bills, she has offered more amendments than any other member of SS Congress thus far. She has also secured a number of appropriation requests: \$137M for water conservation funding; \$13M for forest service; \$1M for wolf livestock loss restoration. Bill Carlson asked if Hogan got a response from Rep. Boebert about processing tax returns on time and Hogan said he would follow up. Commissioner Samson asked about the status of the 30 x 30 program. Congresswoman Boebert is prepared to offer many amendments to that legislation, and he would like to see AGNC stand up against the concept.

### **Administrative Update**

Bonnie Petersen provided an administrative update noting that AGNC and Region 10 have discussed the need for a Broadband Assessment to be completed across both regions to determine where the gaps in broadband access are. The assessment will be included as a component of the EDA Build Back Better grant that AGNC and Region 10 will be submitting.

Updated Redistricting Maps have been published that divides CD3 into two districts and puts NW Colorado counties in CD2 with Boulder and other Front Range counties. This is counter to all the feedback the redistricting commission received – if the commission does not remedy the situation, organizations like AGNC may want to consider collaborating with other organizations to mount a legal challenge. The current map does not follow the directives outlined in the ballot language.

CPW is removing JT Romatzke as NW Colorado Regional Manager and placing him in a “special” position. AGNC is working on a guest editorial to the Daily Sentinel and potentially other media outlets regarding this issue as well as the lack of transparency in the wolf planning process. Members and organizations in attendance offered editorial assistance for letter preparation.

A Transportation Hearing is to be held in Grand Junction on Sept. 17<sup>th</sup>. Transportation Commissioner Hall has indicated that public feedback in these meetings is focused on Front Range issues and GHG issues rather than the severe issues we are facing in Western Colorado. It is important that as many people as possible from the West Slope participate in the public portion of these meetings and particularly the one in Grand Junction, so the other commissioners hear about the many concerns with transportation being experienced in this rural part of the state.

**New Business:** *Next Meeting October 20, CNCC, 500 Kennedy Dr., Rangely, CO, 80648*

**Adjournment – Meeting adjourned at 1:33 pm.**

**Attendance:**

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|---|---|
| Betsy Bair, Community Hospital                        | Melonie Matarozzo, Town of Collbran               |
| Ray Beck, Moffat County                               | Gary Moyer, Rio Blanco County                     |
| Donald Broom, Moffat County<br>Commissioner           | Chris Nichols, City of Craig                      |
| Bonnie Brown, Colorado Woolgrower's<br>Association    | Dianna Orf, Orf & Orf, P.C.                       |
| Corey Bryndal, Region 10 Broadband                    | Richard Orf, Orf & Orf, P.C.                      |
| Bill Carlson, Town of Palisade                        | Ted Orf, Orf & Orf, P.C.                          |
| Jeff Comstock, Moffat County                          | Christina Oxley, Colorado Workforce<br>Commission |
| Cody Davis, Mesa County Commissioner                  | Karl Paulson, CWF                                 |
| Cindy Dozier, Club 20                                 | Tiffany Pehl, AGNC                                |
| Tinker Duclou, Colorado Mountain College              | Bonnie Petersen, AGNC                             |
| Terry Fankhauser, Colorado Cattlemen's<br>Association | Hogan Peterson, Rep. Boebert's Office             |
| Michelle Haynes, Region 10                            | Amy Provstgaard, Town of Battlement<br>Mesa       |
| Laura Kay Houser, AGNC                                | Mike Samson, Garfield County                      |
| Ken Kreie, City of Fruita                             | Shannon Scott, Craig Economic<br>Development      |
| Johnny McFarland, City of Grand Junction              | Melody Villard, Moffat County<br>Commissioner     |

## ATTACHMENT A



### Updates from AAA 9/15/2021:

- This week I am in Denver for training. The State Long Term Care Ombudsman is rolling out a new training program for onboarding new ombudsman.
- The AAAs have not received any additional update on the American Rescue Funds from the State Unit on Aging (SUA).
- The AAAs will be receiving COVID-19 vaccination funds mid-October. It is anticipated that our region will receive about \$40,923.88. These funds can be used for education about the vaccines, transportation to get the vaccine and other marketing/outreach. I realize that these funds are *really* late in coming, but I have reached out to local public health agencies across the region to see if there might be a need. I have not received any response back yet. There is also discussion from AAAs that if funds cannot be used at the local level, AAAs might put the funds together for a statewide effort.
- The AAAs recently approved a final draft of the Policies and Procedures for Senate Bill 290 (\$15 Million for AAAs). However, in a meeting with the SUA on 9/13/2021 additional changes were brought forth by the SUA. The AAAs will need to review and approve these changes.
- I gave a presentation to the Strategic Action Planning Group on Aging on 9/2/2021 regarding COVID-19 impact on the AAA/Providers and our response.
  - With the recent mandate from Governor Polis to have long-term care facility staff vaccinated some of our ombudsmen are hearing concerns from facilities. One of the concerns is that if staff leave due to the mandate, they will have to start discharging residents in order to meet the appropriate staff to resident ratio required by the Colorado Department of Health and Environment (CDPHE). Another concern is that for smaller facilities, they simply may not have enough staff to keep their facility open and would potentially have to close their doors. Our long-term care facilities were already facing staffing shortages, the pandemic and the mandate exacerbate the issues. I have reached out to the State Long-Term Care Ombudsman (SLTCO) office to make them aware of my concerns. SLTCO is reaching out to CDPHE and awaiting a response.



**Associated Governments of Northwest Colorado (AGNC)  
Government Affairs Report  
September 14, 2021**

Legislative Interim Committees are meeting to request draft legislation for the 2022 session – three committees are meeting today so we do not know at present what those requests will be. The three committees – Wildfire, Water Resources, and Tax Policy – are all areas that could impact Northwest Colorado so we will report back as soon as those requests are made.

Wildfire – Although we do not know what shape legislation may take, there has been interest expressed during committee discussion about the need for statewide building codes or other requirements for fire-resistant building materials in Wildlife-Urban interface areas. The 2021 legislature established additional authority for cooperative agreements and increased funding for fire mitigation and watershed protection. Those efforts will likely continue.

Water – It currently appears that there will NOT be a dredge and fill permit program before the legislature this year, following action by the Federal District Court for Arizona vacating the 2020 Waters of the U.S. rule and remanding it to EPA. Until such time as a new rule is adopted, EPA has announced that the pre-2015 regulatory scheme will continue (the 2008 regulations). CDPHE, which had raised the issue of a “gap” between federal and state water protection under the Clean Water Act, has stated that they are comfortable with the 2008 regulatory interpretation at the present time.

An issue which will likely re-surface is a potential expansion of Recreational In-Channel Diversion (RICDs). These structures have been used in both Eastern and West Slope communities to allow for use of kayaks and other water recreations under a controlled release and flow rate to enhance the recreational experience. RICSs are on the agenda for discussion at the Sept. 14 meeting of the Water Resources Review Committee, along with Water Efficiency in Agriculture.

Tax Policy – The Tax Policy Committee, along with its accompanying Task Force, has reviewed a number of reports from the State Auditor’s office concerning state tax expenditures (credits, exemptions, and deductions) which reduce state revenues. Discussion has been minimal, so the Committee’s requests are unknown at present. The Task Force will continue throughout the fall and is weighing the advantages and disadvantages to the state of continuing to use a Federal Taxable Income versus moving to an Adjusted Gross Income approach to income tax.

State spending of Federal Dollars – A committee has been appointed to issue a report and recommendations to the legislature on policies and spending of the state Economic Relief and Recovery Cash Fund to stimulate the economy using federal dollars from the American Rescue Plan Act of 2021. The eight- member committee (4 Dems, 2 Republicans and 2 Administration) have not yet announced a meeting schedule.

Transportation Planning – The Transportation Commission will hold a public meeting in Grand Junction on Sept. 17 to discuss its proposed rule to incorporate climate considerations into Transportation Planning and spending. The rule is intended to carry out the emission reduction goals from HB 19-1261 and decrease greenhouse gas emissions from the transportation sector by 2030 and beyond. The rule focuses on “regionally significant projects” that will increase or decrease emissions when completed. The rule will affect the various Metropolitan Planning Organizations (Grand Valley Metropolitan Planning Organization is included). The public hearing begins at 2 0m in person at the CDOT office in Grand Junction and on Zoom. Virtual registration can be accessed at

<https://docs.google.com/forms/d/e/1FAIpQLSewFQkuzUdMJJZO0aurdhFGEqiDujmho-q1Npo4RX0EmSGu1A/viewform>

Ballot Issues – Three measure previously discussed at AGNC have qualified for the November 2021 ballot.

- A constitutional requirement that custodial money (such as received from the federal government) must be spent only in accordance with the appropriation process (Proponents Suzanne Taheri and Michael Fields)
- A learning enrichment program funded by sales tax on marijuana (Proponents Steven Fusco and C. Tim Taylor)
- A reduction in the residential property assessment rate from 7.15% to 6.5% and for non-residential property from 29% to 26.5% coupled with approval to retain and spend 25 million dollars per year for five years for the homestead exemption (Proponents Suzanne Taheri and Michael Fields)