



ASSOCIATED GOVERNMENTS  
OF NORTHWEST COLORADO

MINUTES

**AGNC BOARD OF DIRECTORS & MEMBER MEETING**

**November 18, 2020**

**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** – Ray Beck, Chairman, called the meeting to order at 9:00 am. Introductions were made. Laura Kay Houser, AGNC’s new Executive Assistant provided some information about her background for the group. She worked in IT and owned a retail business in other states. She moved to Glenwood a year ago and is excited to work with AGNC.

Betsy Bair was not sure she would be available in the afternoon for the delegate update. She thanked AGNC for a great working relationship the last 6 years and noted that we had gotten to do great work together. She noted that she and Senator Gardner were thankful for AGNC support in the BLM move. She indicated that a continuing resolution needs to pass to fund government and the Senator is working on that. They are also working on another COVID bill. She thanked Chairman Beck for the time to provide a brief update; she noted that staff is working on decommissioning the Senator’s local offices. She pointed out that she will always still be in communities to help if we ever need her. On behalf of AGNC, Chairman Beck thanked Betsy for her dedication to and support for Colorado and the AGNC region.

**Approval of Minutes** – Chris Nichols moved to approve the minutes from the October 2020 meeting; Keely Ellis seconded the motion, the motion passed.

**Financial report:** Bonnie Petersen provided an overview of the financials for October 2020. Total current assets as of October 31, 2020, \$556,926.98. Income for the month is more than budgeted due to the receipt of a grant reimbursement. YTD revenues exceed budget by approximately \$26,000. Expenses for the month are below budget and the same is true for YTD expenses. Net income for the month is positive and exceeds budget, YTD net income is well ahead of budget as well. Chris Nichols moved to approve the financial report; Grady Hazelton seconded the motion, motion passed.

Earlier in the year, staff indicated that AGNC budget would have to be amended due to the receipt of some grant funding during the year. Information for the amendment is not yet complete and the November meeting is the final full board meeting of the year. The Executive Committee meets during months the full board does not to review budgets so the board was asked how they would like to handle the budget amendment. Options provided that the board give the Executive Committee the authorization to approve the amendment or that the amendment could be provided to the board via email for an electronic vote. Chairman Beck asked for input. Keely Ellis noted that since the Executive Committee already meets for budget review that it is appropriate for the executive committee to provide oversight and approve the amendment. There were no objections from the other board members in attendance – they indicated that they did not feel a vote was necessary.

**Project and Committee Reports:**

AAoA - Heather Jones updated the group on senior issues – her report can be found as Exhibit A at the end of these minutes. The state is trying to get ombudsmen back into care facilities, but the challenge is getting weekly COVID testing for ombudsmen as the testing is taking 4-7 days. Ombudsmen will not go into known COVID facilities, they would continue working virtually. Colorado agencies are working to

highlight what AAA's do throughout state and are developing a pamphlet to keep older Americans on legislator's minds. Homestead funding previously earmarked for AAA services took a \$9 million loss which is a loss for the NW region of more than \$160,000. A proposal at the federal level is suggesting that the Older Americans Act be funded the same as 2020 levels which would keep federal funding flat. Our AAA was fortunate to receive family first and CARES act funds to help sustain services during the pandemic for this year. Colorado AAA's looking at partnering with insurance companies to identify potential future funding opportunities as state and federal funding is unpredictable.

### **Election Results Update and Implications – Orf & Orf,**

A spreadsheet was provided for members detailing issues that may come up and included some federal issues that are intertwined with state issues.

An election wrap up along as well as an overview of the Governor's budget priorities was provided prior to the meeting – those documents can be found as Attachment B at the end of these minutes.

- The Colorado senate for 2021 is made up of 20 Democrats/15 Republicans; the House remains at 41 Democrats/24 Republicans.
- Speaker of the House will be Alec Garnett.
- A special session will be held before 2021 to deal with federal funding allocations. The session will be looking at putting dollars in the hands of people in communities to help with economic impacts of COVID. Funds are expected to be made available for small businesses. Expect to see support for tenant and landlords during the eviction moratorium and there will be consideration of spending funds for childcare providers – without childcare, parents cannot go to work. Also expect allocations of funds for hot spots that do not have broadband access – looking at \$160 million for broadband.
- The state had more money than anticipated for 2020 but revenue shortfalls are expected in 2022-23 and no TABOR hits are forecasted until 2024.
- There is a tremendous amount of emphasis for CDOT and state parks. Parks are seeing a great deal of increased usage.
- Counties have not been able to spend CARES act \$ not in a position to spend funding and request reimbursement.
- The issue of wolves came up and it was acknowledged that the wildlife cash fund is required to pay for depredation; expect there will be pushback. The measure was passed by a very close margin.
- All but one ballot initiative passed - the net effect provides \$105 million the state would not otherwise have. Voters wanted to restrict and approve spending at the same time.

### Statewide ballot measures:

- The measure to introduce wolves passed and now there is the additional issue regarding delisting of wolves at federal level. CPW must come up with a plan and they will need funding.
- The FML program is expected to be an expensive program and will require implementing legislation as well. The program will be implemented in 2023-24 and is expected to be a billion-dollar program; it will be managed by department of labor. Under the FML, local governments are exempt; businesses with 9 or fewer are exempt also, although projected utilization under FML coordination with the federal FML is not definitive.
- Limitation on enterprises will put a stop to the way the legislature was funding programs. Voters are to have a say on spending for new programs.
- State tax reduction from 4.63 to 4.55 on income will have a larger impact on the state than for individuals.
- There is a net increase to state of \$105 million after assessing all the measures.
- John Swartout noted that projected costs for Medicaid were lower by about \$200 million which is the basis for the special session. There is a risk that projections are wrong, and they have less money so funds would have to come from programs that support most at risk citizens. The state is

banking on additional federal stimulus package. It is unknown if they can get an agreement in a lame duck Congress.

- The bottom line on wolves is the state can say they want to introduce wolf all they want but the species is still under control of the federal government; it seems sure that there will be litigation for the delisting and that may be halted. UFSW and interior would have to sign off on a Colorado introduction and there is a fair amount of concern that Colorado may not be the best place to reintroduce wolves. What is unclear is if the state can do that. The most likely outcome is litigation and a judge issuing a stay on the listing. Any reintroduction in Colorado will require legislation to do it; Colorado does not have the authority if it is still a listed species to do it. CPW will listen to impacted counties - counties should be able to have scientific expertise in this as well. The state is a long way from wolves on the ground in Colorado; it seems that the State's too populated for wolves. Sportsmen do not want license fees used on wolf reintroduction; it is expected there will be huge uproar about that - paying for depredation - sportsmen do not want to pay for that.
- Funding for depredation can be provided by JBC to the extent money is available, could go to general fund through legislature. Other states never fully funded game damage although promises were made that it would be. Rep. Perry noted that his experience is that there is never enough funding for depredation, his opinion is that it should come from the general fund.
- Just Transition has a relatively small number referencing JT - in the range of less than \$300K - did not come to grips with what would be needed to cover lost property tax - would take a tremendous amount of money for the state to backfill. Hansen wants to restructure property tax in Colorado. The Just Transition advisory committee is having a meeting Friday – Dr. Perry will be part of the meeting to review the economic impact. The final plan is likely to be submitted December 31st. Legislation creating Just Transition sunsets in 2023. It is important to get study by Dr. Perry to JBC. How to get study to JBC - Diana can get it to staff and members.
- Other items we might see in the legislature may include bail reform, criminal and police reform, immigration issues will be coming in soon.

#### **CCI Legislative Priorities and Election Projections – John Swartout, Executive Director**

- The CCI forecast was that we will see more efforts coming from the legislature - without money we see unfunded mandates. Going to be really hard we will be playing defense where we may see well intentioned ideas turn into unfunded mandates. Economic impacts on county governments are going to show up overtime which could cause an economic hole for 6 to 8 years.
- The police reform bill was a lot of unfunded mandates - I.e., body cams, storing data, liability. - an example of passing the costs onto local governments.
- Asked members not to have too many issues because will be playing defense.
- 811 exemptions will come back. Burden for routine road maintenance.
- Off highway road use - county decision what roads ATV's can ride on. Out of state vehicles have a loophole want county rules to apply to all vehicles.
- The big one is to do some clean up on 217 the law enforcement bill. Will offer some kind of bill working with coalitions all working on a number of things 4 or 5 bills on this meeting with sponsors of bill
- Cares Act - worked to get funding for local governments from federal act \$275 million dollars - Kimberly has been really good about helping people. If having problems let CCI know. If left over funding and want to use for Winterization funding for restaurants have a program to do that. CCI is engaged with DOLA every day to get funding sent/
- Gallagher concerns - already seeing commercial entities that want to ask legislators to exempt them from paying taxes. Renewable trying to exempt storage, etc. Commercial interests coming in and saying they should have exemptions. Removing Gallagher from the constitution puts power in hands of legislature now.

Chairman Beck noted that transportation is not just about highways. We need funding for that - but do not forget aviation. Last economic impact study showed \$48.6 billion creates 345,000 jobs. What other

industry does that? Need to get the legislature or CDOT to provide \$100 million for general aviation airports, they are important to the whole state.

Other thing CCI has been great to work with on opiate matter. Looking at significant funding coming from pharmaceutical companies. AG's have become really active trying to be sure the money goes to where issues really are. As opposed to the tobacco settlement, we want these funds to go to where the impacts are. Local governments are united that funds should go to the local level. Could see funds as early as 1st quarter next year. The idea is to have distribution identified in the settlement fund not go to the Governor or legislature so the funds are not subject to legislature or Governor's office. Reimbursements put an added strain on local governments versus a direct distribution.

East West arterial for Colorado is an important item; when I-70 is closed for weather, rockslides, etc. it shuts down commerce inter and intra state. We need a long-term solution. US representative failed to get an infrastructure bill out of Congress is it hoped that the momentum to get one is going to be high. State is asking for projects. Colorado should work together to start advocating for projects now - expect it will pass. Colorado needs to get in front of that.

Local government funding held up in COVID bill. CCI sent a letter about assistance for local government. Both senators have been champions for local government - wanted guardrails to be sure funding is not used for pension programs rather than helping local communities. There was disagreement on what money could be spent on. The House is not willing to do economic relief in targeted fashion, they wanted all provisions in their bill. It would be more successful if they put guardrails around what goes to local government - colleagues did not support that even though our senators did support.

**AGNC Business** – Chairman Beck recognized and thanked our federal delegation staff and noted that AGNC cannot say enough good about their work with AGNC and keeping members informed. Staff as well as Senator Gardner and Congressman Tipton will be missed greatly and AGNC extends thanks for all each of them have done for our region. Diana, Kimberly, and federal staff all expressed good wishes to Chairman Beck as he will leave the Commission and his role at AGNC in January 2021.

### **Federal Delegation Updates**

George on behalf of Congressman Tipton thanked AGNC for support; George has been with the Congressman for 6 years. She did not have a lot to provide an update for. The office officially closes this Friday.

Betsy Bair, from Senator Gardner's office noted she did not have much to add from this morning. She noted that the Senator and staff appreciate the help of the counties and noted that they have a soft spot for NW Colorado.

Alyssa Logan with Senator Bennett's office offered thanks to other staff and noted that it has been incredible to work with. She noted that there is not a huge update on the federal side; however, there are a lot of questions about what will happen in lame duck session.

Bill Endriss, with Congressman Tipton's office noted that he is just finishing up his duties with the Congressman and with George and Brandon. He thanked AGNC for working with the Congressman and the staff across the state. He will be finishing his duties and moving on to whatever the next opportunity provides.

### **Administrative Update**

Bonnie Petersen provided an Administrative Update on the following topics:

- The 2021 Meeting Schedule draft was presented for review; there were no changes noted.
- The legislative call schedule was discussed for 2021 and it was agreed that the calls will continue to be held at 8:30 am on Thursday, weekly during the session. One caveat was noted that there is much uncertainty about the legislative schedule since the General

Assembly may convene and adjourn right away due to COVID. They may conduct the session back and forth.

**New Business:** *Next Meeting February 17, 2021, location TBD*

**Adjournment – Meeting adjourned at 12:55 pm.** Ray Beck - this is the part where we say happy holidays. Come back at 1:00 for the EDD meeting.

**Attendance:**

Ray Beck, Moffat County	Bonnie Petersen, AGNC
Mike Samson, Garfield County	Betsy Bair, Senator Gardner's Office
Tiffany Pehl, AGNC	John Justman, Mesa County
Heather Jones, AAoA	Diana Orf, Orf & Orf, P.C.
Merrit Linke, Grand County	Richard Orf, Orf & Orf, P.C.
Chris Nichols, City of Craig	Ted Orf, Orf & Orf, P.C.
Gary Moyer, Rio Blanco County	Keely Ellis, Town of Rangely
Grady Hazelton, Town of New Castle	Drew Kramer, Tri-State G&T
Rep. Perry Will, HD 57	Makala Barton, Rio Blanco ED
Paula Stepp, City of Glenwood Springs	Laura Kay Houser, AGNC
Brandon Bainer, Congressman Tipton's Ofc	John Swartout, CCI
Christina Oxley, Colorado Workforce	Kris Melnikopf, Town of Collbran
Carolyn Tucker, Colorado Workforce	Jon Bristol, Steamboat Springs ED
Kimberly Bullen, DOLA	Alyssa Logan, Senator Bennet's Ofc.
George Rossman, Congressman Tipton's Ofc.	Jeff Comstock, Moffat County
Bill Endriss, Congressman Tipton's Ofc.	Melonie Matarozzo, Town of Collbran
Tari Williams, Garfield County	

ATTACHMENT A



**Updates from AAA:**

- The State Long-Term Care Ombudsman is working on a policy to get ombudsman back inside facilities. The biggest barrier is getting consistent covid-19 testing for ombudsman and receiving the results within 48 hours. Most test results take 4-7 days.
- Colorado AAA's are working on creating a short pamphlet highlighting the good work AAAs and their providers do across the state. Our hope is to give this to the legislators so that older adults will be on their minds.
- \$9 Million AAAs lost in Homestead Funding for FY21-22, FY22-23, FY23-24. This is about \$160,371 loss for our region each year.
- At the Federal level, there is a proposal to flat fund the Older Americans Act programs for FY 2021 at the current FY 2020 levels

## ATTACHMENT B



### Associated Governments of Northwest Colorado (AGNC) Government Affairs Report – Quick Election Wrap-up November 5, 2020

The never-ending election cycle is over. November 3 brought few surprises. As anticipated, most incumbents held onto their seats, although some by razor thin margins. Dems will hold a 20-15 majority in the Senate (up from 19-16) and the House will remain at a 41-24 Democrat majority having lost one seat and gained one. The bright side is that the continuous volley of e-mails, texts, phone calls, and mailers for campaign funds and votes have ceased. The composition of Colorado's General Assembly will look much like the 2020 session.

Two days following the general election and one day before New Member Orientation begins, today the Colorado Senate and House Democrats selected their leadership for the coming session which is scheduled to convene January 13. New leaders are as follows:

#### House Democrat Majority

Speaker of the House: Alec Garnett  
Majority Leader: Daneya Esgar  
Asst. Majority Ldr.: Serena Gonzales-Gutierrez  
Caucus chairs: Meg Froelich and Lisa Cutter  
Majority whips: Kyle Mullica and Monica Duran

#### **\*\*House Republicans will select leaders on Monday**

#### Senate Democrat Majority

Senate President: Leroy Garcia  
President Pro Tempore: Kerry Donovan  
Majority Leader: Steve Fenberg  
Majority Whip: Jeff Bridges  
JBC members: Dominic Moreno, Chris Hansen

#### Senate Republican Minority

Minority Leader: Chris Holbert

Asst. Minority Leader; John Cooke

Minority Whip: Paul Lundeen

Caucus Chair: Jim Smallwood

JBC member: Bob Rankin

Among the Statewide ballot measures:

Amendment B (Gallagher repeal) Pass

Amendment C (conduct charitable gaming) Pass

Amendment 76 (voter qualifications) Pass

Amendment 77 (changes limited gaming) Pass

Proposition EE (tax nicotine and vaping) Pass

Proposition 113 (National Popular Vote) Pass

Proposition 114 (reintroduce gray wolves) Pass – narrowly

Proposition 115 prohibit abortion 22 weeks) Fail

Proposition 116 (reduce state income tax) Pass

Proposition 117 (require vote new Enterprise) Pass

Proposition 118 (paid family/medical leave insurance) Pass

Budget Action Underway. The budget action for FY 2021-22 kicked off with the submittal of the Governor's Budget request for state agencies to the JBC on November 2.

The JBC will hold its first organizational meeting on November 11, with the Governor formally presenting his budget request on November 12. JBC staff will present their analyses of each state agency/program needs starting that day to provide detailed background for the JBC, followed by hearings in subsequent weeks where agency heads appear before the committee to respond to questions. Current instructions state that in-person participation will be limited to legislators and legislative due to COVID 19. (In the latter part of the 2020 session some staff members also appeared virtually to reduce the number of people present.) Audio of the proceedings will be live streamed as usual with recordings available afterward, staff intends to post all documents that will be presented to the JBC website prior to the meeting to allow members of the press and public to review and print the documents prior to the meeting, of particular note, the JBC will meet with State Auditor Dianne Ray on November 13 to discuss the Tax Expenditure Compilation Report recently completed. Information on JBC actions is frequently updated and can be accessed at

[https://leg.colorado.gov/sites/default/files/schedule1\\_381.pdf](https://leg.colorado.gov/sites/default/files/schedule1_381.pdf)



## Brief Overview of Governor's Budget Priorities

Net effect of various ballot measures is \$105 million additional money

Each department budget is undergoing analysis and JBC briefing over next couple of weeks. Total budget request \$35.2 billion. Goal to restore cuts implemented at end of 2020 legislative session.

Priorities for money

- Restoring cuts made to education in 2020 K-12 and Higher Ed
- Providing economic stimulus (investment, capital projects)
- Saving for future - Restore reserves from 2.86% to 10%, carry forward \$1.26 B to FY 22-23 to address Revenue shortfall anticipated through 22-23 FY

Stimulus spending – Special Session to be announced end of the week (About \$220 total)

- Money to restaurants and bars and other small businesses that have seen capacity reduced \$105 million (sales tax relief)
- Money to sustain child-care providers \$50 million (so that parents can work)
- Money to landlords and tenants \$50 million (direct \$ to avoid evictions)
- Money for hot spots for students and educators to facilitate on -line learning (\$20 million)

Stimulus spending – \$1.3 billion (special session \$ is subset of this)

- Shovel-ready public works projects including CDOT and State Parks \$220 million
- Wildfire mitigation, including forest and watershed restoration \$78 million
- Broadband \$160 million (\$24.3 million for two federal grants – last mile; \$25 million to fund 15 grants for improving infrastructure in unserved areas both programs adm. By PUC)
- \$140 million workforce and business investment
- \$200 million placeholder for legislature's stimulus proposals

Health related spending \$956 million, working with 870 contractors, students, and volunteers as part of its response to the Pandemic.

- \$577 PPE, mass testing, contact tracing, improve hospital capacity, support local public health agencies
- \$179 million to repay state Emergency Fund for COVID-related expenditures
- \$200 million set aside for 2021 COVID response

The Department of Public Health and Environment has received \$391.7 million from mostly federal sources to coordinate the public health response to the COVID pandemic in Colorado. See pp 24-25 CDPHE budget briefing.