



ASSOCIATED GOVERNMENTS
OF NORTHWEST COLORADO

MINUTES

AGNC BOARD OF DIRECTORS & MEMBER MEETING

August 21, 2019

Technical College of the Rockies

1765 US Hwy. 50, Delta, CO

9:00 am to 1:30 pm

Pledge of allegiance

Call to order – Andy Key, Vice-Chairman served as Chair: The meeting was called to order at 9:04 am. Introductions were made and it was noted that Scott Hahn, Rifle Town Manager, would represent Garfield County municipalities at this meeting.

Approval of Minutes – Mike Samson moved to approve the minutes; Roger Granat seconded the motion; motion passed.

Financial report: Bonnie Petersen reviewed financials for July 2019. Revenues for the month are slightly ahead of budget for the month, we continue to remain ahead of budgeted revenues year to date. Expenses were under budget for the month and remain under budget year to date. Net income for July was better than the projected budget for the month and continues to be ahead of the year to date budget. Roger Granat moved to approve the financial report; Mike Samson seconded the motion, motion passed.

Procurement Policy – Bonnie Petersen provided an overview of the proposed AGNC Procurement Policy. AGNC has not had a reason to have a policy in place but as the organization has begun to attract grants with some component of procuring vendors, it makes sense to have guidelines regarding those procurements. As the needs thus far have been relatively simple, the policy reflects the current need of the organization. Mike Samson indicated that the Procurement Policy meets AGNC's needs and made a motion to approve the policy as drafted; Roger Granat seconded the motion – motion passed.

Project and Committee Reports:

Area Agency on Aging – Heather Jones – meals on wheels in Mesa County is adopting a policy to change dining sites and temperature controls for prepared foods. If food is not used within 4 hours, it will be discarded. Under current procedures, within an hour of being held in temperature controls, food is taken home and refrigerated. In July Heather met with providers and trained them on new reimbursement procedures with the new software recently installed - met in Mesa County and Moffat County. The trainings were well attended, and providers began using the new system in the last week. The annual assessment tool used to do assessment of providers is being updated; it is Heather's hope to downsize the assessment tool and make it available online. The goal is to go to all 21 dining sites and, if possible, she would like to visit with consumers also to get feedback regarding potential improvements. October AAoA will sponsor a senior Law Day on the 25th at Two Rivers Convention center as well as one in Garfield County on the same day in Basalt. The event will be videotaped and shown in Rifle on October 29th. AAoA is expecting a good turn out; last year there were 300 attendees in Mesa County and 200 in Garfield County.

Dinosaur Welcome Center – Cheryl McDonald (Cheryl's full written report can be found as Attachment A at the end of these minutes.) Cheryl reported that DWC numbers are really good for the month - rafting companies have had 75 rafters every morning for the last month. The DWC hosted 65 cyclists on a tour to Washington – the rider's used the center's picnic area. All of them indicated that they want to come back - 3 or 4 people from Australia joined the ride because it was in Colorado. The Preserve American Youth group was in NW Colorado for 4 days; they stayed in Rangely. The DWC did a "leave no trace"

program for the participants. There were 60 children in attendance, all were very polite and fun they had a good visit. The DWC received thank you notes from the leaders and organizer. They liked the night sky program at Monument. Cheryl will be taking the center's volunteers on a tour after Labor Day to Ridgway, Silverton, Mancos, Cortez, and the four corners. She managed to get enough help to cover the center during the volunteer tour. DWC will host the Fort Collins Welcome Center in September; Cheryl will try something new and plans to do a progressive dinner to get them through town to end at the Museum. They will go into the monument, lunch at the center, then go to Rangely to visit The Tank and the car museum. The Governor's conference is in Denver this year those interested, can sign up on the website if anyone would like to go; the CTO will have the manager's meeting at the end of the conference. Cheryl offered her thanks and appreciation to all the support and help from AGNC. Last month Cheryl talked about the signage for veteran's she put up at the DWC. She continues to get complements for it; she mentioned that she wanted to pay it forward, so she provided a sign to Roger Granat to place anywhere in Palisade and asked him to bring one to present to another member next month.

Legislative Update – (The full written report can be found as Attachment B at the end of these minutes.) The Zero Emissions Vehicle rules passed 8 to 1 at the AQCC; Orf and Orf participated in rebuttal at rule making, there was one other opposing member who came from Larimer County. The rulemaking is done now so we will see how it is implemented there is a great deal of confusion around implementation. Is it a mandate on sales or inventory? Deal making with auto dealers and commission was being conducted. SB19-239 allows the state to assess fees on ride sharing services CDOT is trying to determine how to implement the bill; it provides for a fee to be assessed on Uber and Lyft drivers. For now, the regulators are looking at less than \$1.00 per ride but will have recommendations by November. The bill will also impact delivery trucks locally, the statewide fee funds will be used for smart highways, multi-modal transit, etc. There probably won't be a need for more legislation, the point was to push for efficient vehicles for local delivery vehicles. Energy legislative review committee was in Fort Morgan - August 12, their next meeting will be in Grand Junction September 13th. Just transition bill future - asking for clarity and no surprises with shutdowns; ears are open to concerns about the local tax base. Local governments must function without property tax and they need to determine how the state will help communities. Solar is exempt from business personal property taxes. The tax expenditure review committee is still meeting, all tax credit programs are up for review. The committee is talking about repealing about 28 different tax credits including Enterprise Zone credits; we need to get examples of support for EZ businesses. Air quality commission is working on climate change goals, in November we should know what potential legislation will be offered. Some proponents of 181 want total shut down of the oil and gas industry and are upset that air quality and COGCC are not working together to shut down permitting. There was a rulemaking on wolves in June and there was a motion to clarify words around wolf species. Any agricultural payback for wolf kill will be coming out of the wildlife cash fund so sportsmen will be paying for wolf depredation. We need to keep working on the issue on the ballot in 2020. Proposition CC permanently de-Brucing TABOR at the state level will be on the ballot this fall. What may be coming down the pipeline for the next session: 1) energy oil and gas, 2) local governments, 3) local marijuana potentially and the Orfs are still trying to determine what else may be coming down next session. The family leave committee is trying to get a study committee put together and to get an actuarial study done; their report is due by November 15th. The kindergarten issue cost was underestimated by about \$40 million. Every time a bill was pushed in past an effort was made to look at how we would pay for things associated; under the latest scenario, severance tax isn't looking very safe. Jeff Comstock noted that Moffat county met with the new CEO of Tri-State who indicated that the company would be putting investments toward solar in their portfolio - they hesitated due to connectivity to grid. Moffat County wants to see large scale infrastructure investments made in the county that infrastructure is being removed from. We should look at endorsing that rather than allowing businesses to take new investments to an area already doing fine.

Western and Rural Colorado Health Care Coalition Presentation – Bob Shivley and Bob Semro shared information regarding the health care coalitions now 30 to 35 strong representing several west slope areas – they would like to grow the coalition. The group wants to find ways to improve health care -

cost control is one of the big items they are about. Membership includes electeds, businesses, chambers, etc. They worked on HB 104 - had stakeholder meeting in Grand Junction and there was a big effort on the reinsurance bill HB 1168 to advocate, testify, and cajole. Prescription drug imports from Canada bill was also supported by the group. The group is working on core health problem of health care cost. The group has some ideas of what they would like the legislature to work on next year. One option is to compare prices for similar routine procedures and diagnostic tests across providers and regions which may provide information to provide the ability to apply market controls that don't exist in the market right now. In 2019 hospital spending grew at 5%; over the next ten years will increase by 5.7%. The most important thing about health care is cost; how do you control costs if you don't know what they are. Pricing data has always been limited, restricted, proprietary so patients can't identify prices at the local level - all costs are local. We need pricing transparency, if one is insured it's hard to know what your bill is going to be. If one is uninsured you can find some prices, but you can't find more complex procedure pricing. Consumers really have no leverage in the health care world. The coalition wants to focus reporting on consumers and state legislature as well as provide information to businesses, state organizations, provide average charges for routine procedures. Price comparison could be made to see if there is a difference in the quality of a procedure. We need this type of report where the data is real. Rural areas costs are higher – but we don't know why the major differences in costs - one hospital may include fees others do not; providers may not use the same code sets OR they may use internal codes. Bob Semro provided some examples of cost differences for similar procedures and noted that the Sky Ridge hospital had 40.8% profit margin – their costs were higher than other providers. Potential legislation could require hospitals to calculate charge master rates using the same methodology for all average charges over \$150. HCPF would produce a single report to data and apply cost of living adjustments. The report could be provided to associations and they could do an overview of costs to assess why prices are high or low. They should do the report every year to develop a trend line to see how costs are increasing or decreasing. The expectation is that we could change behavior through public transparency; we need to motivate the legislature to come up with ideas that we haven't thought of. If we could drive initial prices down - perhaps we could drive a more competitive industry.

Legislator Discussions – Representative Janice Rich, District 55, and Representative Matt Soper, District 54 provided a wrap up and report from last session. They said it is great to hear when AGNC supports or opposes something and good to hear about concerns. It is possible to get some things done when in the minority, but they spend a lot of time fighting off things. Janice Rich was one of the prime sponsors of the reinsurance bill; there were a lot of stops, starts, twists, turns. Fortunately, they were able to get many organizations on board and the funding mechanisms changed. When the federal approval was received, Rocky Mountain Health Plans called and said premiums would go down 33%. The legislature will review, when bill sunsets, to see if it has done what was expected. The Grand Junction regional center is home to several fragile patients and will close per a bill passed in 2016. The center sits on 47 acres and, under the law, all the state could do was put it up for sale. The local governments requested that the state be allowed to transfer or sell the property to another group. The bill passed which will give the state the option to sell or transfer the property. Janice was the former county treasurer for Mesa County, she sponsored and got a bill through the legislature to move trustee offices in 10 counties from being a governor appointee to the appointment of the treasurer as public trustee; this is the case in all other counties. SB19-76 regarding consulting engineer services with CDOT became a study bill. When contractor's bid on jobs, engineering costs are not included. Engineers charge an hourly rate; the study will see if there is a way to bring the cost down. The legislature also changed local government retirement programs to make sure local governments provide match in retirement plans.

Matt Soper introduced and passed 10 of 13 bills. HB19-1087 allows for meeting notices to be posted online; he cleared up language regarding special districts with the bill which will help so people to find where meetings are held. Encourages use of statewide portal the state will provide a free website. Matt worked on bail reform - jail capacity is of concern and a lot of capacity is used for low level petty offenses; his bill eliminated cash bail for those where jail time is not a penal element. As communities are faced with a rising homeless population, the bill also serves to make it less convenient for them to use jail. He wants to have a risk assessment tool for riskier detainees; although the constitution provides that

every person is entitled to a cash bail. Previously, county owned hospitals and trustees don't have power to make operational decisions; the bill passed changed the rules, so trustees do have authorization to make decisions outside the County commissioners. He also passed a bill to make it illegal to pass snowplows in the echelon formation. Every district applied juvenile justice differently so to address that, Matt passed a bill that looks at how we harmonize juvenile justice across the state. Under the previous rules, the same offense could be handled differently in different counties. Matt also worked on the bill related to out of network charges which addressed the concern about large fees on hospital bills due to having an out of network provider as part of a medical team without notice to the patient.

For the next session, Janice has been asked to support a couple of bills. One is a bill for veterans ensuring that proper recognition and burial is done at the VA cemetery. The County Clerk's association has asked her to sponsor a cleanup bill for them. Matt has been approached to work on issues that concerns corpses; a CCI bill last session allowed for counties to cremate indigent bodies rather than bury them. In statute counties can sell indigent bodies, so on record it was stated that strapped counties could sell bodies - killed bill twice. Matt will work with people on this issue, he agrees that bodies should be cremated vs. burial as it can provide a significant cost savings for counties. He will keep working with data bill regarding fingerprints, DNA, etc. He will also try to do away with statute of limitations on rape and sexual assault.

The representatives were asked to put back the 1041 powers impacted by SB19-181 and to write Coal to products support. SB19-236 was a sunset bill for the PUC and on the second to last day of session the bill went from 29 pages to 81 – it incorporated two other bills. The bill passed was no longer a sunset bill, it is now a policy bill. The fiscal note went from half million to \$1.3 million; the leadership did not provide an amendment review opportunity – there is supposed to be 24 hours allowed for review if amendments are one page or more. Matt is looking at revitalized a version of Coram's rural development grant bill from last session. Both representatives encouraged AGNC member to testify on bills at every potential opportunity, people on front range need to hear from the Western Slope.

USDA - Dave Carter with USDA provided an overview of USDA funding opportunities in support of rural development. USDA can work with businesses, individuals, local governments, and non-profits to assist with funding for items ranging from home purchases to equipment upgrades to infrastructure projects. They have grant and low interest loan programs. Dave is located in Delta in support of Colorado for the USDA. He provided examples of items USDA has funded and answered questions posed by attendees.

Federal Delegation Updates

George Rossman with Congressman Tipton's office reported that the Congressman is speaking at the water conference but will be visiting Rifle and Rangely next week. While in Rangely, he will visit the DWC. Congress was in recess last month, so the Congressman has been doing hearings on the RECDAC draft bill to see if there are items that need to be addressed. HR 3794 - increases renewable energy sources - wind solar and geothermal. To provide for funding counties may lose as traditional energy declines. Congress will be back in Session in September. The Congressman is accepting nominations for military academies - the deadline is October 7th.

Alyssa Logan with Senator Bennet's office reported that the Senator is also accepting nominations for military academies; it is all right to apply to all three offices if someone wanted to do so. The deadline for the Senator's office is October 8th; interviews will be done on November 2nd. The Senator is working on the veteran's act to be sure we have the best health care for Veterans' in our areas, it is known as the MISSION ACT. He is working to assign a benefits coordinator for the West Slope; the local representative resigned early this year which has resulted in people having to go to the front range for assistance. The Senator is asking for two counselors on the West Slope. The Senator released a broadband bill that requires regulators to look at data collection and to verify the broadband maps are correct; they are ironing things out on the funding side of that. The rural infrastructure bill issues are being ironed out. Secure Rural Schools funding update; the Senator signed on to a bill to extend the

program through 2020 – there is a bill coming out to permanently fund SRS. He continues to work on fire funding and fixes by urging investment into forestry tools to fund firefighting efforts. He is also urging that savings from fire accounts be reinvested in BLM and Forest Service.

Betsy Bair with Senator Gardner’s office noted that with the August recess, nothing much is happening in DC. During the recess, the Senator has been all over the state. Staff has been in Colorado working on a highway package that may be taken up when the Senate is back in session. If members have issues the Senator can help with, please let the office know. The Senator will be meeting tomorrow about the BLM move; the GSA has been looking at buildings in Grand Junction and putting relocation packages together. The relocation group has been looking at spousal jobs, schools, etc. Curtis Swagger is now the Senator’s Chief of Staff. Jennifer Lorraine, who went to DOE, has come back as a legislative aide for the Senator – she ran the legislative shop for DOE during her time there. Betsy’s counterpart in Denver went to work at the White House in the Africa American office.

NEW Business: Kris Melnikopf raised concerns with statements made by the Governor about the beef industry. She suggested that a letter be drafted to the Governor addressing the importance of the agriculture community and address the offensive nature of his remarks. Robbie LeValley noted that the message at the agriculture meeting directing agriculture funding to alternative products is not appropriate from tax standpoint. It was requested that Kris and Robbie send key points about this concern to Bonnie for preparation of a letter for review at the next AGNC meeting.

Administrative Update - Bonnie Petersen provided an Administrative Update on the following:

- **Update on EDA grant – the grant has been approved by the review committee and forwarded for further consideration; we hope to hear a final decision by the end of September.**
- **The AGNC ED Summit will be held on 9-27-2019 at the Ute Theater in Rifle – the agenda has been sent out and registration is ready.**
- **In conjunction with CNCC and as a follow up to the CSBR visit to Rio Blanco county this year, the NW Colorado Air & Space Coalition has been started. The group exists to promote the aeronautical and aerospace industries in Colorado and to advance the presence and benefits of these industries throughout the communities of NW Colorado. We have invited the space port manager, Dave Ruppel, to attend our October meeting and plan to arrange a tour of the space port.**
- **Representatives of the Life Foundation will be at the September board meeting; this group works to assist local governments fund building needs in creative ways. If you have a project and need some assistance, this may be an option.**
- **Energy Interim Committee Meeting will be held September 13th at CMU in Grand Junction, AGNC has been asked to help arrange for elected officials to testify.**
- **Bonnie will be on vacation August 23 through 30 and Tiffany will be at the EDA Conference in Denver August 26 through 30. Out of office messages will be on email and Tiffany’s cell phone will be provided in the event something important arises.**

Next Meeting: *September 18, 2019, Oak Creek Town Hall, Oak Creek, CO*

Adjournment – Meeting adjourned at 1:27 pm.

Attendance:

Andy Key, Town of Rangely
Janice Rich, Representative HD55
Heather Jones, AAoA
Christopher Ryan, Town of Delta
Alyssa Logan, Senator Bennet’s Ofc.
Don Suppes, Delta County
Roger Granat, Town of Palisade
Mark Roeber, Delta County
Jeff Comstock, Moffat County

Sheila McIntyre, Town of Silt
Scott Hahn, City of Rifle
Gary Moyer, Rio Blanco County
Betsy Bair, Senator Gardner’s Office
Matt Soper, Representative HD54
Cheryl McDonald, DWC
Mike Lane, Delta County
Kris Melnikoff, Town of Collbran
Bob Semro, Presenter

George Rossman, Congressman Tipton's Ofc.
Tiffany Pehl, AGNC
John Justman, Mesa County
Robbie LeValley, Delta Cuntly
Keith Todd, Town of Collbran
Mike Samson, Garfield County

Bonnie Petersen, AGNC
Karen Harkin, CHFA
Ted Orf, Orf & Orf
David Carter, USDA Rural Development
Bob Shivley, Presenter
Richard Orf, Orf & Orf

ATTACHMENT A

AGNC REPORT AUGUST 2019

Visitation for July was up 3.69% totaling 4952 visitors. This was due to the large groups that came thru the center.

Preserve America Youth Group was a great success.

Staff meeting August 15th. Went over our study tour, scheduled for the second week in September to the Southwest region. We also reviewed telephone etiquette and discussed different scenarios on how to deal with a difficult visitor.

Center hours will change back to 8-hour days starting September 3rd.

We will host Fort Collins Welcome Center Sept 23rd and 24th.

This year's Governor's conference will be in Denver, September 29th. through October 1st.

Thank You notes from Leadville visitors and Preserve America Youth Summit assistant.

Cheryl McDonald

ATTACHMENT B



Associated Governments of Northwest Colorado (AGNC) Legislative Report (Interim) August 21, 2019

ZEV rulemaking. Following the approval of the AGNC Board at the July meeting, we signed on to the Freedom to Drive Coalition which opposes the Zero Emissions Vehicle rulemaking. On the 15th Rio Blanco County Commissioner Gary Moyer and Dianna Orf testified before the Air Quality Control Commission regarding the reasons for our opposition, primarily that ZEV motor vehicles are impractical for NW Colorado at present because of their limited range and infrastructure as well as higher cost, which will be shifted on to non-ZEV purchasers. Another concern was that increased state tax credits for ZEVs will come from taxes paid by NW Colorado residents without any concomitant benefit to our region. Others opposing the measure included the National Federation of Independent Business (Colorado-Wyoming chapter), Medved auto dealerships, Colorado Auto Dealers Association, Colorado Wheat Growers, and the Northern Front Range Planning Council. Despite the opposition and failure of the Air Commission staff to perform key aspects of a cost-benefit analysis the Commission adopted the mandate 8-1.

Energy Legislation Review Committee. The Energy Legislation Review Committee met in Fort Morgan on August 12 and heard from renewable energy advocates as well as commissioners from Morgan County, Washington county, Yuma county, and others. The message from the commissioners was fairly uniform: “wind and solar facilities in Eastern Colorado are a benefit to our farmers and our economy, but don’t shut down our (Pawnee) power plant.” The meeting was followed by a tour of Xcel’s Pawnee coal-fired power plant at Brush and their wind farm at Limon. The committee’s next meeting is scheduled for Sept. 13 in Grand Junction. More information on format and location will be released shortly, but the Chair, Representative Hansen, has indicated that the format will follow closely that of the Fort Morgan meeting. He is seeking to couple support for dislocated power plant workers and communities with support for early closure of coal plants similar to provisions in HB 19-1037 and HB 19-1314.

Tax Expenditure Evaluation Review Committee. This committee reevaluates reports by the State Auditor’s Office concerning whether various tax credits and exemptions are fulfilling their intended purpose and considering the benefit to the State of Colorado. Although the committee will be requesting legislation at its August 19 meeting, the final meeting in October is expected to cover various tax credits in the Rural Jump Start program, including credits for new business, new hires, and sales tax refunds as well as the Enterprise Zone renewable energy tax credit. The Auditor’s Office is currently reviewing and plans January publication dates for evaluation of multiple Enterprise Zone tax credits for investment, manufacturing machinery, employee healthcare, research and experimental activities, rehabilitation of vacant commercial building, qualified job training investment, commercial vehicles, and new business facility employees, and agricultural processing.

SB 239 stakeholder group. CDOT convened a stakeholder group pursuant to SB 239 to examine emerging technologies (i.e. electric vehicles) and explore potential fees to encourage shared and electric rides. Examples of modeling tasks include: • Quantification of the amount of carbon emissions that can be eliminated through different means of incentivizing and supporting the use of zero emission vehicles; • Examination of different means of incentivizing multiple occupant trips in motor vehicles used for commercial purposes; • Identification of the additional or improved transportation infrastructure, including multi-modal infrastructure and infrastructure needed to support the adoption of and use of zero emission vehicles, that is required to accommodate the impacts on transportation infrastructure resulting from utilization of motor vehicles used for commercial purposes. No later than November 1, 2019 the working group shall report on potential fees and recommendations for implementation. CDOT shall report the group’s recommendations to the legislature at their SMART hearing in early January 2020. CDOT

shall determine if rules are necessary to implement working group recommendations or legislation passed during in the 2020 legislative session. CDOT shall promulgate necessary rules by October 1, 2020. CDOT has requested \$500,000 from the RoadX budget to support the modeling. Fees in the metropolitan area will likely be imposed on Uber, Lyft and various delivery services. (RoadX is an innovative transportation initiative by CDOT – understood to be non-traditional)

Air Quality Control Commission. The Commission will continue to work on climate issues resulting from the 2019 legislation. In October the Commission will hear from Andrew Jones, co-Founder and co-Director of Climate Interactive, an organization of climate modelers which has developed tools to assess issues and solutions surrounding climate change. It is anticipated that this presentation may inform some of the Commission’s proposals for climate mitigation measures in 2020. At its November 20-21 meetings, the Commission will be briefed on the staff’s progress toward developing proposed regulations for reporting and inventorying GYG emissions pursuant to SB 19-096.

Colorado Energy Office. The Office is pursuing feasibility studies on low carbon fuel standards and beneficial electrification for a wide swath of Colorado businesses including replacement of natural gas for heating, cooling and manufacturing processes.