



ASSOCIATED GOVERNMENTS
OF NORTHWEST COLORADO

MINUTES

AGNC BOARD OF DIRECTORS & MEMBER MEETING

October 18, 2017

9:00 am – 1:30 pm

Colorado Northwestern Community College, 2801 W 9th Street, Craig, CO 81625

Call to order and introductions – Ray Beck, Chairman, called the meeting to order at 9:06 introductions were made.

Approval of Minutes: Cari Hermacinski made a motion to approve the minutes as presented, Duncan McArthur seconded the motion; motion passed unanimously.

Financial Report - Bonnie Petersen presented the financial report noting that year to date revenue is ahead of budget, expenses are below budget and net income is ahead of budget. It is anticipated that the last two months of the year will be heavier in the expense category thus reducing the positive net income reflected. A summary of the ED Summit income and expenses may be available at the November meeting as not all have been received yet. Cari Hermacinski moved to approve the financials as presented, Mike Foreman seconded the motion, motion passed.

DWC Report – Cheryl McDonald prepared and sent a written report see Attachment A.

In recapping the Cheryl noted that visitations have slowed as is typical although weather does seem to be a factor as well. Yellowstone has closed its entrances. Hunters are the bulk of the visitors; looking are looking for maps. The Center will remain open through November. Cheryl is learning how to program the new sign. The new sign has received many compliments and it is anticipated that it will drive visitation up by 15 to 20 percent in 2018. Trees around the center have been trimmed and the grounds are looking good. The Governor's Conference will be in Grand Junction next week in case anyone would like to attend. Cheryl needs to hire additional help for November. The state will be putting visitor counters in all welcome centers next year so visitation numbers will be more accurate. The Center will need more volunteers for 2018; Cheryl will be trying to recruit new volunteers over the winter.

Legislative Report - Orf's prepared and sent a written report see Attachment B

The Government Relations team, Dianna, Richard and Ted Orf, participated via conference call. The courthouse and jail funding interim committee is looking at 12 draft bills they identified during the summer; they can only select 5 to introduce in the next session. There are no fiscal notes prepared yet and some of the bills may be costly. One bill Senator Coram would like to push would create a low interest loan fund - modeled on the water project loan fund- to assist counties with construction costs related to courthouse construction. Another bill, which

has been seen before, would shift maintenance responsibility from the counties to the state over a period – the state would pay rent and gradually assume ownership of buildings. Other bills are aimed at people spending less time in jail or less time in jail for technical offenses, i.e. not making court appearance. One bill may require each county to implement pre-trial appearance procedures which could be a burden on some counties – this concept is an ACLU suggestion. One bill would require reimbursement of medical costs for uninsured inmates for time in jail where medical services are provided. There is consideration of increasing an existing five-dollar surcharge to help offset court expenses. Cari Hermacinski indicated that Routt County would support the loan fund concept and the shift of building ownership. It was noted that counties already try to get people out of jail quickly and support medical reimbursements. The Water Resources Review Committee is another committee with several bills being considered and a number of uses being considered for reuse of water currently excluded - i.e. Toilets, hemp, marijuana, etc. A bill to provide resources to fund the aquatic nuisance species (ANS) program is being considered that would require a sticker for boats to help pay for program; this looks like it will be a standalone bill and there would be penalties for non-compliance. CPW is an enterprise and operates on cash funds so this should not have a TABOR impact. States portion of severance tax is put toward many uses and the ANS program has been one of them. The transportation legislative review committee (TLRC) delayed its NW Colorado tour so that is coming up next week; Bonnie will get information for meeting on October 25th to AGNC members. The air quality control commission (AQCC) is working on guidelines for oil and gas techniques; there is a question regarding if they will try to make the rules statewide as they were originally targeted for non-attainment areas only. NW communities are planning to attend the meeting tomorrow to argue that rules should not be statewide as Western Colorado is within attainment parameters. There will be a PUC hearing in February regarding the early closure of two coal fired power plants in Pueblo a decision is likely to be made next summer. HB17-1313 – the civil forfeiture group is going to meet into fall; it will not address the \$50,000 limit even though the Governor said he wanted the committee to come up with something to keep counties whole. Looks like there is a nebulous concept of grant funding for areas impacted being considered. Duncan McArthur asked about the first net issue; the Governor has to decide if state will opt in or opt out. There is concern from local governments is that the cost of upgrading facilities will be difficult for smaller communities and there are questions about how funding will take place if the state chooses to opt out. The federal government wants to exempt federal lands from locating first net infrastructure there and funding infrastructure on federal lands which creates great difficulty in Western Colorado in building the first net network as it is envisioned.

AAoA Report- Dave Norman provided an update for AAoA.

Things getting a little tight around the state - programs have been funded by the state as back fill for federal money. The State Controller is not going to allow the state to take the risk of funding for federal funds going forward. The office of management budget (OMB) has not forwarded any notice of awards so the administration on aging was not able to forward a notice of funding to the state. The State is going through funding to find carry over funds to accumulate and provide revised option letter. The State has enough money to fund all programs through December then reduced program services with all programs ceasing at end of January 2018 without receiving federal funding. Some counties have been looking at picking up the cost of their programs for remainder of year. The Governor may ask the controller to rescind the decision and could put pressure on OMB to push funding through. The aging program did receive news this morning that Colorado will probably get funding letter from the federal government tomorrow - so hopefully everything will be OK – Dave will keep us posted on the funding situation. AAoA had an on-site review of the office and just received the report. Dave

has issued notices for all deficient items in the report and has requested all issues be verified and resolved by October 31, 2017.

2018 Meeting Schedule – The DRAFT 2018 meeting schedule was presented for review; the schedule reflects the 2017 meeting schedule of the third Wednesday of the month and attempts to adjust for conflicting meetings. Mike Samson noted that we may need to look at another day as his BOCC would like to appoint him to the Colorado River Water Board and their meetings conflict regularly with this AGNC schedule. Upon further discussion, it was noted that the current schedule makes it hard for many municipal members to attend as many city council meetings take place close to the AGNC meeting dates. The item was tabled until the November meeting and staff will prepare a schedule with meetings taking place on the fourth Thursday of the month for 2018. The Board will consider both schedules at the November meeting.

Employee Healthcare- Bonnie introduced a DRAFT AGNC Policy Regarding Health Care Benefits. If adopted, the policy would become effective January 1, 2018. AGNC will implement the provision of health insurance for employees through the Colorado Employer Benefit Trust (CEBT) provided they agree to accept the organization. The following policy, Attachment C, outlines eligibility for participation in the health care plan. Upon implementation, current qualified employees will have the option to choose whether to participate in this plan or not; Bonnie expects to opt- out, leaving Tiffany as the only full-time employee who would qualify. Mike Samson noted that it is important to provide benefits like healthcare to attract quality employees. A motion to adopt the healthcare policy as presented was made by Mike Samson, Tim Redmond seconded the motion; motion passed unanimously.

Bonnie also talked about implementing a business membership opportunity and noted that the Executive Committee had supported the idea but asked that we determine if other organizations like ours had similar memberships. It appears that NWCCOG and Region10 provide business membership opportunities. AGNC will need to develop a CED'S committee and business members would be eligible to be considered for a position on the CEDS committee; the funds could be used to match the funds we could receive if we achieve the designation of EDD. Business members would be \$500.00 and corporate members \$1000.00 annually. Mike Samson would like to know what kind of participation other organizations have had and would like a list of those in our five counties that might join as a business member? The question was raised regarding whether there would be a potential conflict if we had several oil and gas companies become members and if it would result in controversial issues? The topic will be revisited at the November board meeting for more discussion.

AGNC Member – Roundtable

Mike Foreman – City of Craig:

- Craig is doing a master plan to identify opportunities to bring in more revenue as severance tax receipts are declining.
- Craig and the CMEDP are working on a broadband grant and working with Yampa Valley Electric to develop a pole attachment agreement as well as their role in bringing broadband to Moffat County.
- Craig, like Moffat County, needs to make important decisions to diversify the economy so they are not so dependent on the energy industry alone.
- The development of a Parks and Recreation Master Plan will help address trails and recreation issues.
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Tim Redmond – Town of Hayden:

- The town is in the process of revitalizing the ED committee with the help of Mathew they are already starting to see results. A light manufacturing company has been discussing relocation from Utah to the community
- An economic incentive package has been developed to assist with business growth. As is the case elsewhere, it is important to diversify the community's economy. Most jobs are currently related to the recreation industry.
- The community has been coordinating with a carpenter school for training people to work in that industry.
- A lot of the kids that graduate from school want to work in the mines and power plants, unfortunately, there are not a lot of jobs in that field, we would like to have more job opportunities for those kids. Hayden is a great place for location neutral workers – the community is excited about the broadband for this area and hope it will be a game changer.
- People in the community are stepping up the plate and donating their time to assist with the work and make the community attractive to workers and businesses.

Mike Samson – Garfield County:

- The county continues to focus on Jordan Cove – the FERC process has begun again and, hopefully, we will see the project approved by November 2018.
- Garfield County wants to see the BLM office move to Grand Junction – he participated in a great meeting with Senator Gardner and Congressman Tipton recently to discuss the issue and Senator Bennet has recently come out in favor of the move.
- Commissioner Samson and the BOCC are not going to let Oil Shale Trust fund issue die – he is seeing some bi-partisan efforts on that issue as well. The BOCC wants Mike to go to D.C. to meet with David Bernhardt, the Deputy Secretary of DOI to discuss the issue.

Grady Hazelton – Town of New Castle:

- A lot of housing is being constructed, of course, affordable housing is always an issue. Ground was recently broken on a senior housing project; there are 115 on the waiting list for housing in the community.
- There is a tax issue on the ballot to provide a new vehicle tax – it will be difficult to get passed but the revenue will help the community if it does.
- The community worked with the BLM to open several acres for a single-track mountain biking area and the community has dedicated a sports park.

Ray Beck – Moffat County:

- Tax shouldn't be a dirty word, if we don't fund our own communities, nobody will do it for us.
- Sage grouse is huge in Moffat County and will hamper economic development in the region.
- The budget process is on-going, the county must mitigate \$2.5 million for 2018; the commissioners spend fifty percent of their time on the budget; tough decisions must be made. Moffat County is using priority based budgeting this year.
- The county is talking with AT&T about FirstNet and have approved the opt-out with caveats.
- The clean power plan roll back is good for the county but there is concern that the damage has been done through mandates; any legislation needs to provide funding for mandates issued by governing bodies.
- A new walk-in clinic is being constructed in conjunction with the hospital and it should be completed in March 2018.

Cari Hermacinski – Routt County:

- Routt County will not participate in the SBDC; the county has a strong partnership with the college and businesses in the county receive counseling from a robust group of executives within the county. The SCORE program receives funding from the County, the City of Steamboat and the Chamber.
- The county is a self-insured health care provider and beginning January 1, 2018, an incentive program will be implemented for employees. Under the program, employees can call a company that will quote three facilities that can provide whatever service they need; if the lower cost option is chosen by the employee, they will receive 50% of the savings. This is for elective surgeries and diagnostic tests. Direct Path is the company the county chose to work with; they charge a \$9,000 annual fee to provide the service. Members requested that Cari share information with them about this opportunity.

Duncan McArthur – City of Grand Junction:

- Duncan sits on the Energy and Environment Committee at the National League of Cities which has supported changes in the energy portfolio for the nation – Duncan pointed out that they cannot ignore the impact to cities suffering from the impact of such a resolution. The resolution has been modified to provide for assistance to impacted communities as energy mandates are made.
- The school district in Mesa County has a bond issue and TABOR override question on the ballot. The district is behind on maintenance and school construction – it appears there is more support than in the past for such issues.
- The city has been looking at what to do about broadband; a public-private partnership was proposed to build a system for Grand Junction – the cost was \$70 million – the city declined. Grand Junction has a lot of providers and more are coming into town. A Utah company plans to bring fiber along I-70 to Grand Junction – they have also been putting fiber in the community. Grand Junction came to an agreement with one company to match their investment for infrastructure placement up to \$10,000 in an effort to expand the reach of broadband.
- The City has been working with the CMU 20,000 group on the North Avenue name change; the name change has been very divisive and it is expected that the decision will be reversed.

NW Colorado SBDC Discussion – Joey Jenkins, Colorado SBDC; Dustin Kelley, NW SBDC Director

Joey Jenkins is with the state office who oversees SBDC; he introduced Dustin Kelley who will be overseeing the NW SBDC as the Director. Dustin noted that he appreciates the opportunity to be at the board meeting and that he wanted to use this as a meet and greet and to provide some background and thoughts around taking on the region as the host. He has been in this position for two weeks now and wants to learn as much as possible from the area. He has been talking with the SBDC office to determine how they have provided services in the areas in the past and look for ways to provide free to low cost consulting for businesses in the region. He wants to understand what have been the challenges and the benefits in the past. The NW SBDC has eleven counties which is a lot of geography. It is not an area he can do himself, he needs to have “champions” in each area. Bonnie asked Joey to outline the budget issues that led to the decision to leave the NW SBDC as one region. Joey outlined the federal funding issues the state SBDC Director faces: 1) federal funding for the program could remain flat; 2) a proposed federal funding cut could decrease federal funding support by 12% across the board; 3) the state SBDC could see a slight funding increase. This is a calendar year program beginning January 2018 and with the two most likely options there would not be funding to split the region. Mike Samson

stated that while it is understood that federal funds are key to the operations of the program; he further noted that AGNC members have not received SBDC services in the past and that if funding is cut, then it is anticipated that Garfield County would say they are not interested in providing funding under the current scenario. Dustin noted that the Eastern Colorado SBDC has a bigger region and that they have been able to build an awesome program there. It is possible to create a strong program in the NW region but funding and the right people need to be in place to implement the strategies. Dustin indicated he would like to work with the counties to have a hub and spoke system in place – he noted that the majority of clients for the SBDC come from Garfield County. He noted that the conversation is best had with the counties independently and then create a platform and plan based on the information. It was noted that it is probably better to not split the region as the host takes on a great deal of administration and overhead burden that could result in some inherent inefficiencies. A communications and marketing plan needs to be developed so businesses know the SBDC is available and what it can do for businesses. If funding is provided without people knowing what is available, then nobody will show up to avail themselves of the assistance. (NOTE: A short discussion with key members, Dustin and Joey after the meeting resulted in the commitment that a follow-up meeting and discussion would be held in Rifle)

Return to AGNC Member – Roundtable

Ken Kreie – City of Fruita:

- Fruita has approved the creation of a wakeboard park.
- Proximity Space will open a co-work space in Fruita in the next couple of months.
- The Kokopelli 140 mountain bike race will be in Fruita; it is a race to Moab and back.

John Justman – Mesa County:

- Jordan Cove is also a big issue for Mesa County and they continue to support it.
- The county has a safety tax issue on the ballot; if passed, it is expected to generate \$7.1 million for support of the Sheriff's office and the District Attorney's office.
- New construction is up in the county and sales tax is up 6.5% for the year.
- Broadband is still an issue for rural parts of the county.
- Outdoor recreation is great but the pay is not adequate for raising a family.
- The county is working on land use changes to streamline the process for development requests.

Don Cook – Moffat County:

- Moffat County has seen an increase in building but has also seen an increase in foreclosures. The foreclosures seem to be turning over pretty quickly.
- The deadline for sage grouse is 12-31-17 unless there is an extension.
- Jordan Cove is a great project and will benefit the region if built – the county supports that project.
- The budget is ugly but that is nothing new for communities in NW Colorado.

Amy Provstgaard - Battlement Mesa Service Association:

- Battlement Mesa is seeing a lot of URSA activity – there is a public meeting next week with the company.
- The community is looking at a possible rebranding; the signage is 30 years old. It is a costly endeavor but if approved, the signs will be stone rather than wood. It is hoped the project can be completed over next year.

Katelin Cook – Rio Blanco County:

- The county is convening meeting with the USGS on algae issues.
- The county is working on developing co-work spaces in the communities.
- Rio Blanco County was awarded the Certified Small Business Community designation which will provide the communities with additional funding for business support services.
- The county has had some trouble with the BLM getting trails designated as OHV trails. The Commissioners are in the process of talking with BLM leadership in an effort to remove roadblocks. Commissioner Bolton is stepping up the conversation.

Federal Delegation Updates:

George Rossman, Congressman Tipton's office:

- The finance bill came out of the house with provisions to reduce regulations on small community banks.
- Every Kids Outdoor Act allows for free entry to federal parks for 4th graders and an adult.
- Health Care is stalled on the senate side.
- George will be holding office hours in Craig next week as well as Steamboat and Walden.
- The budget is going through the house; it may have a good chance of passing.
- The Congressman will be at a Veteran's Open House on Veteran's Day.

Betsy Bair, Senator Gardner's office:

- The vote to allow discussion on the budget passed in the Senate 50-47. A full budget vote is anticipated by Friday.
- Senators Gardner and Bennet have signed on to the Wildfire Act to stop fire borrowing and to classify wildfires as natural disasters and to fund the recovery like a natural disaster.
- The Senator signed a letter to Congressman Ryan and Senator McConnell requesting full funding for the California fires.
- The website www.gardner.senate.gov was just released; please go on and share stories and ideas regarding what individuals would like to see in tax reform.
- Senator Gardner went to Puerto Rico and committed his assistance to getting the electric grid up. People have been told it could take up to one year to get service restored.
- Dustin Shearer is the new energy and natural resources aid for the Senator.
- Senator Gardner is supporting the CHP refunding along with Senator Bennet with the KIDS Act which will fund CHP through 2022.
- The Senator is doing his planning for 2018 – please provide items from NW Colorado if there are other issues that need to be addressed.
- The tax reform proposal for repatriated money from other countries allows a portion of that to be designated for transportation, the Senator wants to see a rural component included.
- Anvil Points – Senator Gardner and Congressman Tipton have met about the release of these funds and it is moving forward.
- Regarding the BLM move, Secretary Zinke has said Denver but he is looking at revolutionizing the process by bringing BLM, the Bureau of Reclamation and FWS together in pods where the agencies are officed together and are expected to talk together.
- The Equal Access to Justice Act (EAJA) Transparency Act is out of the house – the bill requires that settlements under EAJA must be open and transparent.
- Delta received a \$62,000 grand award from federal funding to start their ENGAGE program; Telluride received \$760,000 for broadband development.

- The horse and burrow advisory committee is in Grand Junction. The group took a tour of the Little Bookcliff herd and will be making a recommendation to DOI about management of these herds. Comments can be made today from 3-5 pm.

Administrative updates- Bonnie Petersen:

- Senator Bennet wrote a letter to Secretary Zinke supporting the release of the Anvil Points special fund through an administrative action. Senator Gardner and Congressman Tipton have been working to gain release of the funds administratively as was discussed at the August board meeting.
- The TLRC will be in Craig on October 25, 2017, at Fiesta Jalisco at 6:30 p.m. This is the last meeting of this group in Western Colorado for the year so if anyone has an issue they would like to bring up, they are invited to join the committee at this dinner. Everyone is in charge of paying for their own meal. Information will be sent via email to everyone.

New Business: *Next Meeting is on November 15, 2017, Rio Blanco County Courthouse, 555 Main Street, Meeker, CO.*

Adjournment – Meeting Adjourned at 1:26 p.m.

Attendance:

Katelin Cook, Rio Blanco County
Amy Provstgaard, Battlement Mesa Svc.
Assoc.
Grady Hazelton, Town of New Castle
Dave Norman, AAoA of NWCO
Ray Beck, Moffat County
Don Cook, Moffat County
Jeff Comstock, Moffat County
Keely Winger, Rio Blanco County
Duncan McArthur, City of Grand Junction
Mike Foreman, City of Craig
John Justman, Mesa County
Betsy Bair, U.S. Senator Gardner
George Rossman, Congressmen Tipton
Michelle Balleck, Craig/Moffat EDP
Cheryl McDonald, Colorado Welcome Center

Mike Samson, Garfield County
Tim Redman, Town of Hayden
Tiffany Pehl, AGNC
Kealey Campbell, AGNC
Bonnie Petersen, AGNC
Richard Orf, Orf & Orf, PC (via phone)
Ted Orf, Orf & Orf, PC (via phone)
Dianna Orf, Orf & Orf, PC (via phone)
Cari Hermacinski, Routt County
Joey Jenkins, NW Colorado SBDC
Dustin Kelley, Colorado SBDC
Ken Kreie, City of Fruita
Jessica Valand, Workforce Center

ATTACHMENT A

AGNC REPORT
OCTOBER 2017

Visitor traffic has slowed down. Hunters are stopping in for County road maps and state maps.

We have received many compliments on our new sign. I want to thank everyone who helped to make this possible. We are estimating that visitation will increase 15 to 20% next year.

Dinosaur National Monument's Canyon Visitor center will close for the season October 15. They will post a notice for visitors to come to our center for needed information.

We are in need for more volunteers. Three of my volunteers will probably not be back next year. I will be working on recruiting over the winter months.

Cheryl McDonald, Mgr.
Colorado State Welcome Center



ATTACHMENT B

Associated Governments of Northwest Colorado (AGNC) Government Affairs Report October 18, 2017

Legislative Interim Committees

County Courthouse and County Jail Funding and Overcrowding Solutions Interim Study Committee. The six-member committee chaired by Sen. Don Coram has requested that twelve bills be drafted for consideration when the committee meets again on October 23. Of the twelve, only five may ultimately be selected for Interim Committee sponsorship. Interim Committee bills do not count against their sponsor's five-bill limit. The other non-Interim bills may be introduced when the 2018 General Assembly convene January 10; however, those will count against the limit. The twelve measures under consideration are:

- A bill expanding the role of the Courthouse Facility Cash Fund Commission to include jail and changing the commission's name to reflect the new role. The bill also creates a low-interest loan program for loans to counties to construct or remodel courts or jail facilities.
- A bill to reform pre-trial services including: reducing the time between arrest and hearing from 96 hours to 48 hours; requiring each county and city and county to implement a pretrial services program; removing the requirement for a written motion to reconsider monetary conditions of a bond when the person cannot pay and requiring an automatic reconsideration of the monetary conditions.
- A bill that phases in a shift in responsibility for court facilities from counties to the state by requiring the state to pay rent to the counties for the fair market value of the facilities.
- A bill requiring the criminal justice division to implement software that allows county and district courts to conduct judicial procedures with remote participants and sets a timeline for implementation.
- A bill requiring the state court administrator to administer a division that reminds criminal defendants of their scheduled hearings.
- A bill removing discretionary parole and eliminating mandatory parole periods based on level of offense. Instead parole would be based on a risk assessment and give credit for time served ("earned time")
- A bill creating a criminal justice coordination council grant program and requiring each council that receives a grant to provide a report to the division of criminal justice.
- A bill requiring HCPF to allow county jails to apply for reimbursement for uncovered medical costs of uninsured inmates. The bill creates the county jails health care costs reimbursement fund in the state treasury.
- A resolution calling on Congress to amend laws on Medicaid eligibility to allow incarcerated persons detailed in state and local facilities who have not been convicted of a crime to retain their Medicaid eligibility.
- A bill doubling the \$5 surcharge to \$10 on certain documents filed with the court with half credited to the court security cash fund and half retained by the court collecting the surcharge.
- A bill expanding the current seven-member Board of Parole to nine members.

Water Resources Review Committee. The committee will meet on October 31 to vote on bills it will put forward as Interim Committee bills. This committee also has a lengthy list of drafts to consider:

- A bill authorizing water which has been changed to municipal use to be used an interconnected municipal or domestic water supply system if the historical consumptive use has been previously quantified. The use in the interconnected system is subject to a number of additional conditions.
- A bill authorizing the use of replacement water that is part of a court-approved augmentation plan or a state-engineer approved substitute supply plan at a sand and gravel mine to be used for mitigation of impacts from mining and dewatering and other specified incidental uses.
- A bill to fund prevention of aquatic nuisance species in Colorado lakes managed by Colorado Parks and Wildlife by imposing a fee (stamp) on registration of motorboats and sailboats in Colorado. The bill also authorizes the division to charge the owner of a motor vehicle, trailer, and watercraft for the costs of decontamination and impoundment during quarantine. Penalties for non-compliance are increased.
- Three bills addressing the use of reclaimed water (water that has been used for domestic purposes and treated for subsequent reuse other than drinking water) for application to food crops, toilet flushing marijuana, and industrial hemp.
- A bill that requires the Water Quality Control Commission make an additional finding when setting requirements more stringent than corresponding enforceable federal requirements: the more stringent requirement must also be necessary to protect private property rights.
- Two bills deal with the problem of high groundwater levels in Water Division 1 (NE Colorado).
- A bill to remove the twenty-year period on loans from the Colorado Water Resources and Power Development Authority revolving loan fund.

Transportation Legislation Review Committee. The committee is winding up its tours around the state and will visit NW Colorado during the period Oct24-26 as the combine NW Colorado and S. Central Colorado. Staff has indicated they will schedule a meeting with local elected officials in Craig October 25.

State Regulatory Agencies

The Air Quality Control Commission holds its regular monthly meeting October 19-20. In addition to an Ozone briefing, the Commission will hold a rulemaking on revisions to Regulation Number 7 that address EPA's Oil and Gas Control Techniques Guidelines. At issue for AGNC's interest is whether the rules will be adopted for statewide application rather than only in the Front Range non-attainment area. Several West Slope counties ("the Energy Producing Attainment Counties") are parties to the proceeding arguing that the oil/gas producers in their area should not fall under the regulation because those counties are in attainment for the ozone standards.

The Public Utilities Commission is proceeding with a request by Xcel Energy to retire two coal-fired units in Pueblo and replace the power with natural gas and renewable energy. The request is part of Xcel's Phase 2 Electricity Resource Plan and is a litigated proceeding. The evidentiary portion of the proceeding is scheduled for February 9, 12, and 13. The final decision is expected in summer 2018.

ATTACHMENT C



ASSOCIATED GOVERNMENTS
OF NORTHWEST COLORADO

P.O. Box 593, Grand Junction, CO 81502 Phone: 970-665-1095

AGNC Policy Regarding Employee Health Care Benefits

Effective January 1, 2018, Associated Governments of Northwest Colorado (AGNC) will implement the provision of health insurance for employees through the Colorado Employer Benefit Trust (CEBT). The following provisions will guide eligibility of employee participation under the CEBT plan.

- Adoption of the CEBT plan is dependent upon there being no changes in the plan provisions as presented as of January 1, 2018.
- Eligible employees will be full-time, work a minimum of 32 hours per week and are expected to work throughout the entire year.
- Part-time, temporary, seasonal and other non-full-time employees are not eligible for participation.
- Employees eligible for government provided insurance (i.e. Medicare) are not eligible to participate in the AGNC health care plan.
- AGNC will pay 75% of the health care premium for full-time employees; the balance is the responsibility of employee.
- After the initial plan offering, all future full-time employees eligible for the employer contribution must enroll in the employee package of coverages being offered.
- Employees that do not enroll in or qualify for the health care plan will not be eligible for reimbursement of other health care premiums or will the amount of AGNC premium contributions be added to other compensation.
- Employee may purchase health care for spouse/dependents under the CEBT plan and is responsible for 100% of that premium amount.
- All full-time employees eligible for the employer contribution must enroll in the life insurance per the CEBT plan provisions.
- Employees may purchase dependent life insurance per plan provisions.
- The CEBT plan proposal is subject to full disclosure of any pending or large claims.
- AGNC and its employees will be subject to any plan changes that may occur due to the actions of the CEBT Board of Trustees.