

CCI Summer Conference Opens with Look at Colorado's Economic Future

Forty three counties were present for this year's Annual Summer Conference in Keystone. Following the roll call, Summit County Commissioner Dan Gibbs welcomed members to Summit County. CCI's Executive Director Chip Taylor acknowledged and thanked the conference's sponsors and CCI's corporate associates. He also introduced CCI's new logo which is pictured above. Members received lapel pins and canvas bags with the new logo when they registered for the conference, and white oxford shirts with the new logo are available for purchase for \$100. Proceeds from the sale of these new shirts will be used at the 4H auction at the Colorado State Fair in Pueblo. If you would like to purchase a shirt, please contact Kristin at 303.861.4076.

This year's opening address was given by Charlie Brown, Director of the University of Denver's Center of Colorado's Economic Future. Mr. Brown updated attendees on the Center's analysis of the state's fiscal sustainability. He began by saying that while he hoped his message would not be received as a doomsday message, Colorado is certainly in a very difficult situation with few silver linings.

He started by highlighting the conclusions of the Center's work: 1. Colorado has a severe structural imbalance that makes our financing system unsustainable. 2. Simple across-the-board budget cuts and/or tax rate increases will not solve the structural imbalance nor create a sustainable system. 3. Structural problems require structural solutions for both the service delivery and tax systems of state government. 4. Very difficult choices lie ahead for Colorado policymakers and citizens. 5. While the structural problems are daunting, they are not unsolvable. We may have a brief window of time to devise solutions.

The good news is that Colorado's economy is rebounding well and the forecast between now and 2016 indicates positive employment growth above the thirty year trend line. General Fund revenue is also expected to be strong over the next 13-15 years.

The problem, however, is that needs in K-12 and Medicaid will grow 1.5 times faster than our existing revenue streams. By 2024, K-12, Medicaid and corrections will consume the state's general fund dollars.

So, why is this the case? The Center's analysis points to three reasons. The first reason is structural and demographic changes. Colorado's baby boomer population is growing in leaps and bounds which ultimately means fewer wage earners who have less disposable income to spend on goods and services. The second pertains to the growth of Medicaid. Changes in demographics and inflation will continue to drive Medicaid rolls higher and higher. And finally, Colorado's system for paying for K-12 is failing the state. Under TABOR, growing assessed valuations drive down local levies and causes the state to pay a higher share of K-12 education costs.

Mr. Brown then reviewed two scenarios to illustrate the sacrifices that would have to be made if the state pursued budget cuts and/or tax increases to address the imbalance. While both scenarios were hypothetical, they emphasize the need for structural solutions for both the service delivery and tax systems of Colorado's state government.

To access a copy of Mr. Brown's presentation or for copies of other session presentations, please visit www.ccionline.org and click on the 'Conference' button.

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Examining the Local and State Relationship



Carl Neu presented on the lessons that can be learned from the successes & failures of similar initiatives to REAL Colorado.

This year CCI presented two plenary sessions focusing on REAL Colorado, a CCI initiative that works to rethink and shape the relationship between state and local government, and to ensure that government services are delivered in the most responsive, efficient and accountable local-state partnership. Carl Neu,

a respected facilitator and expert on similar initiatives like REAL Colorado, opened this two-part session with an in-depth look and discussion on the lessons that can be learned from the successes and failures from similar initiatives in Minnesota and Florida.

Faced with the demand for more services with less revenue due to the dramatic shift in the average population age and economic environment, Minnesota recognized the “New Normal” that was occurring throughout the state. From the “New Normal”, the Minnesota Redesign initiative was created, seeking to create sustainable and systemic changes through col-

laborative partnerships between state and local governments. Changes included a rethinking of the roles and relationships that state and local government had versus what they desired with one another, a focus on measurable outcomes, an elimination of unnecessary or unfunded mandates and a structural redesign of communication, collaboration and partnership between state and local governments.

The success of Redesign Minnesota did not occur overnight, but rather can be attributed to the hard work, dedication and commitment to fostering the cultural change between state and county over an eight year span.

Like Minnesota, Florida also sought to address and change the relationship between state and local government, and to empower local governments and protect local grassroots decisions.

At a crossroads, Neu suggests that REAL Colorado can learn from the successes and failures of Florida and the Minnesota Redesign initiative, to determine the future direction of REAL Colorado and how best to foster the necessary culture of innovation and collaboration between state and local government.

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District Meetings

Eastern District

Congratulations Logan County Commissioner Dave Donaldson and Washington County Commissioner Terry Hart on being elected as CCI's Eastern District President and Vice President, respectively. Thank you Morgan County Commissioner Tony Carlson and Elbert County Commissioner John Shipper for your years of service to the Eastern District!

Tony Waldron, Minerals Program Director with the Colorado Division of Reclamation, Mining and Safety, joined the Eastern District meeting to give an overview of the Division's work and their statutory authority. The Division is responsible for regulating all mining operations except coal mines. Roughly a quarter of those mines are county operations.

Mr. Waldron spoke extensively about reclamation. He explained that reclamation involves three things: re-grading, replacing top soil and re-seeding. One county asked what could be done if a landowner does not wish to reclaim a gravel mine and instead use it as a wind guard for cattle. The Division explained that they really try and work with landowners to return lands to a beneficial use and that ultimately, the board of county commissioners has authority to reclaim mines if a landowner refuses.

Summit County Commissioner Thomas Davidson joined the meeting to share with members the Salary Commission's proposal for an increase in elected official salaries beginning in 2015. This will be discussed further during the August District Meetings.

Mr. Matt Butler, Verizon Wireless, Mountain Region Representative, spoke about Verizon's efforts to meet the growing data demand. Mr. Butler explained that in the US, there are more wireless phones in service than wired phones and that nearly 50% of adults between the ages of 25 and 29 live in households with only wireless communication devices. He encouraged commissioners to let him know about "white areas" (i.e. areas without cellular service) in their communities. While cell phone towers cost between \$500,000 - \$1 million to build, areas can be prioritized for cell tower build out. Mr. Butler explained that in order to meet

growing demand, Verizon will need residential access. This is, in part, because wireless facilities require line-of-site between each other to maintain coverage and seamless handoffs between sites.

The next meeting of CCI's Eastern District is Thursday, August 16 from 10:00 a.m. – 2:00 p.m. at the Washington County Fairgrounds and Events Center. Commissioners asked that Eastern District Legislators be invited to their August District Meeting.

Front Range District

The meeting was called to order by President Sallie Clark, El Paso County. She took the official roll call of members, with the results that all county members were present except for Denver and Jefferson.

The next order of business was the election of the new President and Vice President for the Front Range District for the coming year. Jefferson County Commissioner Don Rosier was nominated and unanimously elected President. The nominations for Vice President were opened, with the nomination of Lew Gaiter, Larimer County Commissioner. There were no further nominations, and Commissioner Gaiter was elected Vice President by a unanimous vote.

President Clark then invited each county to share its current and latest activities of interest to all.

Douglas County discussed their work with EPA to encourage federal-local cooperation in future EPA rules development. Much of the concern centers on the unintended impacts of certain EPA regulations that can have huge fiscal impacts on county governments.

Larimer County discussed the concerns they are dealing with regarding the declaration of a fire emergency. Lacking distinct geographic differences within the county makes it more difficult for them to set specific bans without unnecessarily impacting urban areas. They are consulting with other, similar counties, on how and when to enact bans on fireworks and outdoor fires.

Adams County announced that they will be voting at

the general election in November on the proposed expansion from three to five county commissioners, and if passed, the additional commissioners races. They are also working on a storm water utility fee in the county, as well as other revenue related matters. They expect to adopt a flat budget for the coming fiscal year. They indicated that they have made great strides in improving their website transparency and have received a high ranking from outside reviewers.

Weld County described their success in creating a medical clinic for county employees, which is now fully functional and working well. Many health benefits are provided to county employees and seem to be popular. They have created a department of emergency management, moving these functions from the Sheriff's office. At the same time they have entered into an agreement to transfer the ambulance services to the hospital. This should make for a smoother and more effective system of service. Finally, they are opening the first completely public CNG station soon, making natural gas available for vehicles designed to use this alternative fuel.

El Paso County continues the work of their Strategic Moves project, which involves the moving and consolidation of multiple county functions into a large facility in a former IT company building. This consolidation of multiple functions and services is a great improvement for citizen access. The county is also looking at a possible county-wide fire commission. In particular they are dealing with land use and planning issues concerning sprinklers in residential new construction. The BOCC does not want the county planning functions moving in this direction and are looking for broader input and discussion. The county has recently conducted a five year budget exercise, to bring long-term planning into play for the county. Their final project involves a joint shooting range being developed with Fort Carson and law enforcement, that will also be open to the public, resolving long-term access problems for citizen shooters, since the Park Service closed the last outdoor range. Commissioners also described the county's efforts to open a new detox program that uses no local general funds, but is funded through multiple sources and has a larger capacity than the previous facility.

Boulder County described their continuing concerns

with wildfires, including the impacts upon watershed areas within the county. They, too, are dealing with shooting issues in the wild-land/urban interface area, and are trying to develop a cooperative location for a range that could serve several counties. Their Human Services program is moving to a one-stop shop, with other services such as mental health, public health, etc. They, too are working on website transparency improvements.

The City and County of Broomfield is involved in a number of capitol improvement projects, including a new Human Services building. They have experienced an 11% increase in sales tax, completely separate from car sales, and they plan to keep property taxes flat for the time being. They are working on long-term budget planning and are pleased with the benefits of this exercise.

Arapahoe County discussed several issues of interest, including the potential impacts of oil and gas exploration within the county boundaries. They are looking at their own regulations as well as the COGCC's regulations and using Weld County's working group model. They anticipate road needs and other infrastructure impacts from this exploration activity, as well as possible water impacts. The State Land Board's test well is pumping 150 barrels a day, less than the other 200 active oil and gas wells in the county. Arapahoe is working on creating a Performance Management program and are looking at possible candidates. Douglas County has offered assistance with this task. Finally, Arapahoe County is in the process of developing a service catalogue for citizens.

Commissioner Clark urged commissioners to support greater involvement in NACO, especially among newly elected commissioners. The impact of term limits makes it critical that new commissioners get involved as soon as possible in order to secure leadership opportunities at NACO.

Commissioner Clark turned the discussion over to Thomas Davidson, Summit County, who reported on the latest activities of the County Elected Officials Salary Increase Proposal. At this time there are mixed interests among the Commission members, but a general tendency to move forward on increased salaries in the 2013 legislative session. Commissioner Davidson

urges an incremental process whereby county officials would receive relatively modest percentage increases at more frequent intervals, and believes this is an approach that could meet with legislative approval. He observed that there haven't been any increases since 2007, for a number of reasons, including the economic environment of the country and the state. The commission feels that moving forward at this time is appropriate, and further discussions will continue.

Commissioner Davidson plans to attend all the summer District Meetings in August to continue the discussion with commissioners as this issue develops.

The next Front Range District will be on Friday, August 17 from 10 a.m.—2 p.m. in Douglas County in the Philip S. Miller Building (Douglas County main administration building).

Mountain District

Mountain District Vice President Sara Fischer (Eagle County) presided over the CCI Mountain District Meeting on June 6 at the CCI Summer Conference in Keystone. The first order of business was the election of Mountain District leadership. Commissioner Dan Gibbs (Summit County) and Commissioner Jim Austin (Custer County) were elected as District President and Vice-President, respectively. Congratulations to them both!

The district meeting was dominated by a discussion of two important changes in emergency management services that are pending in our state: 1) moving the Division of Emergency Management out of DOLA and into the Colorado Department of Public Safety (CDPS); and 2) moving the responsibility for prescribed fire and fire suppression/mitigation out of the State Forester's Office at CSU and into CDPS. Both of these moves were recommended in the wake of the Lower North Fork Fire disaster and were subsequently enacted in HB12-1283. Kevin Klein of the Division of Fire Safety at CDPS was on hand to discuss the transition of these agencies/responsibilities to CDPS and to answer questions from commissioners on what they could expect in the way of changes in how the state administers assistance before, during and after an emergency. Several commissioners indicated concerns over transitioning wildfire suppression responsibilities

in the middle of what is shaping up to be a very bad fire year. Questions were also raised about the future of Emergency Management Performance Grants and how those monies might be used by CDPS instead of being granted to counties. CCI will continue to monitor this transition of emergency management responsibilities at the state level.

Summit County Commissioner and CCI Board Member Thomas Davidson provided an update on the work of the County Elected Officials' Salary Commission. After much deliberation, the salary commission has decided to recommend legislation in 2013 to raise the statutory salaries of county elected officials. Commissioner Davidson noted that there has not been an increase in the salaries of county elected officials since 2007. The salary increase that the Commission is advocating for, if successful, would not take effect until 2015 and would apply only to newly-elected county officials. CCI will be working with the Salary Commission over the summer to determine the appropriate level of county elected salary increases. It is the hope of the Commission that this effort will provide enough notice and lead time for counties to adequately budget for these salary increases in 2015.

The commissioners also heard a short presentation from Matt Butler of Verizon Wireless on the future of wireless communication in Colorado. Butler presented some very compelling statistics and demographic trends indicating a need for additional telecommunication infrastructure in the state. He noted that in the U.S., there are currently more wireless phones than wired phones – and the number of wireless phones will only continue to grow. The growth of wireless will mean an increasing need for additional cell towers – an issue that is quite controversial in some communities. Butler offered his services in working with county governments in educating citizens and trying to address the NIMBY issues that invariably arise during these land use debates.

The next CCI Mountain District Meeting will be held on Thursday, August 9, at the National Mining Hall of Fame and Museum (Newmont Room) in Leadville. Agendas and directions will be sent out later this summer. See you in Lake County in August!

Southern District

Commissioner Scott King, Huerfano County, called the first Southern District meeting of 2012 to order. The first order of business included electing a new district President and Vice President. Commissioners unanimously nominated and elected George Wilkinson, Alamosa County, to be District President for the next year. The commissioners nominated and elected Art Bobian, Huerfano County, to be the District Vice-President.

Alamosa County gave an update on transmission lines and the SB45 Task force established in previous year legislation. The intent of the Taskforce was to study the impediments and difficulties surrounding siting transmission lines in Colorado. Alamosa County Commissioner Darius Allen participated on the Taskforce and updated the District on a new Public Utility Commission investigatory docket they recently opened. In addition to recommending not to move forward with a statewide siting authority, the Task force asked the PUC to investigate what it would take to create a resource/education center for industry and local governments to use when transmission lines are built in Colorado. The PUC will take this issue up this year.

The next order of business concerned a request from Southern Colorado border counties to meet with their New Mexico counterparts to discuss cross jurisdictional issues such as cross border-wildfire response, public safety, road maintenance and improvement, grazing, water issues, hazardous waste transportation, and other issues. Fifteen commissioners from seven border counties attended along with the Executive Director and President of Colorado Counties, Inc. There will be a follow up meeting in Colorado this year.

Commissioner Wilkinson updated the District on the most recent National Association of Counties, Western Interstate Region meeting held in Santa Fe, New Mexico in May. Issues discussed at the meeting included PILT reauthorization, returning federal lands to state control and elections for board members.

Commissioner Thomas Davidson, Summit County, updated the District on the ongoing conversations from the County Elected Official's Salary Commission. The Commission is charged with identifying and quan-

tifying any salary increases for county elected officials in coming years. The Commission is recommending that a bill be introduced to increase elected officials' salaries over the next four years.

Under other business Commissioner Martinez, Costilla County, gathered information and contacts for dealing with a rodent pest problem in the county and Prowers County highlighted the economic development award the county received from the state on small community of the year and rookie economic developer of the year.

Finally, agenda items were collected for the August 23 from 10 a.m.—2 p.m., Southern District meeting in Walsenburg at the Community Center Gym.

Western District

Commissioner Audrey Danner (Moffat) was reelected President and Commissioner Doug Atchley (Delta) was elected Vice President of the Western District. There were 32 commissioners, administrators and guests present.

A rare Earth Minerals presentation by Dr. Jim Burnell identified the wide array of rare earth minerals that the US currently imports, many of which are strategic minerals to national security, technology and manufacturing. The US has an evolving policy stating its commitment to provide a more sustainable source of rare minerals by relying on minerals from within the country. Colorado is a significant source of many of these minerals. Dr. Burnell has provided CCI with the Power-Point he used and CCI has put it on its website for your review. One issue raised was why is mining proceeding so slowly? Dr. Burnell said there are three primary reasons: (1) companies are resistant to begin mining operations because of public opposition and the high bar established in mine permitting in Colorado, (2) worldwide prices need to be high enough to provide a profit, and (3) fragmented land ownership within Colorado makes aggregating sufficient land for mining operations difficult.

Commissioner Kellie Hotter (La Plata) updated commissioners and administrators that the CCI Board minutes will be posted on CCI's website in the near future at the recommendation of the Western District to increase CCI Board transparency.

Commissioner Thomas Davidson (Summit) outlined the process taking place to provide the County Elected Official's Salary Commission with the data necessary to make its recommendations to the General Assembly. *Please complete and return the CCI survey requesting salary data.* Currently the Commission appears to be leaning toward a small quadrennial increase rather than a larger increase every 6-10 years.

Commissioners spent the remaining time identifying

their county's top concerns. A few highlights included (1) a continuing high concern for PILT funding and its anticipated decline, (2) concerns regarding rules, regulations and laws that inhibit the historical use of the federal lands for grazing, mining and other economic development uses and (3) state's responses to fire dangers and the state's desire to have counties involved early on because counties are where the fires occur and are the first responders in most cases.

Lunch Speakers Focus on Water and Energy Impact Funds

Reeves Brown, Executive Director of the Department of Local Affairs (DOLA), kicked off a lunchtime natural resource panel discussion with an update on the status of the Energy and Mineral Impact Program at DOLA. The fund, which provides grants to communities to mitigate the impacts of oil and gas development, has been a target of the Colorado General Assembly for the past few sessions. Millions of dollars were swept out of the Energy Impact Program and into the State General Fund during that time to help balance the state budget. Reeves was pleased to announce that beginning this year, DOLA will resume its grant-making under the program. The two biggest criteria for grant applications are demonstrated energy impact and project readiness. Reeves also noted that, contrary to popular belief, there is not a county in Colorado that is not impacted on some level by oil and gas development.

John Stulp, Special Water Policy Advisor to the Governor (and a former Prowers County Commissioner), talked about the continuing interbasin roundtable meetings that have been going on around the state. He noted that the roundtable meetings have been an incredibly successful tool for building consensus, and pointed to the aborted Two Forks Dam and failure of Referendum A as examples of how NOT to build con-

sensus. Groups are now seeking to develop portfolios for each basin. These portfolios are unique in that they are looking not just at regional needs but state-wide needs and planning issues. Stulp advised that current usage is not sustainable, and would eventually require the drying up of 500,000-700,000 acres of irrigated farmland. He said that conservation and new supply projects are both part of the long-term solution to the state's water needs and that the administration is beginning to talk about development of a "state water plan."

Chris Treese, the External Affairs Manager for the Colorado River District, concluded the panel discussion with a talk on the recently signed Colorado River Cooperative Agreement – a historic pact reached by more than 40 stakeholder partners. The agreement will govern future water project construction and management of Colorado River Basin water and establishes a new process for dealing with long-standing disputes between east and west slope interests. Treese noted that the agreement would not have happened without the hiring of a mediator who succeeded in bringing all sides to the table, separating "needs from wants" and "priorities from dogmatic positions."

Are you trying to find a conference PowerPoint?

The handouts and PowerPoint presentations from all conference sessions are available on the CCI website at www.ccionline.org. Click on the conference box on the right side and the list of presentations will load.

Summer Conference Photo Highlights



Weld County Commissioner Barbara Kirkmeyer & Alamosa County Commissioner Darius Allen catch up at the opening reception.



Otero County Commissioner Keith Goodwin & Baca County Commissioner Troy Crane stop & smile for the camera during the opening reception.



Arapahoe County Commissioner Nancy Jackson and Douglas County Commissioner Steve Board share ideas during the opening reception.



Moffat County Commissioner Audrey Danner, El Paso County Commissioner Sallie Clark & Arapahoe County Commissioner Susan Beckman enjoy the opening reception.



Yuma County Commissioner Trent Bushner waits to see who won one of the many baskets given at this year's summer conference.



Douglas County Commissioner Jill Repella celebrates winning a basket.



City & County of Broomfield Assistant to the City Manager Jennifer Hoffman and Broomfield Councilman Bob Gaiser enjoy the Tuesday dinner.



El Paso County Commissioners Dennis Hisey and Peggy Littleton chat with El Paso County Administrator Jeff Greene prior to dinner.



Summit County acted as the host for this year's conference. Summit County Commissioners Dan Gibbs and Thomas Davidson along with Summit County Health & Human Services Director Deb Crook celebrate a successful conference.



DRCOG Representative Pat Cronenberger, Gilpin County Commissioner Connie McLain and Clear Creek County Commissioner Tim Mauck discuss the day's sessions.



Following the women's commissioner breakfast, a group of the commissioners gathered for a photo. From rear left: Barbara Kirkmeyer (Weld), Sara Fisher (Eagle), Lynn Padgett (Ouray), Karn Stiegelmeier (Summit), Connie McLain (Gilpin), Amy Lathen (El Paso). Front row from left: Kellie Hotter (La Plata), Nancy Jackson (Arapahoe), Elaine Fischer (San Miguel), Dolores Burns (Costilla), Debbie Zwrn (Logan), Deb Gardner (Boulder), Sallie Clark (El Paso), Susan Beckman (Arapahoe), Peggy Littleton (El Paso), Audrey Danner (Moffat) & Cindy Domenico (Boulder).

Oil & Gas Strategies



Thom Kerr, Director of the COGCC, presented during the first half of the oil & gas strategies session.

CCI offered two sessions on oil and gas this year at the summer conference. The purpose of these sessions was to build upon the recommendations presented to the Governor from his Task force on Oil and Gas. Commissioners and industry partners felt it important to continue having a dialogue about how best to work together, especially with the increasing number of oil and gas plays being developed along the Front Range.

Douglas County Commissioner, CCI President, and Oil and Gas Task force member, Jack Hilbert summarized the recommendations and the discussions that came out of the Task force. Generally, the conversations led the industry, the state and local governments to a place where improvements upon existing processes and procedures, such as strengthening the local government designee (LGD) process, took precedence over fighting about which governmental entity regulates what. Collaboration and cooperation was emphasized over confrontation. CCI will be collaborating with the state and others to develop and distribute a more robust LGD training program, gather and distribute existing memorandums of understanding (MOUs), develop and enhance protocol and procedures for reporting problems and allow local government inspection of drilling operations within their jurisdictions.

Thomas Kerr, Acting Director of the Colorado Oil and Gas Conservation Commission, summarized for the commissioners the local government designee process and the ways in which the process can be used and has been improved to address oil and gas development. Thomas highlighted the importance of each county's designation of a local government designee if they hadn't done so already, regardless of the county's current development status, or lack thereof. The designation of an LGD allows for a direct line of communication to the Oil & Gas Conservation Commission (COGCC), making for quick accessibility when questions arise. Additionally, through the LGD process, communication between counties and the state has been made more accessible, resulting in faster responses to noise complaints; requests for local-public forums on well densities; geographic planning and rule making, and development of a comprehensive plan. Improvements have also been made to the LGD notification process. Notification of alleged spills, complaints and violations of operators and industry are made more accessible to counties as requested by the Governor.

Gunnison County Administrator Matthew Birnie provided an overview of the Gunnison MOU/IGA history. Over the years, Gunnison County felt that there needed to be additional input and participation from the county in proposed oil and gas drilling in the unincorporated areas. The County proposed a partnership with the COGCC to provide county resources and staff to monitor and participate closely with the COGCC and to have county staff trained by the COGCC to inspect wells within the county. What started off as negotiations between the county and the COGCC grew into a formal IGA between the two parties. The Gunnison IGA serves as a model for increased cooperation between the state, industry and local governments. Time will tell how well the IGA is implemented and how many other counties or municipalities in the state enter into IGAs of their own.

Building upon the first oil and gas session, a follow up panel focused less on the relationships between the state and local governments, and more so on the relationship between industry and local governments. The Oil and Gas Task force conver-



Chris Castilian, Manager of Government & Community Relations for Anadarko, gave an industry perspective during the second half of the oil & gas session.

sations brought to light that the majority of the time industry and local governments work out problems through special use agreements, variances or specific programs designed to alleviate impacts or concerns. This session allowed both the industry and a local government designee (LGD) to showcase the successes and some of the ongoing challenges each face on a daily basis.

Chris Castilian, Manager of Government and Community Relations for Anadarko Petroleum Corporation, spoke to commissioners about the wide variety of programs and procedures Anadarko uses when working with local governments. His presentation included a number of examples and can be found at www.ccionline.org. Chris highlighted industry’s willingness to work in concert with local government through the MOU process and to address concerns such as setbacks, ground water contamination, and coordination between county maintenance crews and operators.

Courtney Krueger, Planner and Local Government Designee for La Plata County, emphasized a number of areas where La Plata, has successfully negotiated with industry to address concerns brought forth by the county or by the public. Some examples include, road maintenance and agreed upon improvements rather than a set impact fee. Additionally, quarterly reports are submitted by industry operators identifying the roads, location, and duration of project(s) so that county road and bridge personnel may properly schedule traffic control, mud tracking and removal of chains on county roads.

Both presentations underscore the reality of ongoing cooperation between local governments and the oil and gas industry in Colorado. On a daily basis, LGDs, Commissioners and many others are working with the industry to ensure public health and safety is protected. The industry has multiple safeguards in place stressing the importance of public and environmental safety, as well. Counties experiencing an increase in oil and gas activity, or counties without any activity but interested in planning ahead, can contact CCI for templates, contacts and resources that may help them to establish strong cooperative relationships early in the process and help their constituents understand the impacts and benefits of this industry.

REAL Colorado

Transitioning from Carl Neu’s morning presentation into an afternoon of facilitated discussions, commissioners and administrators were asked to collectively identify the need for a collaborative partnership between state and local government and the role that REAL Colorado can play in fostering that collaboration.



Mesa County Commissioner Craig Meis participates in the REAL session.

The group identified several key issues that they would like to address using REAL Colorado, including topics such as: a data base of scheduled meetings at both the state and county level, allowing for better cooperation on scheduling meetings, public forums and other events in which both state agencies and counties have vested interest in attending; creating a more accessible database containing contact information for state agencies as well as specific legislative committees located on CCI’s website; and more advanced methods of communication, allowing for more

input from counties located outside of the Denver-metro area. Cumbersome mandates concerning landfills and blowing dust and dirt were also pinpointed by the group. Additionally, commissioners and administrators identified specific departments such as the Department of Transportation as well as the Department of Public Health and Environment in which they would like to enhance communication and produce outcomes that respond to constituent needs.

This facilitated discussion was not only successful in identifying the issues that REAL Colorado may tackle, but also sparked interest in members to join and actively participate in the July Task Force meeting.

All feedback from this facilitated discussion will be compiled and available for members at the July Task Force Meeting.

Seeking Transportation Funding Solutions

Eagle County Commissioner Peter Runyon noted at the beginning of this session that CCI has made the development of funding solutions for transportation a priority – even officially seeking a sponsor for legislation to increase the current gas tax. He noted that public infrastructure funding, as a percentage of GDP, has fallen by more than half from its historic levels. Commissioner Runyon, along with Broomfield Councilmember Denny McCloskey and other CCI members, were recognized by CDOT Director Don Hunt, for their persistence in pursuing SJR 12-37 (Tochtrop/Vaad) which calls for not only adequate and sustainable dedicated transportation revenues, but also serious and thorough examination of user fee structures based on miles travelled.

Director Hunt opened his comments by noting his concern about increasing highway fatality numbers (up 19% through the first 6 months of 2012) and asked commissioners to help increase public awareness about the dangers of distracted driving. Even lawful activities, like talking on the cell phone, can be dangerous distractions. Director Hunt then outlined five areas CDOT is prioritizing, in addition to sparring with the federal government about federal regulations, in its efforts to be more efficient, elegant, and effective. The first is improving CDOT's business processes, including the development of template contracts for expedited approval. Second is increasing the money available for construction of transportation improvements. Aside from new taxes or fees, CDOT has used cash swaps to find excess unused money and managed to fund an extra \$100 million in projects in this fashion. Third, CDOT is trying to get more out of the existing system, by experimenting with things like traffic harmonization and realigning lanes to increase capacity on existing roadways. A fourth avenue for enhancing the system is the pursuit of public-private partnerships, including the use of tolling concession agreements and other partnerships, as well as the use of the High Performance Transportation Enterprise for project funding. Finally, Director Hunt indicated that the department is pursuing more transparency. The department is working to get all CDOT projects online, in the same manner as the current bridge safety projects, so the public can have more confidence that their dollars are being used effectively.

Director Hunt closed noting that the portion of our

system in poor condition is increasing in spite of the efforts to creatively fund maintenance. He acknowledged that a gas tax increase has a limited shelf life as vehicles become more efficient and more of them use alternative fuels. He said that 2007 was the peak for gas tax collections and the reality is that virtually every funding scenario involves passing the cost to future generations. In any case, he is hopeful for a solution on the 2013 ballot.

The other speaker in this session was Melanie Worley, the Executive Director of MOVE Colorado and a former Douglas County Commissioner. Ms. Worley observed that the cost of the current system has totally outpaced the revenues intended to meet those costs in the 20 years since the gas tax was last increased. She also said that part of MOVE's mission is to help counties develop adequate and sustainable multi-modal transportation systems, which equate to increased safety, mobility, and freedom. Ms. Worley noted some of the characteristics of our gas tax-based funding system that are of concern: 11,000 electric vehicles in Colorado net \$128,000 less in gas tax. This is likely to get larger. The number of miles travelled by Coloradans has been decreasing since 2005, resulting in less fuel purchases. Current CAFÉ standards (the federal fuel efficiency regs) will be at 35.5 mpg in 2016 and 54.5 mpg in 2025, reducing per family gas consumption (and payment of gas tax) by more than 30%. Ms. Worley then reviewed some funding options based on road user fees (RUF) as an alternative to gas tax. She argued that the objections to RUFs based on privacy concerns are mostly an issue for older Coloradans and that young people understand they can be tracked all the time. Although CDOT has a pilot program underway, she said that policy questions abound, including who pays, what is the purpose of the system, local options, congestion pricing, rate structures, and the use of public-private partnerships. She said that MOVE is keeping tabs on RUF-based pilot projects in Oregon, Iowa, Texas and Nevada. She closed by noting that MOVE Colorado is working actively to promote transportation issues as part of the Governor's "TBD" process. They have been encouraged by the fact that transportation has been acknowledged as an important need by 89% of the participants and hope that bodes well for prioritizing transportation funding solutions in the near future.

CCI Business Meeting

CCI President Jack Hilbert welcomed commissioners and called the 2012 CCI Summer Business Meeting to order.

President Hilbert recognized and thanked the 2011-2012 district officers for their service. The following commissioners were elected to serve as district leaders for 2012-2013.

Eastern: Dave Donaldson, Logan, President and Terry Hart, Washington, Vice President

Front Range: Don Rosier, Jefferson, President and Lew Gaiter, Larimer, Vice President

Mountain: Dan Gibbs, Summit, President and Jim Austin, Custer, Vice President

Southern: George Wilkinson, Alamosa, President and Art Bobian, Huerfano, Vice President

Western: Audrey Danner, Moffat, President and Doug Atchley, Delta, Vice President

Douglas County presented a proposed NACo resolution encouraging the support of federal stormwater regulations. The resolution passed unanimously.

The following proposed changes to the CCI Bylaws were presented to the membership.

The first proposal requested a change to the CCI steering committee leadership election process. The proposal was modified to require at least one year participation in CCI prior to the election to being eligible to serve in a steering committee leadership position as well as to change the timing of the election to even years. The proposal passed.

The second proposal requested the ability to submit issues to the CCI business meeting agenda outside of the existing 10 day advance notice requirement. Membership concluded that an emergency issue could already be addressed and brought forward with a 2/3 majority vote of members present. The proposal did not pass.

The third proposed change requested commissioner access to electronic absentee voting for the CCI Legislative Committee meeting. Membership concluded that there were technical difficulties associated with this request and that participants can and should be participating in person or via teleconferencing which already exists as an option. The proposal did not pass.

The final proposed change requested the creation of a new CCI Justice and Public Safety Steering Committee. Membership agreed that while this involves important issues the creation of a task force of interested commissioners would be a better use of county and staff resources. The proposal did not pass but a Justice and Public Safety Task Force will be formed.

Junior Livestock Shirt Fundraiser

As many of you heard at the CCI Summer Conference, CCI will be offering shirts with our new logo in an effort to support Colorado's youth agriculture efforts.

The cost will be \$100 which will include the shirt, in the size you choose, as well as a \$75 contribution to the August Junior Livestock Sale at the State Fair. The CCI Board of Directors attends this event in combination with their annual budget workshop and with your contribution; you will be invited to join with the Board in the pre-sale reception dinner and sale.

If you are interested in purchasing a shirt and contributing to the Livestock sale, please complete the enclosed form and return it to Kristin Dunn at kdunn@ccionline.org or 303.861.2818

No Soup for You? County Officials and the Colorado Gift Ban



Jane Feldman, Executive Director of the Colorado Independent Ethics Commission, updated on the workings of the commission.

Jane Feldman, Executive Director of the Colorado Independent Ethics Commission, updated members on the workings of the Ethics Commission. The Ethics Commission was created by the passage of

Amendment 41 in November 2006 and resides in the Constitution as Article XXIX.

The three main provisions of Article XXIX include: 1.) the creation of the Independent Ethics Commission; 2.) the authority of the Commission and 3.) the gift ban provision.

The Independent Ethics Commission consists of five members. The House of Representatives, the State Senate, the Governor and the Chief Justice each appoint one member. The fifth member is a local government employee or official selected by the other four members. Those who are subject to the Commission's jurisdiction include state executive branch elected officials and employees, all state legislative branch elected officials and employees, local government elected officials and employees unless the home rule county or municipality has an ethics ordinance, independent contractors and employees of a public institution of higher education. Volunteer boards and commissions that receive a per day stipend are not subject to the Commission's authority.

Ms. Feldman explained that the Ethics Commission receives about 20 complaints each year. Of those, only about 3-4 receive a ruling. The remainder are not pursued because they either were not filed within 12 months of the violation or they do not represent an

ethical violation. Ms. Feldman mentioned that the Commission frequently receives filings pertaining to rude behavior and while that may not be desirable behavior, it is not unethical.

Ms. Feldman then spoke in detail about the gift ban. Generally speaking, the gift ban states that there can be no gift from a person to any covered public official or employee with a fair market value over \$53 in any calendar year without lawful consideration of equal or greater value. Gifts cannot be made either directly or indirectly (i.e. to a spouse or a relative). Gifts include money, entertainment (i.e. tickets to the Rockies), favors or services (i.e. painting your house for free), special discounts, honoraria and negotiations for future employment.

Article XXIX, however, does list some exceptions to the gift ban. One of the exceptions pertains to reasonable expenses paid by a nonprofit organization or other state or local government for attendance at a convention, fact-finding mission or trip or other meeting if the person is scheduled to deliver a speech, make a presentation, participate on a panel or represent the state or local government, provided that the nonprofit organization receives less than 5% of its funding from for-profit organizations or entities. Ms. Feldman explained that the Commission is working on a new position statement to provide additional clarity on this particular exception. It is hoped that this position will be finalized and approved sometime this summer.

Ms. Feldman stressed the accessibility of the Commission. The Commission meets on a regular basis and strives to respond to inquiries in a timely manner. She also encouraged members to contact her if they had any questions about whether or not situations might fall under Article XXIX's purview. She can be reached by email: jane.feldman@state.co.us or phone: 303.837.2339. Additionally, Commission advisory opinions, letter rulings and position statements can be found online at: <http://www.colorado.gov/ethicscommission>

The County Role in Communications Infrastructure and Public Safety

County commissioners have a central role to play in a number of important communication infrastructure issues that have a direct bearing on public safety in their communities. A session at the CCI Summer Conference focused on a couple of these issues, including the future of the statewide Digital Trunk Radio (DTR) system, next-generation 9-1-1 technology and a national effort to establish a wireless broadband interoperability network.

The session panel consisted of Kristin Russell (State Secretary of Technology and Chief Information Officer), Commissioner Kurt Schlegel (Elbert County), Jim Anderson (9-1-1 System Manager for El Paso and Teller Counties) and Matt Goetsch (9-1-1 Specialist for Montrose and Ouray Counties). The session was moderated by Commissioner Barbara Kirkmeyer (Weld County).

Kristin Russell provided an overview of the state's digital trunk radio (DTR) system and how a newly created DTR Authority will be working to identify problems with the system and develop solutions. The state's DTR system is a critical component in public safety communication, with more than a 1000 state, local, tribal and federal agencies utilizing it. The system received more than 91 million calls in 2011. The system costs \$11 million a year to operate and needed upgrades (capital construction and software) are expected to cost \$150 million. The formation of the new DTR Authority (created in HB 12-1224) was an attempt to bring together the various stakeholders to discuss needed upgrades and the continued viability of the system. Ms. Russell acknowledged CCI's opposition to the legislation creating the Authority (due to the lack of county representation) and stated that without the input of **all** partners, this effort will not be successful.

Commissioner Schlegel of Elbert County provided an update on a new federal initiative called the Nationwide Public Safety Broadband Network (NPSBN). This new initiative would create a single broadband network dedicated to public safety that would prevent roaming and establish a consistent user subscription

fee (regardless of user location) based on a national agreement. States have the ability to opt out of the network, but if they do they must show that they have a system that can still be interoperable with the nationwide network. The federal legislation creating the network authorizes the FCC to conduct incentive auctions to raise \$7 billion to build and manage the NPSBN and will provide \$135 million to support state and local efforts to plan and integrate with the NPSBN.

Jim Anderson discussed the challenges that 9-1-1 dispatch centers are experiencing because of the huge increase in wireless calls. Dispatch centers are now getting photos and videos of accidents sent to them via text. Some of these accident photos are fairly graphic in nature – and in some instances dispatch center employees have ended up needing counseling. Anderson talked about the benefits and costs of hosted versus non-hosted systems and noted that wireless is rapidly becoming the new redundancy for many communities (a necessary back-up to landlines that get damaged from time to time by backhoes and other excavation machines).

Matt Goetsch delved into the transformation of the 9-1-1 system and what these changes mean for county government. The state is currently moving from a 40 year-old analog system to a modern digital IP-based 9-1-1 network that will enable streamlined voice and non-voice 9-1-1 requests for service. This change is desirable for a number of reasons, including a need for redundant data paths, greater efficiency in call management and lower equipment costs. Another benefit of Next Generation 9-1-1 is that requests for service can be routed based on multiple factors such as type of need, language, service availability and dispatch overload. The underlying technology needed for Next Generation 9-1-1 is the same as what is used for most of today's communications (high bandwidth that can accommodate voice, data and video). Matt also urged each county to make sure that their 9-1-1 coordinator is attending the meetings of the Next Generation 9-1-1 Task Force.

The Future of Elections in Colorado

With the 2012 general election closing in, Colorado looks to once again be a battleground state. Once the balloons fall for the winning candidates on the night of November 6 and the yard signs are pulled up, counties will be left to ponder the rapidly escalating price of elections in our state. This session looked at strategies that counties can utilize to responsibly ensure access to the ballot while lowering the cost of running elections. To answer some of these questions, county commissioners were treated to a discussion between the current AND former secretaries of state!

Colorado Secretary of State Scott Gessler began by noting that election costs have skyrocketed in the past decade in Colorado, largely as a result of a series of federal mandates that have been placed on local governments. He also admitted there is no “silver bullet” for reducing these election costs. Gessler’s office tried to pass legislation that would have reduced election costs this past legislative session, but the bill (HB 12-1267) ultimately died due to partisan wrangling over the issue of mailing to inactive voters. Gessler believes that in order to begin to get a handle on election costs, the state needs to first develop consistent cost accounting standards for elections. On the issue of going to all mail ballots in the general election, something counties have been seeking for years, Gessler again voiced his doubts about the dependability and security of this methodology. He also noted that postal rates

are probably going to increase, which will cut into the estimated cost savings. Gessler finished by calling for a uniform voting system in Colorado, and announced that he will convene an advisory committee, with county representation, to begin studying this system in more detail.

Donetta Davidson, who holds the distinction of having worked on elections as a county clerk, former Colorado Secretary of State and member of the U.S. Election Assistance Commission, provided an excellent perspective on the status of elections in Colorado. Davidson noted that county clerks do not want to be lightning rods for controversy, as this only interferes with their ability to run a good election. She cautioned against comparing Colorado to other states, as our elections are far more complex than most, owing largely to the length and complexity of our ballots. Davidson said that whereas voters in New York and Georgia average only five minutes in the voting booth, Colorado voters spend 15-20 minutes filling out their ballots! One idea that she is seeking for reducing costs is a statewide maintenance contract. Rural counties in particular are being charged exorbitant amounts for election machine maintenance. Davidson finished by thanking CCI for supporting SB12-155, a bill that would establish important sideboards on the examination of voted ballots under the Colorado Open Records Act and preserve voter anonymity.

Don't Forget!

CCI Steering Committee Meetings begin Friday, July 6 to discuss and prioritize legislative issues for 2013. Meetings will begin at 9 a.m. with Health & Human Services. For more information visit www.ccionline.org.

Health and Human Services	9 -10 a.m.
Agriculture, Wildlife & Rural Affairs	10-11 a.m.
Land Use & Natural Resources	10:45 - 11:30 a.m.
Public Lands	11:30 a.m. - 12:15 p.m.
General Government	12:45 - 1:45 p.m.
Tourism, Resorts & Economic Development	1:45-2:30 p.m.
Taxation & Finance	2:30-3:15 p.m.
Transportation & Telecommunications	3:15-4:00 p.m.