# SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS
# MINUTES
## Wednesday, February 15, 2023
Zoom.us

1) **Roll Call**

Present:
Hilary Cooper, Chair
Lance Waring, Vice Chair
Kris Holstrom, Commissioner

Staff Present:
Mike Bordogna, County Manager
James Van Hooser, Assistant County Manager
Amy Markwell, County Attorney
Carmen Warfield, Chief Deputy Clerk

2) **CALL TO ORDER.**

9:30 a.m. Begin.

3) **MOMENT OF SILENCE**

4) **REVIEW OF AGENDA**

5) **PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA.**

6) **CONSENT AGENDA**

6.a) Approval of Regan Snyder reappointment to the San Miguel Basin Fair Board.

(ATTACHMENT - Board Appointment - Regan Snyder.pdf)

6.b) Approval of Dustin Weitzel reappointment to the San Miguel Basin Fair Board.

(ATTACHMENT - Board Appointment Dustin Weitzel.pdf)

6.c) Approval of Chair's signature as the Board of Commissioners and as San Miguel County Housing Authority on Amended and Restated Deed Restriction and Covenant with Thomas John Cochrane and Dallas Sainsbury, Lot SV-150, Lawson Hill, Morningstar Subdivision, PUD.

(ATTACHMENT - Cochrane and Sainsbury DR.pdf)

6.d) Acceptance of the January 2023 Veterans Service Officers Monthly Report.

(ATTACHMENT - January 2023 VSO Report.pdf)

6.e) Approval of the Commissioners signature on a letter of support to the Colorado Department of Higher Education, Colorado Opportunity Scholarship Initiative on behalf of True North Youth Program.

(ATTACHMENT - COSI County Allocation - Letter of Support.docx)

6.f) Approval of Chair's signature on the impact assistance grants from the Colorado Parks and Wildlife for the Tax Year 2022.

(ATTACHMENT - CPW Impact Asstance Grant Application.pdf)

6.g) Approval of Minutes: November 9, 2022 and January 4, 2023.

(ATTACHMENT - 20221109-Special BOCC-Minutes-Draft.docx)

(ATTACHMENT - 20230104-BOCC-Minutes-Draft.pdf)

6.h) Acceptance of the December 2022 Road Report.

(ATTACHMENT - 12.22 Road Report.docx)

6.i) Approval of Chair's signature on the renewal of a Hotel and Restaurant Optional Premises Retail Liquor or Fermented Malt Beverage License Renewal Application and Change of Manager for Telski Food and Beverage Services d/b/a Alpine Vino, 12100 Camels Garden Road, Telluride CO.

(ATTACHMENT - Telski Liq License - Alpino Vino_Redacted.pdf)

(ATTACHMENT I - Written Findings)

6.j) Approval of Chair's signature on Permit Application and Report of Changes re: Change, Alter of Modify Premises for Telski Food and Beverage Services d/b/a Alpino Vino, 12100 Camels Garden Road, Telluride, CO based on the County Clerk's Written Findings.

(ATTACHMENT - Liq License Alpino Vino Alter or Modify Premises.pdf)

(ATTACHMENT II - Written Findings)

6.k) Approval of Chair's signature on a recording server(s) and maintenance cost with Equature for the Sheriff's office primary and annex locations over a five-year period.

(ATTACHMENT - San Miguel - Equature Maint. Renewal 2023.pdf)

**MOTION** by Lance Waring to approve the consent agenda as presented. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

## 7) ADMINISTRATIVE MATTERS

7.a) Consideration of Chair's signature on Proclamation 2023-01 by the Board of Commissioners of San Miguel County, Colorado, by designating the week of February 26 through March 5, 2023, as Gay Ski Week./MOTION

(ATTACHMENT - Gay Ski Week Proclamation - Draft.pdf)

Presented by: Mike Bordogna, County Manager

**MOTION** by Kris Holstrom to approve the Chair's signature on Proclamation 2023-01 designating the week of February 26 through March 5, 2023, as Gay Ski Week with the suggested correction. **SECONDED** by Lance Waring. **PASSED 3-0.**

(ATTACHMENT III - Proclamation 2023-01)

7.b) Consideration of the approval of Resolution 2023-05 and the addition of Section 5-4 of the Administrative Policy Manual establishing a policy and guidelines for the review of proposed donations, gifts, or bequests to San Miguel County/MOTION

(ATTACHMENT - Res_2023-05 Donation policy (2).pdf)

Presented by: Amy Markwell, County Attorney

**MOTION** by Lance Waring to approve as presented. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT IV - Resolution 2023-05)

7.c) Consideration of Chair's signature on Resolution 2023-06 on the amendment of Resolution 1987-8 of the San Miguel County Board of County Commissioners expressly adopting Exemption to County Sales Tax./MOTION

(ATTACHMENT - Resolution 2023-06 Sales Tax.pdf)

Presented by: Amy Markwell, County Attorney; Ramona Rummel, Finance Director

**MOTION** by Lance Waring to approve the Chair's signature on Resolution 2023-06 on the amendment of Resolution 1987-8 of the San Miguel County Board of County Commissioners expressly adopting Exemption to County Sales Tax with the clarification and elaboration on the definition of Charitable. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT V - Resolution 2023-06)

7.d) Consideration of Chair's signature on the Resolution 2023-07 adopting the updated Employee handbook./MOTION

(ATTACHMENT - Memorandum - SMC Employee Handbook - 02 15 2023 PACKET VERSION.pdf)

(ATTACHMENT - Resolution 2023-7 Employee handbook.pdf)

(ATTACHMENT - SMC Employee Handbook 02 15 2023 PACKET VERSION.pdf)

Presented by: Christina Lambert, Human Resources Director

**MOTION** by Kris Holstrom to approve the Chair's signature on the Resolution 2023-07 adopting the updated Employee handbook. **SECONDED** by Lance Waring. **PASSED 3-0.**

(ATTACHMENT VI - Resolution 2023-7)

7.e) Consideration by the Board of Commissioners acting as the San Miguel County Housing Authority to grant San Miguel Regional Housing Authority the ability to approve purchases of the Pinion Park homes through the administrative exceptions process for applicants who work outside the Norwood R-2j School District./MOTION

Presented by: Mike Bordogna, County Manager

**MOTION** by Lance Waring to approve the San Miguel County Housing Authority the ability to provide an administrative exception for applicants who work outside of the Norwood R-2j School District. This approval is for the Pinion Park Homes in Norwood. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

**8) PLANNING MATTERS**

8.a) Consideration of an Appeal of an Administrative Decision: 101 Victoria Point Lane Employee Housing Impact Fee/MOTION

(ATTACHMENT - BOCC Packet 101 Victoria Point 021523.pdf)

Presented by: Kaye Simonson, Planning Director; Chris Bryan, Attorney representing the appellants

**MOTION** by Lance Waring to continue the appeal of an administrative decision at 101 Victoria Point Lane, Employee Housing Impact Fee to April 5, 2023. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

8.b) Consideration of an Appeal of an Administrative Decision: 216 E. Serapio Drive Employee Housing Impact Fee/MOTION

(ATTACHMENT - BOCC Packet 216 E Serapio 021523.pdf)

Presented by: Kaye Simonson, Planning Director; Chris Bryan, representing the appellants

**MOTION** by Lance Waring to continue an appeal of an administrative decision at 216 E. Serapio Drive, Employee Housing Impact Fee to April 5, 2023. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

8.c) Consideration of an Appeal of an Administrative Decision: 385 Juniper Village Drive Employee Housing Impact Fee/MOTION

(ATTACHMENT - BOCC Packet 385 Juniper Village 021523.pdf)

Presented by: Kaye Simonson, Planning Director; Chris Bryan, Attorney representing the Appellant

**MOTION** by Lance Waring to continue the appeal of an administrative decision at 385 Juniper Village Drive, Employee Housing Impact Fee to April 5, 2023. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

Public Who Addressed the Board:
Shellie Duplan, Aldasoro Ranch Staff
Anne Wilson, County resident

11:46 a.m. Recessed.
11:52 a.m. Reconvened.

## 9) NATURAL RESOURCES AND SPECIAL PROJECTS

Update and other, as needed.
1. Attended the Wolf Introduction meeting - the board requested that no comment be submitted
2. Alta Lakes comments - prepare a draft for review by the board
3. Notice of Intent BLM Solar Program-Scoping Comments due March 1st.
4. DOLA Microgrid grant Program 2024 will be attending the meeting.

9.a) Consideration of the approval of Resolution #2023-04 to establish greenhouse reduction targets/MOTION

(ATTACHMENT - Resolution_2023-04_Green_house_gas_reduction_targets (1).pdf)

**MOTION** by Lance Waring to approve the Resolution #2023-04 to establish greenhouse reduction targets with the correction as noted. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

Presented by: Starr Jamison, NRSP Director

(ATTACHMENT VII - Resolution 2023-04)

## 10) SOCIAL SERVICES MATTERS

10.a) 1. Approval of Chair's signature on Social Services Department
Balance Sheet, December 2022
Earned Revenue and Expenditures, December 2022
Expenditures through Electronic Benefit Transfers, January 2023
Check Register for the Month of January 2023
County Allocation / MOE Report, December -2023
2023 Caseload Graph and Chart/MOTION

2. Discussion of the Community Services Block Grant

3. Support for the end of Emergency Allotment for SNAP

(ATTACHMENT - February 2023 SS Packet.pdf)

Presented by: Carol Friedrich, Director of Social Services

**MOTION** by Lance Waring to approve the Social Service financials as presented. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

2. CSBG Block grant discussion - 2023 grant for a three-year process - recommendation by the board to partner with Montrose County and Gunnison County

3. Support for the end of Emergency Allotment for Snap. - Approximately 70 older adults in our County will receive the most impact. - It was supported by the Commissioners to have prepaid gift cards available for people in need of approximately $100. - Carol will run the numbers that will be fiscally responsible and Mike will come back with funding options.

**12) Lunch**
**12:44 p.m. Recessed.**
**1:04 p.m. Reconvened.**

**14) ATTORNEY MATTERS**

14.a) Executive Session: Discussion and to receive advice from the Attorney on a personnel matter, citation (4)(b).

Presented by: Amy Markwell, County Attorney; Jeff Driscoll, Attorney representing the County

**MOTION** by Lance Waring to go into executive session, to discuss and to receive advice from an Attorney on a personnel matter, citation (4)(b). **SECONDED** by Kris Holstrom. **PASSED 3-0.**

1:09 p.m. Recessed.
1:49 p.m. Reconvened.

**MOTION** by Kris Holstrom to come out of executive session, only the one item stated was spoken of. **SECONDED** by Lance Waring. **PASSED 3-0.**

Note: Item to be continued due to additional information to be provided.*

14.c) Executive Session: Discussion as the Board of Commissioners acting in the capacity of the San Miguel County Housing Authority of a road issue in Lawson Hill in the portion of the development that is subject to the County Housing Authority's Declaration regarding the duplexes that were built along Deer Trail, Elkhorn, and Timberline Court, citation (4)(b).

Presented by: Amy Markwell, County Attorney; Lois Major, Special Counsel to the County Housing Authority

**MOTION** by Lance Waring to go into executive session, to discuss a road issue in Lawson Hill in the portion of the development that is subject to the County Housing Authority's Declaration regarding duplexes that were built along Deer Trail, Elkhorn, and Timberline Court, citation (4)(b). **SECONDED** by Kris Holstrom. **PASSED 3-0.**

1:54 p.m. Recessed.
2:25 p.m. Reconvened.

**MOTION** by Lance Waring to come out of executive session, only the one item was spoken of. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

Note: Staff Direction was given.*

11) MANAGER & ASSISTANT MANAGER MATTERS

Presented by:
Mike Bordogna, County Manager

1. Update on the Applebaugh Bridge
2. Attendance at the Intergovernmental meeting
3. Attendance at the Composting meeting
4. Further detail on a consultant to assist with facilitating BOCC goals
5. A formal Snow Day policy is being developed- to align with the School Districts closure
6. Update on upcoming meetings.
7. The County offices will be closed on Monday for Presidents Day
8. Update on the underpass bike project - TAP grant funds - to work on a combined grant application with Town of Mountain Village, Lawson Hill - bike path and then underpass. A MOU with Lawson Hill and IGA with Town of Mt Village; move forward in the submission of the grant that is due March 1st. - no county funds will be expended. Lance Waring and Kris Holstrom are in consensus to move forward.
9. The Water Opposition Case - there is a scheduled status update
10. There was a request by Sheriff Masters to address the Commissioners about Pre-Trial Services. It was recommended that he wait till May for the presentation by Judge Yoder.

James Van Hooser, Assistant County Manager
The property at 508 Society Drive has been purchased by the County.
The draft communication plan is nearly complete. It will be presented at the next Work session and also placed in google docs for a review by the Commissioners.

13) COMMISSIONER UPDATES:

Kris Holstrom - SMART Board meeting; Attendance at the compost grant meeting
Lance Waring - Recreation collaborative meeting, SMRHA Meeting, Lodging Tax Panel meeting; SMART Board meeting; IG Meeting
Hilary Cooper - Update with Legislation, BLM Sage Grouse cooperating agency discussion; Natural Medicines working legislation to address concerns; CCI Land Use; Affordable housing task force with the State; NACO Conference in Washington DC; Gunnison Sage Grouse population; Regional Wildfire Mitigation meeting

14.d) Possible Executive Session: Discussion of joining the 2023 Opioid Settlement cases, citation (4)(e).

Presented by: Amy Markwell, County Attorney

No Executive Session was needed.

Note: It was in agreement by the County Commissioner to join the settlement cases. The appropriate paperwork will be filled out.

14.b) Executive Session: Discussion of the possible sale/transfer of the 508 Society Drive parcel, citation (4)(a)(b).

Presented by: James Van Hooser, Assistant County Manager; Amy Markwell, County Attorney

**MOTION** by Lance Waring to go into executive session, to discuss the possible sale/transfer of 508 Society Drive parcel, citation (4)(a) and (4)(b) was added. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

3:20 p.m. Recessed.
4:28 p.m. Reconved.

**MOTION** by Lance Waring to come out of executive session, only the one item was spoken of as stated. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

Note: Staff direction was given.

*(ATTACHMENT VIII - Executive Session Attest) The County Attorney requested that the items 14.a, 14.b, 14.c, not have written minutes as it constitutes a privileged Attorney-Client communication and a statement signed by the Attorney and Chair is attached.

**15) ADJOURNMENT.**

**MOTION** by Lance Waring to adjourn the meeting. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

4:31 p.m. Adjourned.

Respectfully submitted,

DocuSigned by:
Carmen Warfield
BE2A50C39E63408...
Carmen Warfield, Chief Deputy Clerk

DS

Approved March 15, 2023.

SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS

DocuSigned by:
Hilary Cooper
EB1DDC2E8F0642A...
Hilary Cooper, Chair

ATTEST:

DocuSigned by:
Mike Bordogna
6BB1DFF17C9841E...
Mike Bordogna, County Manager

# OFFICE OF
# SAN MIGUEL COUNTY CLERK
## STEPHANNIE VAN DAMME

P.O. Box 548
Telluride, Co 81435
(970) 728-3954

## WRITTEN FINDINGS

Date: March 7, 2022
To: San Miguel County Board of Commissioners
Re: Renewal of Hotel & Restaurant with Optional Premises and Change of Manager for

Telski Food & Beverage Services
d/b/a Alpino Vino
12100 Camels Garden Road
Telluride, Colorado 81435

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1. Application is complete.
2. Optional Premises Addendum, description and diagram included.
3. All fees have been paid.
4. William Masters, Sheriff, gives his approval on this renewal.
5. Insurance attached.

SVanDamme

Stephannie Van Damme, County Clerk

William Masters, Sheriff

# OFFICE OF
# SAN MIGUEL COUNTY CLERK
## STEPHANNIE VAN DAMME

P.O. Box 548
Telluride, Co 81435
(970) 728-3954

## WRITTEN FINDINGS

Date: February 9, 2023
To: San Miguel County Board of Commissioners
Re: Report of Changes re: Change, Alter of Modify Premises

Telski Food & Beverage Services
d/b/a Alpino Vino
12100 Camels Garden Road
Telluride, Colorado 81435

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1. Application is complete.
2. Diagram and description of structure modifications included.
3. All fees have been paid.
4. William Masters, Sheriff, gives his approval on this modification of premises.

SVanDamme
Stephannie Van Damme, County Clerk

William Masters, Sheriff

# PROCLAMATION OF THE BOARD OF COMMISSIONERS OF SAN MIGUEL COUNTY, COLORADO, HEREBY DESIGNATES THE WEEK OF FEBRUARY 26th THROUGH MARCH 5, 2023, AS GAY SKI WEEK

## Proclamation 2023-01

**WHEREAS**, Gay Ski Week has become a cherished celebration within the Telluride region and serves as an opportunity to welcome our LGBTQ+ residents, visitors, and supporters; and

**WHEREAS**, Numerous events during the week-long celebration allow the community to engage, participate, and learn about the LGBTQ+ communities; and

**WHEREAS**, The Telluride Aids Benefit (TAB) is a part of Gay Ski Week and has raised funding and awareness for those with HIV and AIDS as well as worked to reduced stigmas with these viruses; and

**WHEREAS**, The San Miguel County community is proud to fight for human rights to live openly and authentically, embracing and welcoming visitors from all walks of life with our signature flair and mountain charm; and

**WHEREAS**, The week-long celebration of equality, inclusivity and awareness features tons of activities to showcase the beauty and diversity of our LGBTQ+ community.

**WHEREAS**, started in 2002, Gay Ski Week has now become the Southwest's most welcoming, scenic, and intimate winter retreat; and

**WHEREAS**, San Miguel County appreciates the efforts of the organizers of Gay Ski Week to bring people together and raise spirits and awareness of LGBTQ+ community.

**NOW, THEREFORE BE IT RESOLVED** *that the Board of County Commissioners of San Miguel County hereby designates the week of February 26th through March 5th as Gay Ski Week.*

**DONE AND APPROVED** by the Board of Commissioners of San Miguel County, Colorado, at a duly noticed public meeting held in Telluride, Colorado, on February 15, 2023.

BOARD OF COUNTY COMMISSIONERS
SAN MIGUEL COUNTY, COLORADO

DocuSigned by:
Hilary Cooper
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Hilary Cooper, Chair

ATTEST:

DocuSigned by:

Carmen Warfield

BE2AF0C39C63408

Carmen L. Warfield, Chief Deputy Clerk to the Board

DS

VOTE:

| | | | | |
|---|---|---|---|---|
| Hilary Cooper | Aye | Nay | Abstain | Absent |
| Kris Holstrom | Aye | Nay | Abstain | Absent |
| Lance Waring | Aye | Nay | Abstain | Absent |

# RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY, COLORADO ADOPTING A COUNTY DONATION POLICY FOR SAN MIGUEL COUNTY

**Resolution #2023-05**

**WHEREAS,** the Board of County Commissioners of San Miguel County, Colorado does not have an established Donation Policy as part of its Administrative Policy Manual; and

**WHEREAS**, the addition of Section 5-4 of the Administrative Policy Manual establishes a policy and guidelines for the review of proposed donations, gifts, or bequests to San Miguel County; and

**WHEREAS**, the Board of County Commissioners wishes to improve its administrative policy practices through the adoption of a donation policy.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY, COLORADO:**

1. Section 5-4 of the San Miguel County Administrative Policy Manual shall be updated according to the attached Exhibit A and incorporated herein by reference.

2. Section 5-4 shall apply to all departments of the County to include all Elected Official offices.

3. This Resolution shall take effect immediately upon its approval by the Board of County Commissioners.

**APPROVED AND ADOPTED** this F, at Telluride, Colorado.

**BOARD OF COUNTY COMMISSIONERS**
**SAN MIGUEL COUNTY, COLORADO**

DocuSigned by:
By: Hilary Cooper
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Hilary Cooper, Chair

| | | | | | |
|---|---|---|---|---|---|
| Vote: | Kris Holstrom | Aye | Nay | Abstain | Absent |
| | Hilary Cooper | Aye | Nay | Abstain | Absent |
| | Lance Waring | Aye | Nay | Abstain | Absent |

ATTEST:

DocuSigned by:
By: Carmen Warfield
BE2AF0C39C63408...
Carmen Warfield, Chief Deputy Clerk

DS

*EXHIBIT A –Resolution 2023-05*

## 5-4 COUNTY DONATION POLICY

## PURPOSE

To establish a policy and guidelines to review a proposed donation, gift, or bequest to San Miguel County government, (collectively, "donation(s)"), determine whether to accept or decline the same, and document and acknowledge receipt of the donation. The applicable procedures vary depending on several factors, including the type, value, and proposed use of the donation.

## PROCEDURES

1. **Policy Statement:** While San Miguel County does not actively solicit donations, there may be times when a donation is offered to San Miguel County government. In such cases, these policies and guidelines govern the acceptance of donations by San Miguel County to ensure transparent and accountable governance.

2. **Applicability:** This policy applies to San Miguel County government, any employee, department, or elected official receiving a donation on behalf of San Miguel County.

3. **Types of Donations Accepted:** Donations may come in a variety of forms, including but not limited to monetary donations, tangible personal property, and real estate. Below is a list of the types of donations to which this policy applies.

    A. Monetary donations include, but are not limited to, cash, checks, money orders, wire transfers, gift cards and credit cards. For purposes of this policy, monetary donations do not include coin or currency collections, which are treated as tangible personal property.

    B. Real estate includes, but is not limited to, improved or unimproved real property, improvements affixed to land, oil, gas, and other mineral interests, and water rights.

    C. Tangible personal property includes, but is not limited to, food, beverage, artwork, antiques, automobiles, boats, coin and currency collections, equipment, furniture, and personal items.

4. **Guidelines for Acceptance:**

    A. The County reserves the right to refuse any donation.

    B. All proposed donations must be reviewed and approved, as outlined in this Policy, before acceptance. Review is required to ensure the proposed donation is appropriate to the needs of the County, does not impose undue financial burdens on the County, complies with applicable legal and financial standards, and does not impose any unreasonable or burdensome restrictions on the item's use, display, or disposition.

    C. Donations will not be recorded to the County until the donation is accepted and received by the County.

D. No donation will be accepted under this Policy as consideration or exchange for any good, service, or other items of value, or for any agreement with or benefit from the County or any of its employees or elected officials, unless such arrangement is legally permissible and considered and approved by the Board of County Commissioners.

E. No donation will be accepted that does not support the County's statutory purposes or that is too difficult or expensive to administer in relation to its value.

F. For any proposed donation of which there is an intent by the donor or County for the asset to be sold; exchanged or otherwise disposed of within three (3) years of receipt, the donor should be advised to discuss the possible tax implication of this action with their tax advisor before making the donation.

G. Valuation of donation for internal bookkeeping purposes will occur as of the date the County accepts a donation. The value of the property received may be arrived at without regard to the donor's personal estimation of the property's value, the worth and date reported by the donor to the IRS, or the value placed on the property by the Internal Revenue Service ("IRS") about the donor's tax liability.

H. For any donation (including monetary donation or property) County staff must provide a contemporaneous written acknowledgment indicating the amount of the monetary donation received and/or a description of any property donated. The acknowledgment must state whether the County provided any goods or services in exchange for the donation and; if so, must provide a description and a good faith estimate of the value of those goods or services.

I. For donors who wish to claim a charitable tax deduction for non-monetary donations valued at over $5,000, the IRS requires the submission of qualified, third-party appraisals. Any appraisals of property are the responsibility of the donor. Whenever possible, copies of appraisals should be provided to the County.

J. If donors ask the County to sign IRS Form 8283, as the same may be amended from time to time, for non-cash donations of more than $500 to substantiate their charitable donation, the donor must provide the County with a copy of the required federal tax forms (currently Form 8283). The County's signature on such a form will not represent concurrence in the appraised value of any donated property. Any signed acknowledgment will only represent receipt of the property described on the date specified on the form.

## 5. Acceptance Procedures

A. Monetary Donations

1. Monetary donations that do not have any restrictions regarding use may be accepted by the Elected Official on behalf of their office for $300 or less or with the approval of the Finance Director and County Manager, regardless of dollar amount, unless the donor does not appear to have legal ownership of the funds.

2. Donations that contain restrictions on use or disposition must be reviewed and approved by the County Attorney's Office in addition to the Elected Official on behalf of their office for $300 or less or in addition to the Finance Director and County Manager.

3. All accepted monetary donations must be deposited with the Treasurer, after being assigned an account number by the Finance Director.

B. Tangible Personal Property

1. Donations of tangible personal property that do not have any restrictions regarding use, disposition, or display may be accepted by the Elected Official on behalf of their office for a value of $300 or less or with the approval of the Finance Director and County Manager, regardless of dollar amount, unless the donor does not appear to have legal ownership of the property.

2. Donations that contain restrictions on use, disposition, or display, must be reviewed and approved by the County Attorney's Office in addition to the Elected Official on behalf of their office for $300 or less or in addition to the Finance Director and County Manager.

3. All bills of sale or other donation agreements, in a form approved by the County Attorney's Office, must be completed by the donor of any donation of tangible personal property before receipt of the asset.

4. All donations of tangible personal property valued at $5,000 or such greater amount as may be prescribed from time to time, by the finance department in policy or under the procurement code, will be capitalized as a capital asset.

C. Real Estate. Any proposed donation of real property, including any oil and gas or other mineral interests or water rights must be approved by the Board of County Commissioners.

1. Prior to acceptance, the County will perform due diligence as is determined necessary in consultation with the County Attorney's Office. Such due diligence may include, but is necessarily limited to:

- Reviewing the legal title to the real estate, as well as any leases, restrictive covenants, easements, or other agreements affecting the real estate.
- Obtaining a qualified independent appraisal
- Obtaining an appropriate survey of the real estate
- Performing physical inspections and review of the property
- Reviewing environmental reports and/or ordering Phase I Environmental Site Assessment and Addition Site Investigation (Phase II)

2. Generally, unless a specific need arises, the County will not accept timeshares; real estate that contains solid waste or is contaminated by

hazardous waste for which the ownership or operations will expose the County to liability under federal, state, or local environmental laws, ordinance, and regulations, real estate encumbered by mortgages or liens; or real estate with other negative environmental, legal or title implications such as restrictions, reservations or other limitations associated with the property.

6. **Limitations**

This policy does not apply to:

A. Gifts to individual employees or elected officials ("covered individuals"), which are governed by Article XXIX of the Colorado Constitution ("Amendment 41"), C.R.S. § 24-18-101 et seq. and various other County policies and guidelines.

[Amendment 41 applies to covered individuals – i.e. local government officials, and government employees – and not to the State itself or any of its agencies, political subdivisions, or other governmental entities. Solicitation, acceptance, or receipt of a thing of value having a fair market value or aggregate actual cost greater than *$65.00 is not allowed. See Position Statement 19-01. *This amount may change in 2023.]

B. Offers made to the County, as an entity, or to a specific department or elected office rather than a specific employee or elected official, to pay for travel-related expenses, hotel accommodations, and registration to attend conferences, hearings, or other functions. These offers are governed, in part, by section 3(3)(f) of Amendment 41. Offers made to the County or specific departments and offices will be reviewed on an ad-hoc basis by the appropriate department or elected office, in consultation with the County Attorney's Office.

C. Grants

D. Donation of conservation easements to the County.

E. Donation of rights-of-way and other easements to the County.

F. Donations of unique items, will be considered on an ad-hoc basis by the Board of County Commissioners. Unique items are donations that are complex and unique in nature. Examples include, but are not limited to: securities (whether readily marketable or not, including but not limited to publicly traded securities, Treasury bills, and other money market instruments); intangible personal property (such as patents, copyrights, licenses, and software) and other complicated donation mechanisms outside the normal acceptance policies stated in this Policy.

G. Time and attendant services donated to the County by volunteers appointed to commissions, boards, or committees, members of search and rescue groups or other emergency responders, citizens who teach courses or other classes to County employees and/or citizens or other citizens who otherwise volunteer their time to various county programs.

**AMENDMENT OF RESOLUTION 1987-8 OF THE SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS EXPRESSLY ADOPTING EXEMPTIONS TO COUNTY SALES TAX**

**RESOLUTION 2023 - 06**

**WHEREAS**, the San Miguel County Board of County Commissioners ("Board") adopted Resolution 1987-8 on March 2, 1987, which referred to San Miguel County voters a question proposing the creation of a one percent (1%) county-wide sales on the sale of tangible personal property at retail and the furnishing of services and one percent (1%) use tax on the privilege of using or consuming construction and building materials; and

**WHEREAS**, San Miguel County voters ("Voters") approved the creation of the county-wide sales and use tax at the election held on April 7, 1987 which has been in effect since July 1, 1987; and

**WHEREAS**, the Board adopted Resolution 1992-44 on August 20, 1992, which referred to the Voters a question proposing the increase of the county-wide sales and use taxes by one-half percent for the purposes of financing, constructing, operating, or maintaining a mass transportation system within the County (0.5%); and

**WHEREAS**, voters declined the increase of the county-wide sales and use tax at the election held on November 3, 1992; and

**WHEREAS**, Resolution 1987-8 was amended on August 16, 1994 in Resolution 1994-48, which referred to the voters a question proposing a change in Section 11 Use of Revenues to require fifty percent (50%) of the sales and use tax revenues received be deposited in the Sales Tax Capital Improvement Fund and the remaining fifty percent (50%) to be deposited in the County's General Fund along with a requirement that the first $15,000 from the 50% into the General Fund to be restricted for jail operations; and

**WHEREAS**, voters approved the increase of the county-wide sales and use tax at the election held on November 8, 1994 which has been in effect since January 1, 1995; and

**WHEREAS**, San Miguel County currently has exemptions from sales tax collections for the following:

- Food for domestic home consumption C.R.S. §§ 39-26-707(1)(e) & 39-26-102(4.5), as amended;
- Machinery and machine tools C.R.S. § 39-26-709(1), as amended;
- Gas, electricity, and other specified fuels for residential use C.R.S. § 39-26-715(1)(a)(II), as amended; and
- Renewable energy components C.R.S. § 39-26-724, as amended; and

**WHEREAS**, additional sales tax exemptions have been made available to counties under C.R.S. § 29-2-105(l)(d)(I); and

**WHEREAS**, the Board upon consideration believes that it is in the public interest to exempt additional tangible personal property from the collection of sales tax.

**NOW THEREFORE BE IT RESOLVED** by the San Miguel County Board of County Commissioners as follows:

Effective immediately, Resolution 1987-8 is amended and the following are hereby expressly exempted from the San Miguel County sales tax:

1. Incontinence products and diapers as specified in C.R.S. § 39-26-717(2)(n), as amended;
2. Period products as specified in C.R.S. § 39-26-717(2)(m), as amended;
3. For sales that benefit a Colorado School specified in specified in C.R.S. § 39-26-725, as amended; and
4. For sales by an association or organization of parents and teachers of public-school students that is a charitable organization specified in C.R.S. § 39-26-718(1)(c), as amended.

**APPROVED AND ADOPTED** this 15th of February, at Telluride, Colorado.

**BOARD OF COUNTY COMMISSIONERS**
**SAN MIGUEL COUNTY, COLORADO**

DocuSigned by:
Hilary Cooper
EB1DDC2E8F0642A...
Hilary Cooper, Chair

DS

ATTEST:
DocuSigned by:
Carmen Warfield
BE2AF0C39C63408...
Carmen Warfield, Chief Deputy Clerk to the Board

| | | | | | |
|---|---|---|---|---|---|
| Vote: | Kris Holstrom | Aye | Nay | Abstain | Absent |
| | Hilary Cooper | Aye | Nay | Abstain | Absent |
| | Lance Waring | Aye | Nay | Abstain | Absent |

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF SAN MIGUEL COUNTY, COLORADO ADOPTING AN EMPLOYEE HANDBOOK AND REPEALING AND SUPERSEDING ANY PAST EMPLOYEE HANDBOOKS**

**Resolution #2023 - 07**

**WHEREAS,** it is in the best interest of San Miguel County, Colorado ("County") to establish and follow a summary of some of the County's guidelines related to employment with San Miguel County; and

**WHEREAS,** a handbook is not all inclusive, but it is intended to provide employees with a summary of some County guidelines; and

**WHEREAS,** the need may arise to change the guidelines described in the handbook, and

**WHEREAS,** the BOCC/elected officials may amend or authorize amendments to this document at any time without prior written or oral notice and without the employee's consent; and

**WHEREAS,** the BOCC does hereby find and determine that it is both appropriate and necessary that it establish and adopt an updated version of the Employee handbook, a copy of which is attached hereto and incorporated herein by reference as Attachment "A"; and

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. Attachment "A" attached hereto, is hereby adopted as the "San Miguel County Employee Handbook".

2. The adopted "San Miguel County Employee Handbook" shall become effective on February 16, 2023, and shall remain in full force and effect until and unless amended, repealed, and/or superseded by the BOCC.

3. The Clerk to the Board is hereby authorized and directed to make Attachment "A" available to all county officials and staff, by publishing such adopted "San Miguel County Employee Handbook" on the shared County drive.

**DONE AND APPROVED** by the Board of County Commissioners at a regular meeting held at Telluride, Colorado, on February 15, 2023

**SAN MIGUEL COUNTY, COLORADO**
**BOARD OF COUNTY COMMISSIONERS**

DocuSigned by:
Hilary Cooper
EB1DDC2F8F0642A

Hilary Cooper, Chair

| | | | | | |
|---|---|---|---|---|---|
| Vote: | Hilary Cooper | X Aye | Nay | Abstain | Absent |
| | Kris Holstrom | X Aye | Nay | Abstain | Absent |
| | Lance Waring | X Aye | Nay | Abstain | Absent |

ATTEST:

DocuSigned by:

Carmen Warfield

BE2AF0C39C63400...

Carmen Warfield, Chief Deputy Clerk

DS

Attachment: "A" – San Miguel County Employee Handbook

Attachment A

San Miguel County

# Employee Handbook

**Adopted February 15, 2023**

# San Miguel County
## Employee Handbook

## Table of Contents

# San Miguel County
## Employee Handbook

### IMPORTANT NOTICE

**This handbook is designed to acquaint employees with San Miguel County (the "County") and provide some information about working here. The handbook is not all-inclusive but is intended to provide employees with a summary of some of the County's guidelines. This edition replaces all previously issued editions.**

**Your employment with San Miguel County is At-Will. Employees have the right to end their working relationship with the County, with or without advance notice for any reason. The County has the same right. The language used in this handbook and any verbal statements made by elected officials or management are not intended to constitute a contract of employment, either express or implied nor are they a guarantee of employment for a specific duration. No representative of San Miguel County, other than the Board of County Commissioners (BOCC), Human Resources Director, County Manager, and/or elected officials, has the authority to enter into an agreement of employment for any specified period and such agreement must be in writing, signed by the BOCC, Human Resources Director, County Manager, and/or elected official and the employee.**

**No employee handbook can anticipate every circumstance or question. After reading this handbook, employees that have questions should talk with their department head/elected official. In addition, the need may arise to change the guidelines described in the handbook. The BOCC may amend or authorize amendments to this document at any time without prior written or oral notice and without the employee's consent. Except for the At-Will nature of the employment, the County, reserves the right to interpret guidelines or change them without prior notice.**

# 1.01 EMPLOYMENT

**Equal Employment Opportunity (EEO) and Unlawful Harassment**
The County is dedicated to the principles of equal employment opportunity. , We prohibit unlawful discrimination against applicants or employees based on age 40 and over, race (including traits historically associated with race, such as hair texture and length, protective hairstyles), sex, sexual orientation, gender identity, gender expression, color, religion, national origin, disability, military status, genetic information, or any other applicable status protected by federal, state or local law

**Americans with Disabilities Act (ADA) and Religious Accommodation**
The County will make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship to the County or cause a direct threat to health or safety. The County will make reasonable accommodation for employees whose work requirements interfere with a religious belief unless doing so would result in an undue hardship to the County. Employees needing such accommodation are instructed to contact their department head or the Human Resources Department immediately.

Additional guidance on this topic can be found in the County's Administrative Policy Manual.

**Pregnancy Accommodation**
Employees have the right to be free from discriminatory or unfair employment practices because of pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth.

Employees who are otherwise qualified for a position may request a reasonable accommodation related to pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. If an employee requests an accommodation, the County will engage in a timely, good-faith, and interactive process with the employee to determine whether there is an effective, reasonable accommodation that will enable the employee to perform the essential functions of her position. A reasonable accommodation will be provided unless it imposes an undue hardship on the County's business operations.

The County may require that an employee provide a note from her health care provider detailing the medical advisability of the reasonable accommodation. Employees who have questions about this policy or who wish to request a reasonable accommodation under this policy should contact their Human Resources representative.

The County will not deny employment opportunities or retaliate against an employee because an employee requested a reasonable accommodation related to pregnancy, a health condition related to pregnancy, or the physical recovery from childbirth. An employee will not be required to take leave or accept an accommodation that is unnecessary for the employee to perform the essential functions of the job.

**Nursing Mothers Accommodation**

A private space will be provided, and reasonable time will be permitted, for nursing mothers to express milk during the workday for up to two years following the birth of a child. The time permitted typically will run concurrently with the time already provided for meal and rest breaks. If the breaks cannot run concurrently and/or additional time is needed, human resources and the employee will agree upon a schedule which might include the employee using unpaid leave (if non-exempt), annual leave/vacation time, arriving at work earlier, or leaving later. In the event unpaid leave is used, the employee will be relieved of all work-related duties during any unpaid break.

Employees will be provided with the use of a room, office, or other private area, other than a bathroom or toilet stall, that is shielded from view and free from intrusion from co-workers and the public. The County will make a reasonable effort to identify a location within close proximity to the work area for the employee to express milk.

Nursing mothers are responsible for using anti-microbial wipes to clean milk expression areas, and for keeping the general lactation space clean for the next user. This responsibility extends to other areas where expressing milk is permitted, equipment is cleaned, and milk storage areas.

The County reserves the right to not provide additional break time or a private location for expressing breast milk if doing so would substantially disrupt the County's operations.

The County will not demote, terminate or otherwise take adverse action against an employee who requests or makes use of the accommodations and break time described in this policy.

**EEO Harassment**
The County strives to maintain a work environment free of unlawful harassment.

Unlawful harassment includes verbal or physical conduct that has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Actions based on an individual's age 40 and over, race, sex, sexual orientation, gender identity, gender expression, color, religion, national origin, disability, military status, genetic information, or any other applicable status protected by federal, state or local law will not be tolerated. Prohibited behavior may include but is not limited to the following:

- Written forms such as cartoons, e-mail, posters, drawings, or photographs.
- Verbal conduct such as epithets, derogatory comments, slurs, or jokes.
- Physical conduct such as assault, or blocking an individual's movements.

This policy applies to all employees including department heads, supervisors, co-workers, and non-employees.

**Sexual Harassment**
Because sexual harassment raises issues that are to some extent unique in comparison to other harassment, the County believes it warrants separate emphasis.

The County strongly opposes sexual harassment and inappropriate sexual conduct. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- Submission to such conduct is made explicitly or implicitly a term or condition of employment.
- Submission to or rejection of such conduct is used as the basis for decisions affecting an individual's employment.
- Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

All employees are expected to conduct themselves in a professional and businesslike manner at all times. Conduct that may violate this policy includes, but is not limited to, sexually implicit or explicit communications whether in:

- Written forms, such as cartoons, posters, calendars, notes, letters, and e-mail.
- Verbal form, such as comments, jokes, the foul or obscene language of a sexual nature, gossiping, questions about another's sex life or repeated unwanted requests for dates.
- Physical gestures and other nonverbal behavior, such as unwelcome touching, grabbing, fondling, kissing, massaging, and brushing up against another's body.

**Complaint Procedure**

If you believe there has been a violation of the EEO policy or harassment based on the protected classes outlined above, including sexual harassment, please use the following complaint procedure. The County expects employees to make a timely complaint to enable the County to investigate and correct any behavior that may violate this policy.

Report the incident to the proper elected official, department head, the Human Resources Department, or the County Managerwho will investigate the matter and ensure appropriate corrective action is taken. Your complaint will be kept as confidential as practicable. If you prefer not to go to any of these individuals with your complaint, you should report the incident to the County Attorney.

The County prohibits retaliation against an employee for filing a complaint under this policy, for exercising rights given to you under federal, state, or local laws, or for assisting in a complaint investigation. If you perceive retaliation for making a complaint or your participation in the investigation, please follow the complaint procedure outlined above. The situation will be investigated.

If the County determines that an employee's behavior violates this policy, appropriate disciplinary action will be taken, up to and including termination of employment.

## 1.02 Ethics and Conduct on the Job

We expect county employees to be ethical in their conduct, while engaged in county business. The County requires employees to carefully follow all laws and regulations, and have the highest standards of conduct and personal integrity. Our continued success depends on the publics' trust. Employees owe a duty to the County to act in ways that will earn us the continued trust and confidence of the public. We expect all employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and not do anything that is illegal, dishonest, or unethical.

If you are not sure if an action is illegal, unethical, or improper, you should discuss the matter openly with your supervisor. If necessary, you may also contact the Human Resources Department or County Manager for advice and consultation. It is the responsibility of every county employee to comply with the policy of ethics and conduct on the job.

## 1.03 Personal Relationships in the Workplace

When relatives or persons involved in a dating relationship work in the same area of the County, it may cause problems at work. In addition, claims of favoritism, morale issues, and personal conflicts from the outside can sometimes carry over to work.

For this policy, we define a relative as any person who is related to you by blood or marriage, including an employee's spouse, domestic partner, partner to a civil union, children, mother, father, mother-in-law, father-in-law, grandparents, brothers, sisters, in-laws, aunts, uncles, nieces, nephews or step-relatives. We define a dating relationship as a relationship that might reasonably be expected to lead to a consensual romantic or intimate relationship. This policy applies to all employees regardless of their gender or sexual orientation.

The policy is that an employee may not directly work for a relative or supervise a relative. We also do not allow a person in a dating relationship to work for the other person in that relationship or to supervise the other person. The department head may waive this policy, with approval from the BOCC, if the relative or person in a dating relationship is shown to be the most qualified individual for the position. To avoid any possible conflict of interest, a person must not participate in or vote on decisions related to the retention, promotion, demotion, compensation, or benefits of a family member or a person in a dating relationship. The foregoing restrictions do not preclude the referral of related persons or a person in a dating relationship.

If two employees become relatives or start a dating relationship and one of them supervises the other, the one who is the supervisor is required to tell management about the relationship. At the discretion of the BOCC, they may ask the two employees to decide which one of them is to be transferred to another available position or make other accommodations. If they do not make that decision within 30 calendar days, the BOCC may decide that one will be transferred or, if necessary, terminated from employment.

## 1.04 Conflicts of Interest

The County has guidelines to avoid real or potential conflicts of interest. It is your duty as an employee of the County to abide by the following guidelines about conflicts of interest. If this is not clear to you or if you have questions about conflicts of interest, contact the Human Resources Department, County Manager, or County Attorney

What is a conflict of interest? An actual or potential conflict of interest is when you are in a position to influence a decision or have business dealings on behalf of the County that might result in a direct or indirect personal gain.

A county official or employee who has any financial interest, whether direct or indirect, in any business or
entity participating in a contract, purchase, payment, or any other financial transaction with the County shall
not participate in any decision or attempt to influence the decisions of other employees relating to that business or entity. Failure to disclose a conflict of interest may be grounds for immediate dismissal and the
employee may be charged in accordance with Colorado Statutes.

We do not automatically assume there is a conflict of interest if you have a relationship with an individual or organization doing business with the County. However, if you have any influence on transactions involving a permit, contract, purchase, payment, or any other financial transaction, you must tell the Human Resources Department or County Manager as soon as possible. By telling us there is the possibility of a conflict of interest, we can set up safeguards to protect everyone involved.

The possibility for personal gain is not limited to situations where you or your relative has significant ownership in an organization with which the County does business. Personal gains can also result from situations where you or your relative receive a kickback, favor, bribe, substantial gift, or special consideration as a result of a transaction or business dealing involving the County. Personal or outside interests or relationships must not influence employees to the detriment of the County. Employees must not accept gifts that have a value greater than $65 from any single entity or person in the course of one calendar year that might tend in any way to influence you in the performance of your duties.

## 1.06 Outside Employment

Employees of the County may take outside jobs if:

1. There is no conflict with assigned working hours,
2. The employee's ability to perform his/her regular duties is not affected, and
3. There is no conflict of interest.

We hold all employees to the same performance standards and scheduling expectations regardless if they have other jobs or not. Employees may not engage in outside business activities during their regular county working hours. All employees shall be required to notify their immediate supervisor of the acceptance of outside employment and its nature. If in the opinion of the employees' department head, the employee violates one or more of the above conditions, we will consider it a conflict of interest.

## 1.07 Job Posting

Our job-posting program provides an opportunity for you to express interest in an internal job opening concurrently with soliciting applicants from the public. The County posts all full-time and part-time job openings internally.

Job openings will be internally posted for five business days and will include pay, benefits information, and how to apply. To be eligible to apply for a posted job, you must generally have performed competently for at least 180 calendar days in your current position. You may not be eligible to apply for a posted job if you have a written warning on file, or are on probation or suspension. The County does not have to consider applications submitted by individuals who do not possess the required skills, competencies, and qualifications for the position.

## 2.01 Employment Categories

It is important that you understand the definitions of the employment classifications at the County and know your classification. The reason is that your employment classification helps determine your employment status and the benefits you are eligible to receive. If you have questions or are not sure what your employment classification is, see your department head or contact the Human Resources Department.

These employment classifications do not guarantee employment with the County for any specific period of time. Depending on your job, you are classified as either NON-EXEMPT or EXEMPT underfederal and state wage and hour laws, and are further classified for administrative purposes, such as the administration of fringe benefits like paid vacation or holidays. Eligibility for participation in the County's group health plan is governed by the terms of the plan documents as well as applicable law. To obtain a copy of the Summary Plan Description or to discuss whether you are eligible to participate in the County's group health plan, please contact the Human Resources Department. The following classifications are used throughout this Handbook.

**Exempt Employees**

Exempt employees are employees whose job assignments meet specific tests established by the federal Fair Labor Standards Act (FLSA) and state law and who are exempt from minimum wage and/or overtime pay requirements.

**Non-exempt Employees**

Non-exempt employees are employees whose job positions do not meet FLSA or applicable state exemption tests, and who are not exempt from minimum wage and/or overtime pay requirements. Nonexempt employees shall be paid time and one-half of their regular rate of pay for any work in excess of: (1) forty hours per workweek; (2) twelve hours per workday, or (3) twelve consecutive hours without regard to the starting and ending time of the workday (excluding duty free meal periods), whichever calculation results in the greater payment of wages.

In addition to being a non-exempt or exempt employee, you also belong to one of the following employment categories:

**Full-Time Employees**
Full-time employees are those who are normally scheduled to work a schedule of 30 + hours per week. In most cases, full-time employees are eligible for all county benefit programs, subject to the terms, conditions, and limitations of each benefit program.

**Part-Time Employees**
Part-time employees are those who are normally scheduled to work fewer than 30 hours per week. Part-time employees may be assigned a work schedule in advance or may work on an as-needed basis. Part-time employees may be eligible for some county benefit programs, subject to the terms, conditions, and limitations of each benefit program.

**Temporary Employees**
Temporary employees are those who are employed for short-term assignments. Temporary employees are generally hired to temporarily supplement the workforce or assist in the completion of a specific project. These temporary employment assignments are of limited duration. Temporary employees may be classified as exempt or nonexempt on the basis of job duties and compensation. Temporary employees may be eligible for some county benefit programs, subject to the terms, conditions, and limitations of each benefit program and are provided with benefits required by applicable law.

**On-Call Employees**
On-call employees work for a limited period of time, working the hours and/or shifts assigned. The employee generally works less than 15 hours per week or 780 hours per year. On-call employees are provided with benefits required by applicable law. On-call employees are not eligible for other county benefit programs.

**Seasonal Employees**
Seasonal employees work for a limited period of time, referred to as a season (summer season, winter season, shoulder season, etc.) working the hours and/or shifts assigned. Seasonal employees are scheduled to work less than 26 weeks during a calendar year or work less than 181 days during a calendar year. Seasonal employees are provided with benefits required by applicable law. Seasonal employees may be eligible for some county benefit programs, subject to the terms, conditions, and limitations of each benefit program.

## 2.02 Personnel Records

The Human Resources Department keeps a personnel file as a record of your employment. This record needs to be up-to-date and complete. This enables us to reach you in an emergency, forward your mail, and properly maintain your insurance and other benefits. It also helps keep track of your payroll deductions and many other things that concern you as an individual.

Notify the Human Resources Department immediately if you have changes in any of the following areas: Name, residence, telephone, personal email address, marital status, insurance changes, tax exemptions, person to notify in case of an emergency, and other relevant information.

Additionally, you should notify the Human Resources Department if you complete educational or training courses. This information may be considered with your other employment records as job opportunities arise in the County.

If you want to look at your file or discuss it with someone, contact the Human Resources Department.

## 2.03 Data Disposal Policy

During the course of your employment, the County will collect certain information that is classified as "personal identifying information," or PII, under applicable laws. Such information may include, but is not limited to:

- Your first and last name or initials;
- Username(s) and password(s);
- Social security number;
- Driver license or other identification card number;
- Medical documentation;
- Biometric data;
- And more.

The County may keep these records in paper and/or electronic format.

When such documentation is no longer needed, pursuant to records retention requirements and best practices, the County will either (a) destroy the records or (b) arrange for their destruction, e.g. by shredding, erasing, or otherwise modifying the personal identifying information in such a manner as to render it unreadable or indecipherable through any means.

## 2.04 Performance Appraisal

We encourage you and your department head and/or supervisor to discuss job performance and goals on an informal, regular basis. In addition, you and your department head and/or supervisor may conduct formal performance appraisals.

Performance appraisals are to be conducted by your elected official, department head, and/or supervisor and reviewed by the appropriate elected official or department head. Procedures for performance appraisals are at the discretion of the elected official.

## 2.05 Campaign Related Activity

The BOCC encourages county employees to participate in matters of responsible citizenship and does not intend to interfere with the conduct of county employees engaged in political activity, so long as the activities are confined to hours when the employee is not on duty and further provided that the activities do not impair the employee's efficiency at their particular job with the County.

Employees whose principal employment is in connection with federally financed activities are subject to the following federal requirements as a condition of such employment as it is outlined in the Hatch Act:

1. Covered employees may not use their official authority or influence for the purposes of interfering with or affecting the results of elections or nominations for office.
2. In addition, they may not directly or indirectly coerce, attempt to coerce, command, or advise other covered employees to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for political purposes.

Any county employee may be a candidate for a partisan political office unless the employee's salary is fully funded by federal dollars and provided the involvement does not interfere or present a conflict of interest with his or her job. If involvement is necessary during normal working hours, the individual must take authorized leave. Employees are also prohibited from using county facilities for partisan campaign activities during or after county office hours.

Political beliefs, activities, and affiliations are the private concern of the employee. An employee's work status is not affected by participating or not participating in lawful civic and/or political activities. See your department head or the Human Resources Department for additional policy information.

Additional guidance on this topic can be found in the County's Administrative Policy Manual.

## 3.01 Employee Benefits

The County currently offers many different insurance plans for eligible employees. Employment benefits vary according to the employment classification and status of the employee. To receive certain benefits, eligible employees may be required to meet participation requirements and pay required premiums and other contributions. The County complies with all applicable federal and state laws regarding the provision of benefits to same-sex spouses, domestic partners, and couples in a civil union.

Benefit plans offered by the County are defined in legal documents such as insurance contracts and summary plan descriptions. In the event information in this Handbook or other employee communication conflicts with the actual terms and conditions of coverage, the plan documents will control. Benefits described in this Handbook, including the types of benefits offered and/or the requirements for eligibility of coverage, may be modified or discontinued from time to time at the County's discretion as permitted by law. The County and its designated benefit plan administrators reserve the right to determine eligibility, interpretation and administration of issues related to benefits offered by the County.

Employees will have an opportunity to make changes to their benefits selections during San Miguel County's annual open enrollment period. Employees who experience a qualifying life event such as marriage, divorce, or the birth of a child will also be allowed to make a change in their benefits selection when that event occurs, in accordance with the terms of the plan document. In the event you take a personal or other leave of absence, please consult Human Resources to determine the impact the leave may have upon your benefits, including eligibility and/or making any required premium payments.

The County provides eligible employees with many benefits. Some benefits are required by law and cover all employees. The legally required benefits include Social Security, Medicare, workers' compensation insurance, unemployment insurance, and paid sick leave per state law. Several factors determine whether you are eligible for a benefit. One important factor is your employment classification (See Section 2.01 for Employment Classification). Benefits will accrue from the employee's date of hire, based on seniority. See your department head or the Human Resources Department to find out which benefit programs you are eligible to receive.

This employee handbook describes many of the current benefit programs. You may have to pay part or all of the cost for some benefits but the County fully pays for many of them.

## 3.02 Vacation Time

The County currently offers vacation time off with pay to eligible employees. Full-time and part-time employees working 20+ hours per week are eligible for paid vacation time. The accrual rate varies based on an employee's FTE status. Vacation time equivalent to six workdays will be available to a new employee after the completion of SIX MONTHS of continuous employment. Vacation time will begin to accrue for an employee from their hire date at the rate which corresponds to their length of employment per pay period. The current rates of accrual and maximum accruals are as follows and are prorated if an employee works less than 40 hours per pay period:

| 40 hrs. | Vacation/PP | Maximum Vacation Accrual |
|---|---|---|
| **0 mo. - 5yrs** | 3.70 hrs. | 192 hrs. |
| **6yrs - 10yrs** | 5.55 hrs. | 288 hrs. |
| **11+yrs** | 7.40 hrs. | 384 hrs. |
| | | |
| **35 hrs.** | **Vacation/PP** | **Maximum Vacation Accrual** |
| **0 mo. - 5yrs** | 3.24 hrs. | 168 hrs. |
| **6yrs - 10yrs** | 4.86 hrs. | 252 hrs. |
| **11+yrs** | 6.48 hrs. | 336 hrs. |
| | | |
| **30 hrs.** | **Vacation/PP** | **Maximum Vacation Accrual** |

| | | |
|---|---|---|
| **0 mo. - 5yrs** | 2.77 hrs. | 144 hrs. |
| **6yrs - 10yrs** | 4.16 hrs. | 216 hrs. |
| **11+yrs** | 5.54 hrs. | 288 hrs. |
| | | |

If working 20+ hours please reach out to the Human Resources or Finance depertment for accrual amounts.

One (1) day is proportionate to 1/5 of the regularly scheduled hours in a workweek. If the total amount of your unused vacation time reaches the "maximum accrual" amount, you will temporarily stop accruing vacation time. The "maximum accrual" amount is two times the annual vacation amount that you are eligible to accrue. When you take vacation time and your total accrued amount falls below the cap, you will start accruing vacation time again.

Requests for vacation approval must be submitted to your department head well in advance of the dates requested to permit proper scheduling of work within each department.

To accrue vacation for any given pay period, the employee must have recorded time which may include vacation, comp time, personal days, and/or sick time for paid hours for the current pay period. If an employee takes more than 7 work days of unpaid time off, with the exclusion of individuals on FMLA, vacation and sick time accruals will not be earned. Vacation time may not be used in the same pay period that it is earned. You will be paid for vacation time off at your base pay rate as of the time of the vacation.

Employees will be paid up to the maximum accumulation of unused vacation days upon separation from county service of employment.

Paid vacation time will not be used in the calculation of overtime.

### 3.03 Personal Time

Full-time and part-time employees, working 20+ hours per week shall be granted four (4) days paid leave at the rate which corresponds to the employee's schedule from their initial eligibility date. Personal time can be used to attend to personal business, bereavement, or any other purpose as determined by the employee. The use of personal time requires prior approval from your department head. Personal leave is granted on an annual basis and is calculated from the employee's anniversary date. Unused personal leave cannot be rolled over into a new eligibility period and there is no payment for unused personal leave upon the employees' separation from employment (either voluntary or involuntary).

| 40 hrs. | Personal Days |
|---|---|
| | 32 hrs./ 4 days |
| **35 hrs.** | **Personal Days** |
| | 28 hrs. / 4 days |
| **30 hrs.** | **Personal Days** |

| | |
|---|---|
| | 24 hrs. / 4 days |

If working 20+ hours please reach out to the Human Resources or Finance depertment for accrual amounts.

Paid Personal time will not be used in the calculation of overtime.

## 3.04 Holidays

The San Miguel County BOCC has currently designated eleven (11) paid official county holidays including one floating holiday to be designed each year. If specific job requirements deny the designated day, another day may be taken.

Full-time and part-time employees are immediately eligible for holiday time off with pay. Eligible employees will be paid for holiday hours proportionate to an employee's regularly scheduled hours in a work day not to exceed 8 hours. Holiday pay will be calculated at your base pay rate as of that holiday.

Paid holiday time will not be used in the calculation of overtime.

## 3.05 Workers' Compensation Insurance

County employees who have been injured while in the performance of their duties or who develop an occupational disease are entitled to benefits under the Colorado Worker's Compensation Act. Workers' compensation insurance is designed to pay for doctor's expenses as well as other related expenses incurred by employees due to work-related injuries or disease.

If employees are injured on the job, no matter how minor, they must notify as soon as they are able, and report in writing within 10 days after the injury. If medical treatment for an on-the-job injury is needed, it must be obtained from one of the County designated medical providers. If not, the employee may be responsible for the cost of medical treatment.

## 3.06 Paid Sick Time

Employees begin accruing sick time on the first day of work pursuant to the Healthy Families and Workplace Act (HFWA) The County provides paid sick leave to all employees. Employees with a 40 hour workweek can earn 3.70 hours of sick leave per pay period (PP). Pro-rated sick time for alternative workweek hours. There is no limit on the number of sick days that accumulate, however, sick leave may not be used in the same period it is earned.

Seasonal, temporary, on-call, and part-time (20 hours or less) employees accumulate sick time at the rate of 1 hour per 30 hours worked, up to 48 hours in a year.

| Hours per Work Week | Sick Time/PP |
|---|---|
| **40 hrs.** | 3.70 hrs. |

| | |
|---|---|
| **35 hrs.** | 3.24 hrs. |
| **30 hrs.** | 2.77 hrs. |

Sick leave is meant to provide income protection in case you or a family member becomes ill or is injured. It may not be used for any other absence. Sick leave shall be reported and paid at the employee's current rate of pay and may be used if an employee:

- has a mental or physical illness, injury, or health condition that prevents them from working;
- needs to get preventive medical care, or to get a medical diagnosis, care, or treatment, of any mental or physical illness, injury, or health condition;
- needs to care for a family member who has a mental or physical illness, injury, or health condition, or who needs to get preventive medical care, or to get a medical diagnosis, care, or treatment, of any mental or physical illness, injury, or health condition;
- the employee or the employee's family member having been a victim of domestic abuse, sexual assault, or criminal harassment, and needing leave for related medical attention, mental health care or other counseling, victim services (including legal services), or relocation; or
- due to a public health emergency, a public official having closed either (A) the employee's place of business, or (B) the school or place of care of the employee's child, requiring the employee needing to be absent from work to care for the child.

Paid sick leave may be used in one-hour increments.

Additional rules will apply in the case of a public health emergency.

If you cannot report to work because of an illness, injury, medical care, or domestic violence you are required to notify your supervisor and/or department head before the scheduled start of your workday, if possible. Your supervisor and/or department head must also be contacted on each additional day of absence or as they have directed you to report future sick days.

In the event you are absent for four or more workdays, medical or legal certification is required. This certification should indicate that you were unable to work due to medical or domestic violence reasons and the length of time this restriction lasted. If a holiday occurs during sick leave time, no sick leave shall be deducted for the holiday.

Paid sick time will not be used in the calculation of overtime.

Employers shall not retaliate against an employee for requesting or using paid sick leave.

**Employees hired before 3/1/2013:**

- After two (2) years of continuous service, upon separation from employment (either voluntary or involuntary), the terminating employee will be paid at the current regular rate of pay for 50% of unused accrued sick leave, up to 720 hours. [1]
- After fifteen (15) years of continuous service, upon separation from employment (either voluntary or involuntary), the terminating employee will be paid at the current regular rate of pay for 75% of unused accrued sick leave, up to 720 hours. [1]
- After twenty (20) years of continuous service, upon separation from employment (either voluntary or involuntary), the terminating employee will be paid at the current regular rate of pay for 100% of unused accrued sick leave, up to 720 hours. [1]

[1] *Grandfather status provides a payout cap, upon separation, up to 960 hours. Grandfathered employees are those individuals who have worked for 20+ years and/or have more than 90 accrued sick days, as of 9/30/2013. Upon initial eligibility and every year thereafter, in January and July, grandfathered employees will receive an option to accept a payout of sick days between 720 and 960 hours. If they accept the payout option, their sick time cap will permanently change to 90 days. Requests should be submitted in writing to the Human Resources Department.*

**Employees hired on or after 3/1/2013:**

- After ten (10) years of continuous service, upon separation from employment (either voluntary or involuntary), the terminating employee will be paid at the current regular rate of pay for 50% of unused accrued sick leave, up to 720 hours.
- After fifteen (15) years of continuous service, upon separation from employment (either voluntary or involuntary), the terminating employee will be paid at the current regular rate of pay for 75% of unused accrued sick leave, up to 720 hours.
- After twenty (20) years of continuous service, upon separation from employment (either voluntary or involuntary), the terminating employee will be paid at the current regular rate of pay for 100% of unused accrued sick leave, up to 720 hours.

After accruing a minimum of 45 sick leave days, an employee may elect to convert excess sick leave at a ratio of 2:1 for vacation leave. Use of vacation leave so converted will be authorized only with prior approval of the elected official or department head. This request for conversion must be made in writing for either the January or July payrolls only and submitted to the Human Resources Department.

## 3.07 Time Off to Vote

The County supports employees who are citizens to vote in elections. If it is impossible for you to vote before work or after work, you will be granted up to 2 hours of paid time off to vote during the beginning or end of your work shift, unless there are three or more nonworking hours between the opening and closing of the polls. If you need time off to vote, see your department head for the time off at least two days before Election Day.

## 3.08 Jury Duty

Employees shall be compensated for time served on jury duty. The County recognizes jury duty as a civic responsibility of everyone. When summoned for jury duty, an employee will be granted leave to perform their duty as a juror. If the employee is excused from jury duty during their regular work hours, they are expected to report to work promptly.

Employees will receive regular pay for the first three days of jury duty if they were scheduled to work and they provide confirmation of juror service. Beginning on the fourth day, employees as jurors are paid $50.00 per day by the State of Colorado for the state, district, or county court jury duty. For jury duty in excess of three days, employees receive the difference between jury duty pay and their regular pay up to a maximum of ten days (80 hours). Jury duty leave beyond this time is without pay from the County.

## 3.09 Health Insurance

Our health insurance plan currently offers medical, prescription, dental, and vision care benefits to eligible employees (full-time, 30 + hours) and their eligible dependents. On the first day of the month following one full month of employment, a qualified employee is eligible to participate in the County's group health insurance plan. Details of coverage are outlined in the Summary Plan Description (SPD), which is provided to each eligible employee, at their new hire orientation or upon becoming newly eligible. If you have questions about our health insurance plan, contact the Human Resources Department for more information.

## 3.10 Wellness

The intent and purpose of the San Miguel County Wellness Committee is to provide activities and resources that encourage a culture of health and wellness in the workplace, improving the quality of life and reducing health care expenses for all employees. The County does offer various wellness options to eligible employees and their immediate family. Full-time and part-time employees can participate and have access to wellness program options on the first day of the month following one full month of employment. For more information about the County's wellness options, contact the Human Resources Department. The Committee will promote the health and wellness of staff through education and initiatives that:

1. Encourage habits of wellness
2. Increase awareness of factors and resources contributing to the well-being
3. Inspire and empower individuals to take responsibility for their own health
4. Support a sense of community

The Committee shall meet as often as reasonably required as determined by the Committee or upon request by the County Manager. The Committee shall consist of no more than seven members, each of which shall be appointed by the County Manager and reflect the following membership:

1. Any interested employee will be considered at the discretion of their supervisor
2. The County Manager may interview employees before appointing members

3. The term of the committee members shall be one to two years, to provide continuity.

### 3.11 Life Insurance

The County currently provides a basic term life insurance policy to each full-time employee working 30+ hours per week. The basic life insurance plan includes Accidental Death and Dismemberment (AD&D) insurance. AD&D provides benefits in case an accident causes a serious injury or death. Eligible employees may also currently purchase additional supplemental life insurance for themselves and their spouses. Eligible employees will be provided with basic term life insurance on the first day of the month following one full month of employment.

There are more details about the basic life insurance plan and supplemental options in the Summary Plan Description. If you have questions about the County's life insurance plan, contact the Human Resources Department for more information.

### 3.12 Parental Leave

A full-time or part-time employee who becomes pregnant, whose partner becomes pregnant, or who adopts a child will be granted one week of paid leave for each year worked, up to five years, for a maximum of five weeks. The employee must be employed for at least one year to be eligible. Pay will be provided at the employee's current rate of base pay at the time of leave and will not include overtime or commissions. Part-time employees receive a pro-rate amount based on weekly schedule.

For non-birthing parents, parental leave is to be taken immediately following the birth or adoption of the child and run concurrently with the Family and Medical Leave Act (if eligible).

For birthing parents that are eligible for this leave it will run concurrently with FMLA (if eligible), and paid parental leave will begin at the end of any STD benefit and/or at the end of medical recovery from child birth as defined by their Physician.

Contact the Human Resources department to request leave.

### 3.13 Long-Term Disability

The County currently offers long-term disability (LTD) benefits to full-time employees working 30+ hours per week. LTD benefits will be provided to eligible employees on the first day of the month following one full month of employment. LTD benefits are paid to employees who have a long-term absence due to an illness or injury and cannot work.

A disability income policy, for periods of disability of more than 90 days, is provided to each employee at no cost subject to the policy conditions. There are more details in the LTD Summary Plan Description including income benefits, limits, and restrictions. This benefit is not available to spouses and dependents.

The LTD benefit terminates on an employee's last day of employment or upon changing to an employment classification that would no longer make you eligible. If you have questions about LTD benefits, contact the Human Resources Department for more information.

## 3.14 Colorado Retirement Association (CRA) Retirement Plans

**401(a) Retirement Plan** – Full-time and part-time employees, working 30+ hours per week are required to participate in the 401(a) plan. A 5% pre-tax payroll contribution, from the employee, will receive a 100% match, from the County, under the following vesting schedule. Employee contributions are always 100% vested. Employees age 55 or older are 100% vested from the date of hire.

| Years of Service Completed | Employer Vesting* Schedule |
|---|---|
| Through 1 year | 0% |
| Through 2 years | 25% |
| Through 3 years | 50% |
| Through 4 years | 75% |
| Through 5 years | 100% |

* Vesting refers to your ownership of employer contributions to your account. You are always 100% vested in the contributions that you make each pay period.

**457 Deferred Compensation Retirement Plan** – Full-time and part-time employees, working 20+ hours
per week are eligible to defer compensation from pay at any time after their date of hire. You have the option to contribute to a regular (pre-tax) and/or ROTH (post-tax) plan, up to the annual maximum limit set by the IRS each year.

**457 Deferred Compensation County Participation Retirement Plan** – Full-time and part-time employees, working 20+ hours per week on a regular basis, for five years or more, are eligible to participate in the County Participation portion of the 457 Deferred Compensation Retirement Plan. Eligible employees have the option of having an additional 1%, 2%, or 3% of their compensation withheld and deposited into the CRA 457 Deferred Compensation Retirement Plan. The County will increase the annual compensation for those employees electing to have an additional 1%, 2%, or 3% of their compensation withheld, by .5%, 1%, or 1.5% (an amount equal to one-half of their optional contribution.)

There are more details about our CRA Retirement Plans in the Summary Plan Description. If you have questions about any CRA Retirement Plans, contact the Human Resources Department for more information.

## 3.15 Social Security

San Miguel County is a Social Security employer. The County matches the required employee deduction and makes the necessary deposits through the payroll process.

## 3.16 Employee Assistance Program

The County recognizes there may be times when employees need professional help with personal or family matters. This benefit provides confidential counseling, paid by the County, to employees and their families to assist with various life issues such as relationship problems, coping with change, grief, anger management, alcohol or drug dependencies, depression, work stress, domestic violence, and legal and financial issues. All employees are currently eligible for this benefit on the first day of the month following one full month of employment. Employees, their spouse, and dependent children under 26 years of age are eligible for up to six free counseling sessions, per incident, per year. If you have questions about the EAP program, contact the Human Resources Department for more information.

## 3.17 Flexible Spending Account (FSA)

The County currently provides eligible employees the opportunity to participate in a Flexible Spending Account (FSA) program. Full-time employees, working 30+ hours per week, are eligible for this program, on the first day of the month following one full month of employment. The opportunity to participate in the FSA plan is provided at your initial eligibility and the beginning of every calendar year thereafter. By electing to pay for some medical, dependent daycare, and transportation expenses with pre-tax dollars, you can reduce your taxes and increase your net take-home pay.

You can only contribute to the FSA by having the money taken directly out of your pay before taxes. If you do not use all the money in your FSA by the end of the plan year, you will lose that money; so you do not want to contribute more than you expect you will need.

There are more details about the FSA program in the Summary Plan Description. If you have questions about the FSA program, contact the Human Resources Department for more information.

## 3.18 Education and Training

Upon approval by your department head, the County may pay the expenses of an employee to attend a class or series of classes, which are directly job-related. In such instances, the primary consideration is the benefit that the County will gain by having the employee attend the classes. Approval for education and training of more than one week may be granted after review by the BOCC.

## 3.19 Tuition Reimbursement Program

The County supports our staff who wish to continue their professional development and continued learning to help better provide their chosen service to the County, to our citizens, and to personal growth. The SMC Tuition Reimbursement Program will allow for financial assistance to make those SMC employees' goals and/or objectives a reality.

In keeping with this philosophy, the County has established a SMC Tuition Reimbursement Program for expenses incurred by employees who pursue further education through approved institutions of learning. Educational pursuits are not required to be job-related. SMC will provide up to $3,000 per calendar year in tuition reimbursement. If you satisfy the following requirements, you are eligible for participation in this program. This program is subject to SMC Annual budget and appropriation each fiscal year.

Please contact Human Resources for additional information and requirements for this program.

## 4.01 Timekeeping

To provide sufficient time for the calculation of earnings, deductions, and net pay, department heads shall ensure that appropriate time sheets and payroll reporting forms are submitted to the Finance Department, per the provided schedule.

Non-exempt employees are responsible for accurately recording time worked. "Time worked" means all the time (hours) non-exempt employees spend performing their assigned work. If you are a non-exempt employee, you must accurately record time worked, vacation, sick, personal time and when you leave the workplace for emergencies or personal reasons. Before you work any overtime you must always get advance approval from your supervisor or Department Head.

Exempt employees are responsible for accurately recording time worked if the employee is using vacation, sick, or personal time.

These records are used by the County to calculate employee pay and paid time off balances. It is very important that they are accurate and complete. Non-exempt employees are expected to submit accurate and complete time records reflecting all hours worked. Employees who also chose to keep their own personal time records must provide them to the County if they find a discrepancy between the County records and their records.Employees should contact their supervisors with any questions about how their pay is calculated. Employees must promptly notify their supervisors of any mistakes in their time records or pay. Employees also must notify Human Resources if they perceive that anyone is interfering with their ability to record their time accurately and completely. All reports will be investigated and appropriate corrective action will be taken. The County will not tolerate retaliation against employees for making a report or participating in an investigation.

## 4.02 Paydays

Employees are paid on a biweekly basis for a 14-day Pay Period (PP) with a payday every other Friday. If a payday falls on a holiday, you will be paid on the last workday before that scheduled holiday.

The County has a direct deposit program. Direct deposit means that we will deposit your pay directly into your bank account, subject to banking provisions and with your prior authorization. On paydays, instead of a check, you will receive an email with yourpaystub explaining how much you were paid including a detailed breakdown.

## 4.03 Pay Deductions

Only prior authorized and/or mandatory payroll deductions will be made from each employee's payroll check. The following deductions are mandatory:

- Federal & State Withholding Taxes
- Social Security and Medicare Taxes
- Retirement Plan (when eligible)
- Any monies owed to the County
- Any other deduction mandated by the County

The County may also be required to take a "pay setoff" from your paycheck. Pay setoffs mean that the County must deduct money from your paycheck to pay off a debt owed to the County or other entity. The employee must sign a payroll deduction authorization form prior to the deduction being taken out of pay.

If you want to know more about how your pay is calculated, see your department head or contact the Finance Department.

## 4.04 Administrative Pay Corrections

The County tries to make sure you are paid correctly and on scheduled paydays. If you find a mistake in your pay, contact the Finance Department immediately so the error can be corrected.

**Pay for Exempt Employees**

Exempt employees must be paid on a salary basis. This means exempt employees will regularly receive a predetermined amount of compensation each pay period on a weekly basis. The County is committed to complying with salary basis requirements which allows properly authorized deductions.

If you believe an improper deduction has been made to your salary, you should immediately report this information to Human Resources. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will promptly be reimbursed.

## 4.05 Separation from Employment

We request that employees who wish to resign their positions notify the County of their anticipated departure date and attend an exit interview to discuss various separation matters such as the conversion of insurance, return of the property, delivery of final paycheck, etc. Employees may be considered for re-employment provided they qualify for the position of interest and while they were employed with the County maintained satisfactory performance and attendance.

## 4.06 Credit Union

County employees and their families are eligible to join the Credit Union of Colorado. If you have questions about the Credit Union of Colorado, contact the Finance Department for more information.

## 5.01 Work Schedules

All county offices shall be kept open for the transaction of county business on the days and during the hours designated by the BOCC. The BOCC may authorize elected officials and department heads to establish hours of work that differ from the standard for an entire department, for specified units, or individual employees to meet special program needs or workloads.

Additional guidance on this topic can be found in the County's Administrative Policy Manual.

## 5.02 Rest Periods

Employees are typically provided with a fifteen (15) minute paid break for every four hours in a workday. See your elected official or department head regarding established break policies in your department or contact the Human Resources Department

## 5.03 Overtime - Compensatory Time

The elected official or department head (designee) in each office or department will be responsible for accurate records concerning overtime and compensatory time earned and taken, by non-exempt employees. All hours worked more than a non-exempt employee's normally assigned workweek must be authorized in advance by the appropriate designee.

Overtime pay will be paid at the rate of one and one-half times (1-1/2) the non-exempt employees' current regular rate of pay for hours worked more than 40 hours in a workweek. The standard workweek for all employees will start on a Sunday, at 12:00 am, and end on the following Saturday, at 11:59 pm, unless otherwise established by your designee.

Compensatory time will be granted at the rate of one and one-half (1-1/2) hours off for each hour worked more than 40 hours in a workweek, and may be accumulated up to a maximum of 240 hours (160 hours of actual overtime work).

Non-exempt employees who have accrued compensatory time and requested the use of that time must be permitted to use the time off within a reasonable period after requesting if it does not unduly disrupt county operations, as determined by the employee's supervisor.

## 5.04 Use of Vehicles

Vehicles essential in accomplishing your job duties are expensive and may be difficult to replace. When using county property, you should be careful and follow all operating instructions, safety standards, and guidelines.

Tell your supervisor if any vehicle appears to be damaged, defective, or in need of repair and/or maintenance. When you promptly report damages, defects, and the need for repairs, you can prevent the deterioration of equipment and possible injury to employees or other people.

The improper, careless, negligent, destructive, or unsafe use or operation of any county vehicle will not be tolerated. Employees using a vehicle owned or leased by San Miguel County may not use the vehicle for personal purposes, other than for approved commuting or de minimis personal use.

Additional guidance on this topic can be found in the County's Administrative Policy Manual.

## 5.05 Communication Systems and Equipment

Communication Systems
The County's computer network, access to Internet, e-mail and voice mail systems are business tools intended for employees to use in performing their job duties. Therefore, all documents and files are the property of the County. All information regarding access to the County's computer resources, such as user identifications, modem phone numbers, access codes, and passwords are confidential County information and may not be disclosed to non-County personnel.

All computer files, documents, and software created or stored on the County's computer systems are subject to review and inspection at any time. This includes web-based email employees may access through County systems, whether password protected or not. Employees should not assume that any such information is confidential, including e-mail either sent or received.

Computer equipment should not be removed from the County premises without written approval from a department head. Upon separation of employment, all communication tools should be returned to the County.

E-mail
E-mail is to be used for business purposes. While personal e-mail is permitted, it is to be kept to a minimum. Personal e-mail should be brief and sent or received as seldom as possible. The County prohibits the display, transmittal, or downloading of material that is offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or otherwise unlawful at any time. No one may solicit, promote, or advertise any outside organization, product, or service through the use of e-mail. Management may monitor e-mail from time to time. Employees should be aware that emails might be public records and subject to public disclosure.

Employees are prohibited from unauthorized use of encryption keys or the passwords of other employees to gain access to another employee's e-mail messages.

Voice Mail
The County's voice mail system is intended for transmitting business-related information. Although the County does not monitor voice messages as a routine matter, the County reserves the right to access and disclose all messages sent over the voice mail system for any purpose. Employees must use judgment and discretion in their personal use of voice mail and must keep such use to a minimum.

Additional guidance on this topic can be found in the County's Administrative Policy Manual.

## 5.06 Emergency Closings

There may be times when emergencies, such as severe weather, fires, or power failures disrupt normal business operations in the County. We may even have to close a work facility.

When we are officially closed due to emergency conditions, you may be paid for any full closure days. Pay for hours worked on a partial closure day will be in accordance with the Fair Labor Standards Act.

There may also be times when we ask employees in essential operations to work on a day when we are officially closed due to an emergency. If we ask you to work on a day when we are officially closed, you will be paid your regular pay. All emergency closures must be approved by the County Manager.

Additional guidance on this topic can be found in the County's Administrative Policy Manual.

## 5.07 Business Expenses and Reimbursements

County officials remain accountable to the public for all expenditures, therefore all costs incurred should be 'reasonable' and in the best interest of the County.

Employees who incur expenses in the conduct of county business, such as the use of a personal car, out-of-pocket miscellaneous expenses or other expenses while in attendance at approved meetings and conferences shall be reimbursed for such expenses in accordance with the policy established by the BOCC.

The County reimburses approved expenses such as travel, meals, lodging, and other expenses, in accordance with the San Miguel County Purchasing Policy. Expense and reimbursement policy questions should be directed to your elected official, department head, or the Finance Department before incurring said expenses. Records and receipts should be obtained by the employee to verify all expenses, except mileage. Failure to obtain necessary approvals or the inability to document expenditures may preclude reimbursement from the County. Expense reports and requests for reimbursement should be completed as soon as practical.

It is a very serious matter if you record false or misleading information on your expense report. You may not request reimbursement for expenses that you did not have or that were not business-related. See your department head or the Finance Department for additional policy information.

Additional guidance on this topic can be found in the County's Administrative Policy Manual.

## 5.08 Workplace Violence Prevention

We are committed to preventing workplace violence and making the County a safe place to work. This policy explains our guidelines for dealing with intimidation, harassment, violent acts, or threats of violence that might occur during business hours or on our premises at any time.

You are expected to treat your co-workers, including supervisors and temporary employees, with courtesy and respect at all times. You should not fight, play tricks on others, or behave in any way that might be dangerous to other people. We do not allow firearms, weapons, and other dangerous or hazardous devices and substances on the premises of the County unless written permission is provided from the County Facilities Manager (County Manager) for a specific event.

Employees must not engage in intimidation, threats, or hostile behavior, physical/verbal abuse, vandalism, arson, sabotage, bullying, coercion of another employee, a customer, or a member of the public, or any other act, which in the County's opinion is inappropriate in the workplace.

You should immediately report a threat of violence or an act of violence by anyone to your department head or another member of management. If you report a threat of violence, give every detail possible. Be sure any suspicious person or activity is immediately reported to a department head. Do not place yourself in danger. If you see or hear trouble or a disturbance near your work area, do not try to see what is happening or try to stop it.

We will investigate all reports of violent acts or threats of violence. We will also investigate all suspicious people and activities. We will protect the identity of any person who makes a report when possible. When employees are found to have engaged in the above conduct, management will take action that it believes is appropriate.

If you are having a dispute with another employee, we encourage you to talk it over with your department head or the Human Resources Department. The County wants to help you work out problems before they become more serious and possibly violent.

*Workplace bullying is repeated mistreatment through verbal abuse, offensive conduct/behaviors and work interference. If you feel you are subject to workplace bullying please contact human resources.*

**Weapons:**

Pursuant to the Board of County Commissioner Resolution 1997-35, possession and/or use of a Deadly Weapon on or within County Property is prohibited, except for peace officers or other duly authorized county official or employee.

"Deadly Weapon" means a firearm, whether loaded or unloaded, or a knife, bludgeon, or any other weapon, device, instrument, material, or substance, whether animate or inanimate, that, in the manner it is used or intended to be used, is capable of producing death or serious bodily injury.

"County Property" means any property owned or leased by San Miguel County including but not limited to buildings, parks, and motor vehicles.

Employees have a reasonable expectation of privacy for their personal effects when on County Property. Authorized County staff may conduct searches for Deadly Weapons after notice is given and with the Employee's consent of Employee's personal effects. This may include, but is not limited to, lunch bags, boxes, purses, personal computers, packages, or vehicles. Authorized County staff may also conduct searches of the above items without Employee's consent if there is reasonable suspicion to believe that illegal activity is taking place on County Property and after obtaining a warrant to do so. Any illegal and unauthorized articles discovered may be taken into custody and will be turned over to law enforcement representatives.

Employees do not have a reasonable expectation of privacy with respect to County Property such as vehicles, lockers, desks, cabinets, or file drawers. Authorized County staff may conduct searches for Deadly Weapons in those areas without consent.

## 6.01 Leave Provisions

Any time off from an employee's assigned work schedule is to be reported to the appropriate elected official or department head. All requests for leave shall be made in writing or via email in advance of the requested date(s) to be taken except requests for sick leave and injury leave, which shall be made as soon as reasonably possible to the appropriate elected official or department head. All scheduled time off is subject to the continuance of necessary public service as determined by the elected official or department head..

## 6.02 Family Medical Leave Act (FMLA)

The County provides up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- Incapacity due to pregnancy, prenatal medical care, or childbirth.
- To care for the employee's child after birth, placement for adoption, or foster care.
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition.
- A serious health condition that makes the employee unable to perform the employee's job.

*Military Family Leave Entitlements*

Eligible employees with a spouse, son, daughter, or parent on active duty or called to active duty status in the Armed Forces, National Guard, or Reserves may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period before the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

*The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".

*Benefits and Protections*

During FMLA leave, the County maintains the employee's health coverage under any group health plan on the same terms as if the employee had continued to work. Employees must continue to pay their portion of any insurance premium while on leave. If the employee is able but does not return to work after the expiration of the leave, the employee will be required to reimburse the County for payment of insurance premiums during leave.

Upon return from FMLA leave, most employees are restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Certain highly compensated employees (key employees) may have limited reinstatement rights.

Use of FMLA leave will not result in the loss of any employment benefit that accrued before the start of an employee's leave. Sick and vacation time will accrue in accordance with the existing county policy. Holiday pay will not be granted while on FMLA leave, but the time will not count against your leave. The employer's jury duty pay will not be granted while an employee is on FMLA leave.

*Eligibility Requirements*

Employees are eligible if they have worked for the County for at least 12 months, and 1,250 hours over the previous 12 months.

*Definition of Serious Health Condition*

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents a qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive full calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

*Use of Leave*

The maximum time allowed for FMLA leave is either 12 weeks in the 12-month period as defined by the County, or 26 weeks as explained under the Military Family Leave Entitlements. A 12-month period is defined as the period measured forward from the first day of an employee's leave.

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the County's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Employees taking intermittent or reduced schedule leave based on planned medical treatment and those taking intermittent or reduced schedule family leave with the County's agreement may be required to temporarily transfer to another job with equivalent pay and benefits that better accommodates that type of leave.

*Substitution of Paid Leave for Unpaid Leave*
The County requires employees to use accrued paid leave, in the order of sick, vacation, and any other leave, while taking FMLA leave. To use paid leave while on FMLA leave, employees must comply with the County's normal paid leave policies. If an employee's leave of absence does not constitute paid leave as defined in the County's paid leave policies, the employee cannot use accrued paid leave but can take unpaid leave. FMLA leave is without pay when paid leave benefits are exhausted.

*Employee Responsibilities*
Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 day's notice is not possible, the employee must provide notice as soon as practicable and generally must comply with the County's normal call-in procedures.

Employees must provide sufficient information for the County to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the County if the requested leave is for a reason for which FMLA leave was previously taken or certified.

Employees also may be required to provide a certification and periodic recertification supporting the need for leave. The County may require second and third medical opinions at the County's expense. Documentation confirming the family relationship, adoption, or foster care may be required. If notification and appropriate certification are not provided promptly, approval for leave may be denied. Continued absence after denial of leave may result in disciplinary action in accordance with the County's attendance guideline. Employees on leave must contact the Human Resources Department at least two days before their first day of return.

*The County's Responsibilities*

The County will inform employees requesting leave whether they are eligible under FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the County will provide a reason for the ineligibility.

The County will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the County determines that the leave is not FMLA-protected, the County will notify the employee.

*Unlawful Acts*
FMLA makes it unlawful for the County to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA.
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

*Enforcement*
An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against the County. FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law, which provides greater family or medical leave rights.

## 6.03 Leave Not Covered Under FMLA

At their discretion, an elected official or department head may grant short-term leaves, for up to 10 working days. In each instance, tangible verification may be required.

The BOCC, with a favorable recommendation by the elected official or department head, may approve a long-term (up to four months) leave of absence, which may also include a temporary reduction in working hours for up to four months. The employee may remain on the County's health insurance at their expense during an approved non-FMLA leave of absence, subject to the terms, conditions, and limitations of the benefits program. This leave may be considered in conjunction with all or part of the Family Medical Leave as provided in Section 6.02.

## 6.04 Military Leave

If you are a member of the U.S. Armed Forces, Reserve, or National Guard, or you are performing other protected uniformed service, you are granted leave of absence when called for active or inactive duty training. Employees are entitled to 15 days of paid military duty leave per calendar year; time beyond 15 days will be unpaid unless you prefer to use your vacation. You may voluntarily do so if you make a request in writing to the Human Resources Department.

If you are inducted into a branch of the U.S. Armed Forces for an extended period, upon returning to the County after separation from military service, you may be re-employed in accordance with the applicable provisions of the Uniformed Services Employment and Reemployment Rights Act (USERRA).

The County prohibits retaliation against any employee for taking time off under this policy. If you have questions about military leave or USERRA, contact the Human Resources Department for more information.

**Domestic Abuse and Crime Victim Leave**

Employees subjected to domestic abuse or a victim of a crime may be eligible for a leave of absence. Please see the Human Resources Department for more information.

## 6.06 Attendance and Punctuality

We expect County employees to be reliable and punctual. In addition, regular attendance is considered an essential function and is necessary for the efficient operation of the business. You should report to work on time and as scheduled. If you cannot come to work or you will be late for any reason, you must notify your department head as soon as possible. Unplanned absences can disrupt work, inconvenience other employees, and affect productivity. A poor attendance record or excessive tardiness will not be tolerated.
Failure to call in when absent for two days may result in termination.

## 7.01 Drug and Alcohol Use

The County is committed to a safe, healthy, and productive work environment for all employees that is free from the effects of substance abuse. Abuse of alcohol, drugs, and controlled substances impairs employee judgment, resulting in increased safety risks, injuries, and faulty decision making. This includes working after the apparent use of marijuana, regardless of marijuana's legal status.

In accordance with the Drug-Free Workplace Act of 1988, the County prohibits the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance during County time, on County premises, or other work sites.

Any employee who is convicted or pleads guilty or no contest under a criminal drug statute for a violation occurring in the workplace must notify the County within five days of such conviction or plea. Employees who violate any aspect of this policy may be subject to disciplinary action up to and including termination. Please contact the Human Resources Department if you have any questions.

## 7.02 Problem Solving

Employees who disagree or are dissatisfied with a county practice should promptly discuss the matter with their department head or Elected Official, when appropriate. Normally, this discussion should be held within three to five days of the incident, or in a timely manner. Discussions held in a timely manner will enhance our ability to resolve concerns while it is fresh in everyone's mind. The majority of misunderstandings can be resolved at this level.

If the solution offered is not satisfactory, or if it is inappropriate to go to your department head, then employees are encouraged to take the problem to the Human Resources Department or County Attorney. Employees may submit a written complaint to the County Manager for review and final decision if the problem still cannot be resolved. Also, see EEO/Harassment Complaint Procedure in Section 1 of the Employee Handbook.

## 7.03 Return of Property

The County may provide you with property, materials, or written information to help you do your job. You are responsible for protecting and controlling any property you are given to do your job.

If you stop working at the County, you must return all county property, which you have in your possession, on or before your last day of work. Anyone losing a key to county premises will be required to notify the Clerk to the BOCC, reimburse the County for the cost of re-keying, including the replacement of the affected lock and all issued keys.

## 7.04 Appearance, Attire, and Hygiene

We are confident you will use your best judgment regarding attire and appearance. Your appearance and hygiene is a reflection on the County's character. Therefore, it is important for all of us to project a professional image while at work by being appropriately dressed. You are expected to be neat, clean and well groomed. Clothing must be consistent with the standards for your department, in most cases "resort casual". Departmental guidelines may require certain restrictions due to health and safety requirements at the direction of the department head or elected official.

## 7.05 Confidential Information

As an employee with San Miguel County, you may be the recipient of personal data, medical information and/or sensitive material, and other information which, in itself or by implication, is confidential or sensitive. If this occurs, please notify your supervisor immediately for direction. You will be responsible for not disclosing such information by any means unless directed by your supervisor to do so. You are responsible for the safekeeping of such information, documents and material; and for the handling of such information, material and documents so as to prevent their disclosure to unauthorized persons. You may have individual responsibility for the protection of all such information, documents and material in my possession no matter how acquired. You are not to disclose to anyone, after separating my employment with San Miguel County any confidential or sensitive information, documents or material of any kind obtained by me as a result of my association with San Miguel County without authorization from San Miguel County.

Any copying, reproducing, or distributing of confidential information in any manner must be authorized by management. Confidential information remains the property of the county and must be returned to the County upon separation or at any time upon demand.

## 7.06 Colorado FAMLI Program (Paid Family and Medical Leave)

The County has voted to opt-out of participating in the FAMLI state-run family leave program. All employees of the County have the ability to participate in FAMLI on an individual basis.

FAMLI provides benefits and protections, including partial income protection for eligible employees who are temporarily unable to work due to their or a family member's qualifying medical or legal reason, specifically, for the care of a newborn, adopted child, or fostered child; to care for a family member with a serious health condition; for the employee's own serious health condition; for qualifying military exigency leave; or to address safety needs or the impact of domestic violence and/or sexual assault. Partially paid leave is available for up to 12 weeks in a calendar year or up to 16 weeks under certain circumstances related to pregnancy and childbirth. For more information about this important state-facilitated program, including eligibility, required documentation, and process, please see famli.colorado.gov. Additionally, please see Human Resources to obtain additional copies of the required notices to employees of local government employers who have opted out of FAMLI that are distributed upon hiring.

## 7.07 National Incident Management System (NIMS)

In March of 2006 the San Miguel County Board of Commissioners (BOCC) adopted Resolution 2006-6 regarding the National Incident Management System and its concept of emergency planning and Unified Command as its system of preparing for and responding to disaster incidents. The National Incident Management system establishes a single, comprehensive approach to domestic incident management to ensure that all levels of government across the nation have the capability to work efficiently and effectively together using a national approach to domestic incident management.

As part of your duties as a county employee, you may be called upon to perform duties outside your day-to-day activities in order to support county emergency operations. All county employees are required to complete National Incident Management System (NIMS) training within their first 6 months of employment.

## 7.08 Safety/Reporting of Injury

If employees are injured on the job, no matter how minor, they must notify their supervisor and Human Resources as soon as they are able, and report in writing within 10 days after the injury. If medical treatment for an on-the-job injury is needed, it must be obtained from one of the County designated medical providers. If not, the employee may be responsible for the cost of medical treatment.

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# San Miguel County
## Employee Handbook

### ACKNOWLEDGMENT OF RECEIPT

I HAVE RECEIVED A COPY OF OUR EMPLOYEE HANDBOOK DATED ____________. I UNDERSTAND THAT THE HANDBOOK [INCLUDING ANY STATE-SPECIFIC SUPPLEMENT FOR THE STATE IN WHICH I WORK] PROVIDES A SUMMARY OF THE COUNTY GUIDELINES AND ITS EXPECTATIONS REGARDING MY CONDUCT. I UNDERSTAND I AM TO BECOME FAMILIAR WITH ITS CONTENTS.

I UNDERSTAND THAT, EXCEPT AS MAY BE REQUIRED BY STATE LAW, MY EMPLOYMENT WITH THE COOUNTY IS AT-WILL. THIS MEANS THAT NEITHER I NOR THE COUNTY IS COMMITTED TO AN EMPLOYMENT RELATIONSHIP FOR A SPECIFIC PERIOD OF TIME, AND THE EMPLOYMENT RELATIONSHIP MAY BE TERMINATED BY ME OR THE COUNTY AT ANY TIME, FOR ANY REASON.

THE LANGUAGE USED IN THIS HANDBOOK AND ANY VERBAL STATEMENTS OF MANAGEMENT ARE NOT INTENDED TO CONSTITUTE A CONTRACT OF EMPLOYMENT, EITHER EXPRESS OR IMPLIED, NOR ARE THEY A GUARANTEE OF EMPLOYMENT FOR ANY SPECIFIC DURATION.

I UNDERSTAND THAT NO REPRESENTATIVE OF THE COUNTY, OTHER THAN THE BOARD OF COUNTY COMMISSIONERS (BOCC), HUMAN RESOURCES DIRECTOR, COUNTY MANAGER, AND/OR ELECTED OFFICIAL HAS THE AUTHORITY TO ENTER INTO AN AGREEMENT OF EMPLOYMENT FOR ANY SPECIFIED PERIOD AND ANY SUCH AGREEMENT MUST BE IN WRITING, SIGNED BY THE HUMAN RESOURCES DEPARTMENT AND ME. WE HAVE NOT ENTERED INTO SUCH AN AGREEMENT.

FURTHER, I UNDERSTAND THAT THE CONTENTS OF THIS HANDBOOK ARE SUMMARY GUIDELINES FOR EMPLOYEES AND, THEREFORE, NOT ALL-INCLUSIVE. THIS HANDBOOK SUPERSEDES ALL PREVIOUSLY ISSUED EDITIONS. NO ORAL STATEMENTS OR REPRESENTATIONS CAN CHANGE THE PROVISIONS OF THE HANDBOOK OR ANY SUPPLEMENT. EXCEPT FOR THE AT-WILL NATURE OF EMPLOYMENT, THE COUNTY RESERVES THE RIGHT TO REVISE, DELETE, OR ADD TO ANY OR ALL OF THE GUIDELINES MENTIONED, ALONG WITH ANY OTHER PROCEDURES, PRACTICES, BENEFITS, OR OTHER PROGRAMS OF SAN MIGUEL COUNTY. THESE CHANGES MAY OCCUR AT ANY TIME, WITH OR WITHOUT NOTICE.

I HAVE READ AND UNDERSTAND THE ABOVE STATEMENTS.

# San Miguel County
## Employee Handbook

**EMPLOYEE'S NAME (printed):** ______________________________

**EMPLOYEE'S SIGNATURE:** ______________________________

**DATE:** ____________________

# RESOLUTION OF THE BOARD OF COMMISSIONERS OF SAN MIGUEL COUNTY, COLORADO TO ESTABLISH GREENHOUSE GAS REDUCTION TARGETS

## RESOLUTION #2023 - 04

**WHEREAS,** increased greenhouse gas (GHG) emissions and rapidly rising temperatures resulting from human activity are changing the climate in ways that threaten Colorado's economy, the health of its residents, and its natural landscape; and

**WHEREAS,** these temperature increases are already having an impact on Colorado's environment, with extreme wildfires, floods, drought, extreme weather events, and heat waves dramatically increasing in recent years; and

**WHEREAS**, the impacts of climate change affect everyone regardless of age, gender, or socioeconomic background, which will require increased resiliency measures to provide for and mitigate adverse effects on public health and the environment; and

**WHEREAS,** local governments are at the forefront of responding to these challenges and managing local land use authority and policy decisions that can be effective in addressing them; and

**WHEREAS,** to slow human-caused global climate change, we need to minimize the emissions of carbon dioxide, nitrous oxide, methane, and other potent GHGs. This reduces the potential for continual increases of GHG concentrations in the Earth's atmosphere. For the past 150 years, burning fossil fuels, fossil fuel-based transportation, industry, agriculture, building emissions, and land-use changes like cutting down forests have caused GHG levels to reach unprecedented levels in the atmosphere. There are natural climate solutions that can help pull carbon dioxide out of the air and store atmospheric carbon in perennial biomass and soils (carbon sequestration); and

**WHEREAS,** there are two main ways for humanity to stop the amount of human-produced (anthropogenic) GHGs from continuing to accumulate in the atmosphere: we can stop adding them, and we can increase the earth's ability to remove carbon dioxide from the atmosphere. Proven effective climate mitigation actions include: switching to renewable power sources, improving industrial process efficiency, building efficiency, embracing regenerative climate-smart agriculture and forestry practices, preserving existing ecosystems, and protecting critical carbon sinks. These mitigation practices help reduce our carbon footprint at the (national, state, local, and individual) level; and

**WHEREAS**, the San Miguel County Board of Commissioners ("Board") would like to take direct action in areas over which we have control and recognize that it will also take dedicated regional collaboration in order to meet the targets; and

**WHEREAS,** the Board recognizes that local policies and actions, while critical, will not alone be sufficient to meet our climate, energy, and resiliency goals, nor will they alone be sufficient to reduce the severity of climate change and its impacts on our County; and

**WHEREAS,** the Board recognized the State's target to reduce 26% of GHG emissions by 2025, 50% emissions by 2030, and 90% emissions by 2050, based on the 2005 statewide GHG emissions benchmark.

**WHEREAS,** San Miguel County (SMC) has been committed to taking steps to reduce its own contributions to climate change by adopting Resolution 2017- 029, Resolution 2020-014, Resolution 2021-15 and successfully implementing the following actions:

- Adopted Board's 2021 Environmental Goals: make San Miguel County (SMC) a carbon-neutral organization; complete SMC Building Code update; pursue solar on County buildings; establish a tracking system for SMC fuel use; explore carbon offset tracker and strategize implementation; and update GHG emissions targets and establish an implementation Plan;
- Adopted the 2018 International building codes, working towards net-zero energy use;
- Installed solar energy and microgrid systems on County buildings, beneficial electrification in County facilities, and retrofitting existing County buildings with energy efficiency upgrades;
- Implementing a Payment for Ecosystems Services (PES) Program;
- Creating an EV Readiness Plan;
- Provided residential solar rebates;
- Organizing a regional wildfire collaborative to implement wildfire mitigation projects; and

**WHEREAS,** restoring a safe and stable climate requires emergency mobilization across all sectors to rapidly draw down or remove GHGs from the atmosphere and to implement measures to reach zero GHG emissions.

**NOW, THEREFORE BE IT RESOLVED** that the San Miguel County Board of Commissioners adopt the following Climate Action Goals for San Miguel County:

1. Reduce the County government's GHG emissions to 26% of 2010 levels by 2025, 50% of 2010 levels by 2030, and 100% of 2010 levels by 2040.

2. Continue to support the Sneffels Energy Board's mission to reduce greenhouse gas emissions and consumption of valuable natural resources in the region through coordinated community engagement, project implementation, and policy change at both local and state levels and adopt the San Miguel and Ouray County Regional Climate Action Plan with the goal of a 50% reduction in our GHG emissions by 2030 and a 90% reduction by 2050 with a 2010 GHG emissions baseline.

3. Annual Review of the County's GHG reduction targets and San Miguel and Ouray County Climate Action Plan by the Board of County Commissioners.

4. Prioritize the following sectors to meet our GHG reduction targets: climate policy priorities, energy supply, building emissions, transportation, waste and material, food, water, land and air quality, and emergency response.

5. Have an effective voice in the development of statewide energy and GHG reduction policies by continuing to partner with CC4CA, a coalition of local governments across the state that advocates for state and federal policies that support clean air, clean water, reduction of fossil fuel consumption and other contributors associated with GHG emission.

**BE IT FURTHER RESOLVED**, San Miguel County continues to be committed to climate resiliency and the preservation of natural resources for current and future generations and endeavors to be a leader in responsible stewardship of the environment.

**BE IT FURTHER RESOLVED,** the Board of County Commissioners calls upon the citizens, government agencies, public and private institutions, businesses, and schools in the County to commit to reducing GHG emissions.

**DONE AND APPROVED** by the Board of Commissioners of San Miguel County, Colorado, at a duly noticed public meeting held in Telluride, Colorado, on February 15, 2023.

**BOARD OF COUNTY COMMISSIONERS**
**SAN MIGUEL COUNTY, COLORADO**

DocuSigned by:
Hilary Cooper
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Hilary Cooper, Chair

VOTE:

| | | | | |
|---|---|---|---|---|
| Hilary Cooper | Aye | Nay | Abstain | Absent |
| Kris Holstrom | Aye | Nay | Abstain | Absent |
| Lance Waring | Aye | Nay | Abstain | Absent |

ATTEST:
DocuSigned by:
Carmen Warfield
BE2AF0C39C63408...
Carmen L. Warfield, Chief Deputy Clerk to the Board

DS

**SAN MIGUEL COUNTY BOARD OF COMMISSIONERS MEETING**

02/15/23

Date of Meeting

Executive Session Minutes Attest

I, Amy Markwell, County Attorney attest that the 02/15/23

Date of Meeting

Executive Session discussions of attorney-client matters were confined to a permissible executive session topic; and constituted a privileged attorney-client communication that does not have written minutes.

DocuSigned by:

Amy Markwell

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Amy Markwell, County Attorney

I, Hilary Cooper, Chair of the San Miguel County Board of Commissioners attest that the 02/15/23

Date of Meeting

Executive Session discussions of attorney-client matters were confined to a permissible executive session topic; and constituted a privileged attorney-client communication that does not have written minutes.

DocuSigned by:

Hilary Cooper

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Chair