

**SAN MIGUEL COUNTY SAN MIGUEL COUNTY BOARD OF COUNTY
COMMISSIONERS**

MINUTES

Wednesday, July 5, 2023

Zoom.us

1) Roll Call

Present:

Lance Waring, Chair

Kris Holstrom, Vice Chair

Anne Brown, Commissioner

Staff Present:

Mike Bordogna, County Manager

Amy Markwell, County Attorney

Rachel Allen, Assistant Attorney

Nancy Willis, Legal Assistant

Suzanne Cheavens, Communications Coordinator

Carmen Warfield, Chief Deputy Clerk

2) CALL TO ORDER.

9:30 a.m.

3) MOMENT OF SILENCE

4) REVIEW OF AGENDA

5) PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA.

6) CONSENT AGENDA

6.a) Approval of Minutes: May 24, 2023.

(ATTACHMENT - 20230524-BOCC-Minutes-Draft.pdf)

6.b) Approval of Chair's signature on a request for an extension of time to file the audit for year-end December 31, 2022.

(ATTACHMENT - Extension Request (unsigned).docx)

6.c) Approval of the reappointment of Robert Whiting to the Behavioral Health Solutions FKA Mental Health Advisory Panel.

(ATTACHMENT - Robert Whiting Reappointment.pdf)

- 6.d) Approval of Chair's signature on a Western Region Emergency Medical and Trauma Advisory Council on an application submitted by the Telluride Fire Protection District to purchase Education Systems:
Difficult Airway Management Simulator \$2,800
2 x CPR Lily Pro Plus Feedback Mannikin \$4,608
Surgical Cricothyrotomy Simulator \$1,230.

(ATTACHMENT - WRETAC Application TFPD.docx)

- 6.e) Acceptance of the May 2023 Payroll and Vendor Payments. (ATTACHMENT I)

(ATTACHMENT - 05 - May BOCC Consent Agenda (1).pdf)

- 6.f) Ratification of Chair's signature on a denial letter concerning an appeal of a final decision regarding the December 5, 2022, Three-K-Nine, 101 Victoria Point, Notice of appeal [employee housing impact fee].

(ATTACHMENT - 101 Victoria Point Notice of Denial Letter.pdf)

- 6.g) Ratification of Commissioner's signature on a letter of support for a grant application submitted by Trout Unlimited Water Plan.

(ATTACHMENT - TU_Valley Floor_LOS.pdf)

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

7) **ADMINISTRATIVE MATTERS**

- 7.a) Approval of Minutes: May 17, 2023/MOTION

(ATTACHMENT - 20230517-BOCC-Minutes-Draft.pdf)

MOTION by Kris Holstrom to approve the minutes of May 17, 2023. **SECONDED** by Lance Waring. **PASSED 2-0.**

Anne Brown abstained voting on the May 17, 2023, minutes due to her not being appointed as Commissioner until May 18, 2023.

- 7.b) Consideration of appointing Mandy Miller to the San Miguel Behavioral Health Solutions to fulfil an unexpired two-year term for a member-at-large./MOTION

(ATTACHMENT - MMiller SMC Admin request to appoint.pdf)

Presented by: Carmen Warfield, Chief Deputy Clerk; Mandy Miller, Applicant

MOTION by Kris Holstrom to approve the appointment of Mandy Miller per the recommendation by the San Miguel Behavioral Health Solutions Panel. **SECONDED** by Anne Brown. **PASSED 3-0.**

- 7.d) Consideration of notifying the Clerk and Recorder of placing a measure on the ballot in November 2023.

Presented by: Mike Bordogna, County Manager

Note: No notice of filing a ballot measure will be submitted to the clerk at this time.

- 7.f) Consideration of Chair's signature on Resolution 2023-33 adopting a code of conduct policy and agreement for San Miguel County./MOTION

(ATTACHMENT - Res_2023 -33 Code of Conduct -A.pdf)

Presented by: Amy Markwell, County Attorney; Mike Bordogna, County Manager

Note: Item continued to the July 19, 2023, board meeting, to review the late comment letters received.

- 7.g) Discussion regarding amendments to the Employee Housing Assistance Policy (Section 6.1).

(ATTACHMENT - 6-1 Employee Down Payment Assistance.Update.docx)

Presented by: Amy Markwell, County Attorney; and Mike Bordogna, County Manager

Note: Staff direction was given for a final document to be presented at the next meeting.

- 7.e) Consideration of the Chair's signature on Resolution #2023-32 Donated Sick Leave Policy./MOTION

Presented by: Mike Bordogna, County Manager; Christina Lambert, Director of Human Resources; Amy Markwell, County Attorney

MOTION by Anne Brown to approve the Chair's signature on Resolution #2023-32 a donated sick leave policy, as amended. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

(ATTACHMENT II - Resolution 2023-32)

- 7.c) Discussion with the Western Colorado Regional Director for U.S. Senator John Hickenlooper.

Presented by: Helen Katich, Western Colorado Regional Director, U.S. Senator John Hickenlooper

- 7.h) Consideration on Chair's signature on Resolution 2023-35 creating a Remote Work Policy and Remote Work agreement for San Miguel County Employees./MOTION

(ATTACHMENT - Res_2023-35 -Remote Work Policy -a.pdf)

(ATTACHMENT - Important Notice.Empty Hndbk.Update July 2023.pdf)

Presented by: Christina Lambert, HR Director; Amy Markwell, County Attorney; Mike Bordogna, County Attorney

MOTION by Kris Holstrom to approve the Chair's signature on Resolution 2023-35. with agreed changes as stated. **SECONDED** by Anne Brown. **PASSED 3-0.**

(ATTACHMENT III - Resolution 2023-35)

8) **COUNTY HOUSING MATTERS**

- 8.a) Consideration of approval of the amendments to the county's deed restriction Master Covenant Template./MOTION

(ATTACHMENT - Master Covenant Template Update BOCC_Memo July_2023.docx)

(ATTACHMENT - MEMOCovenant Template Update BOCC_Memo May_2023.docx)

(ATTACHMENT - LUC Definition Employee_Clean June 2023.docx)

(ATTACHMENT - Redline Changes.pdf)

(ATTACHMENT - Amended and Deed Restriction Master Covenant.pdf)

(ATTACHMENT - SMC Master Covenant_Template_CLEAN_June_2023.docx)

Presented by: Lois Major, Special Counsel to the County Housing Authority; Courtney McEleney, SMRHA; Kaye Simonson, Planning Director

Note: The proposed changes to the Land Use Code will be addressed by the Planning Department with proper notification and other processes needed prior to adoption.

MOTION by Anne Brown to approve the adoption of the amendments to the Master Covenant Template that is consistent with the Redline version and authorize minor changes for purposes of clean-up edits and clarity. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

- 8.b) Consideration of the final approval of amendments to the county's deed restriction Multi-Family Housing Template./MOTION

(ATTACHMENT - MFHU Covenant Update BOCC_Memo July_2023.doc)

(ATTACHMENT - Amended and Deed Restriction Multi Family Housing -Red Lined.pdf)

(ATTACHMENT - Covenant Template MFHU CLEAN_June 2023.docx)

(ATTACHMENT - Multi-family Covenant BOCC_Memo May_2023 (1).doc)

Presented by: Lois Major, Special Counsel to the County Housing Authority;
Courtney McEleney, San Miguel Regional Housing Authority

MOTION by Anne Brown to approve the adoption of the amendments to the Multi-Family Housing covenant consistent with the Redline and authorize additional minor changes for purposes of clean-up edits and clarity. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

MOTION by Anne Brown to approve the adoption of a maximum rental rate when applicable to an Administrative Exception based on 110% of the current HUD Fair Market Rental Rates (FMRs), as amended yearly. **SECONDED** by Kris Holstrom. **PASSED 3-0.**

8.c) Discussion regarding San Miguel County's ownership of a studio unit in the Village Court Apartments, Town of Mountain Village (Unit #4106).

Potential Executive Session pursuant to CRS 24-6-402 4(b).

(ATTACHMENT - 347094 Resolution 2000-60 VCA Unit.pdf)

(ATTACHMENT - 425670 DOLA Covenant VCA Apt.pdf)

(ATTACHMENT - 338902 SWD TMVHA SMCHA VCA Unit 4106.pdf)

(ATTACHMENT - 287249 Security Agmnt 9.10.1993 SMCHA &TMVRC_Metro.pdf)

(ATTACHMENT - Lease.March 2021.pdf)

(ATTACHMENT - OCA Memo.Historical. July 2023.pdf)

Presented by: Mike Bordogna, County Manager; Amy Markwell, County Attorney

No action necessary.

Staff Direction: Follow up on the Settlement agreement with Town of Mountain Village. Continue with staff level meetings. No action was needed on the VCA unit.

8.d) Update on the County deed restriction compliance.

Presented by: Lois Major, Special Counsel to the County Housing Authority;
Courtney McCleney, SMRHA

Request of Tax filings during the deed restriction compliance check. - Does the board support the Staff of SMRHA to request the following - Consensus to allow a 3rd party CPA, cost paid by the owner, as an option or make a appointment for them to review the past tax filings. SMRHA could provide a list options of CPA firms.

10) Lunch

12:09 p.m. Recessed.
1:10 p.m. Reconvened.

12) COMMISSIONER UPDATES:

Kris Holstrom - Airport Authority meeting; Telluride Foundation; Recycle Colorado
Anne Brown - Senior Lunch program in Norwood; Met with SMART and Parks and Open Space; Elected official lunch; Collaborate Action for Immigrants; Immigrant Celebrations of the Month; Healing Immigrant Trauma event
Lance Waring - Attended a meeting at Junction and Boomerang Road on the Valley Floor; Renewable energy and beneficial electrification; Gondola Subcommittee meeting; Infrastructure bipartisan work session; State of Colorado Climate Plan

11) ADMINISTRATIVE MATTERS, Continued

11.a) Meet and Greet with the Seventh Judicial District.

Presented by: Seth Ryan and Tom LeClaire, 7th Judicial District, State of Colorado

9) MANAGER MATTERS

9.b) Discussion of developing a county policy around Equity, diversity, and inclusion.

Presented by: Grace Franklin, Public Health Director; Mike Bordogna, County Manager

Staff Direction was to continue researching this information.

9.a) Discussion and staff direction requested to refer a potential legislative issue to Colorado Counties Inc.

No legislative issues at this time.

Presented by: Mike Bordogna, County Manager

Update and Other, as needed.

1. Region 10 - Grant and Grubs Program
2. Update Community Economic strategy in the region.
3. West Region Wild Fire Council- Request for additional funds
4. Upcoming meetings July 10th San Miguel Regional Housing Authority (SMRHA), Work Session next week; Board Retreat

12.a) Discussion of the ballot initiative of discontinuing the issuance of new oil and gas operation permits by December 31, 2030, and, in connection therewith, requiring the phase-out of new oil and gas operation permits; allowing existing oil and gas operations to continue; and requiring the state to explore transition strategies for impacted oil and gas workers who may transition to other employment.

(ATTACHMENT - NRSP 7.5.23 MEMO)

(ATTACHMENT - Sources for letter to local elected officials.pdf)

(ATTACHMENT - Safe and Healthy Colorado ballot initiative language docx.docx)

Presented by: Mike Bordogna, County Manager; Starr Jamison, NRSP Director

Note: Consensus by the Board to allow each Commissioner to individually sign if they wish.

13) ATTORNEY MATTERS

13.a) Executive Session: Discussion with an attorney regarding litigation in 2022CV30023 [4(b)]

MOTION by Kris Holstrom to go into executive session, to discuss with an attorney litigation in 2022CV30023 [4(b)]. **SECONDED** by Anne Brown. **PASSED 3-0.**

2:15 p.m. Recessed.

3:25 p.m. Reconvened.

Presented by: Amy Markwell, County Attorney; Rachel Allen, Assistant County Attorney

2:16 p.m. Suzanne Cheavens left the meeting.

2:21 p.m. William Tuthill, Attorney representing the County joined the meeting.

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

Staff direction was given and there will be follow-up at the next week meeting.

Note: The County Attorney requested that the above item not have written minutes as it constitutes a privileged attorney-client communication and a statement signed by the attorney and chair is attached. (ATTACHMENT IV- Executive Session Minutes)

13.b) Executive Session: Discussion of the real property interest of 11 Miguel Street, Norwood, [purchased with Behavioral Health funds], citation 4(a).

Presented by: Mike Bordogna, County Manager; Carol Friedrich, Director of Social Services; Ramona Rummel, Finance Director

No executive session was needed.

Note: The direction by the board is to vacate any staff in these units and continue to advertise the Behavioral Health Clinician position.

14) ADJOURNMENT

MOTION by Kris Holstrom to adjourn the meeting. **SECONDED** by Anne Brown. **PASSED 3-0.**

3:54 p.m. Adjourned.

Respectfully submitted,



Approved *Carmen Warfield*

Carmen warfield

SAN MIGUEL COUNTY BOARD OF COUNTY COMMISSIONERS

Lance Waring
Lance Waring

ATTEST:

Mike Bordogna
Mike Bordogna



ATTACHMENT

June 26, 2023

To: Board of County Commissioners
Mike Bordogna, County Manager

Below please find a summary of payments issued during the month of May 2023.
This presentation of claims is required per CRS 30-25-110.

Staff is recommending the approval of these payments via consent agenda on July 5, 2023.

Any questions, please let me know. Thank you.

Per 30-25-110 C.R. S. Claims presented to the board - when-how paid.

MAY 2023 PAYMENTS	VENDOR PAYMENTS
101 - General Fund	\$327,160.54
102 - Road & Bridge Fund	\$65,814.05
103 - Social Services Fund	\$5,846.63
104 - Sales Tax Capital Fund	\$537,543.29
106 - Transit Fund	\$12,283.73
108 - Parks and Open Space Fund	\$36,872.29
110 - Lodging Tax Tourism Fund	\$2,632.24
111 - Vegetation Management Fund	\$7,218.31
112 - Early Childhood Education Fund	\$804.70
113 - Mental Health Fund	\$32,797.96
115 - Public Health & Environment Fund	\$19,053.68
117 - COVID19 Fund	\$10,204.05
224 - Housing Authority	\$9,563.05
226 - Solid Waste Disposal District	\$4,373.17
301 - Grant Fund	\$174,593.65
TOTALS	\$1,246,761.34

MAY 2023 PAYMENTS	PAYROLL
101 - General Fund	\$757,630.93
102 - Road & Bridge Fund	\$187,079.16
103 - Social Services Fund	\$45,648.43
107 - Retirement Fund	\$55,751.17
108 - Parks and Open Space Fund	\$59,032.36
111 - Vegetation Management Fund	\$1,011.91
115 - Public Health & Environment Fund	\$39,259.15
117 - COVID19 Fund	\$9,609.74
301 - Grant Fund	\$11,596.21
TOTALS	\$1,166,619.06

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF SAN MIGUEL COUNTY, COLORADO ADOPTING A
COUNTY DONATED SICK LEAVE POLICY FOR SAN MIGUEL COUNTY**

Resolution #2023 - 32

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

WHEREAS, the addition of Section 6-4 of the Administrative Policy Manual establishes a policy and guidelines to allow employees to voluntarily transfer accrued sick leave to another employee who has a need for additional sick leave because he/she has exhausted all accrued time off (including personal time, compensatory time, vacation time and sick leave); 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 6-4 of the San Miguel County Administrative Policy Manual shall be updated according to the attached Exhibit A and incorporated herein by reference.
2. Section 6-4 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 5th day of July, at Telluride, Colorado.

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

By: Lance Waring
Lance Waring, Chair

Vote:	Kris Holstrom	X Aye	Nay	Abstain	Absent
	Anne Brown	X Aye	Nay	Abstain	Absent
	Lance Waring	X Aye	Nay	Abstain	Absent

ATTEST:

By: Carmen Warfield
Carmen Warfield, Chief Deputy Clerk



6-4 Donated Sick Leave

PURPOSE

To allow employees to voluntarily transfer accrued sick leave to another employee who has a need for additional sick leave because he/she has exhausted all accrued time off (including personal time, compensatory time, vacation time and sick leave).

POLICY

The employee requesting sick leave time shall submit a written request and complete the required donated sick leave form to the Human Resources Director. The written request shall include a general description of the reason for the leave and how many hours are needed. Treatment provider verification may be required. All employees are eligible recipients of sick leave donation.

The County Manager and Human Resources Director, in consultation with the County Attorney and the employee's direct supervisor as needed, shall determine eligibility for donation transfer on a case-by-case basis. Exercise of the donation policy shall not establish precedent or practice and shall not be subject to the grievance procedure.

1. Donated Sick Leave Terms and Conditions:

- a) Donations must be from accrued sick leave and will be credited to the recipient's accrued sick leave account.
- b) The recipient must first exhaust all accrued time off (including personal time, compensatory time, vacation time and sick leave) before being eligible to receive donated sick leave.
- c) Employee must be unable to return to their regular duties due to injury or illness (subject to verification by an attending physician), or
- d) Employee must be unable to return to their regular duties due to the injury or illness of a family member, and
- e) Employees must intend to return to their regular duties following the injury or illness.
- f) Employees receiving worker's compensation, disability, or other similar benefits are not eligible to receive donated sick leave.
- g) Donated sick leave is separate from leave under the Family Medical Leave Act (FMLA) and does not carry the same federal protections.
- h) Names of donors and recipients will not be revealed unless the donors and recipients choose to do so.
- i) Employees are only eligible to receive donated sick leave for regular work hours lost and for a qualifying reason.
- j) Donated sick leave is not compensable at time of separation of employment.

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF SAN MIGUEL COUNTY, COLORADO ADOPTING A
REMOTE WORK POLICY AND AGREEMENT FOR SAN MIGUEL
COUNTY EMPLOYEES**

Resolution #2023 - 35

WHEREAS, the Board of County Commissioners of San Miguel County, Colorado has not previously had an established Remote Work Policy as part of its Employee Handbook; and

WHEREAS, the addition of Section 3.20 of the San Miguel County Employee Handbook establishes a policy, guidelines and an agreement for Remote Work for San Miguel County employees; and

WHEREAS, the Board of County Commissioners wishes to improve its Employee Handbook practices and policies through the adoption of a Remote Work policy and agreement.

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

1. Section 3.20 of the San Miguel County Employee Handbook shall be updated according to the attached Exhibit A and incorporated herein by reference is hereby adopted.
2. The new Section 3.20 shall apply to all departments of the County including all Elected official offices.
3. This Resolution shall take effect immediately upon its approval by the Board of County Commissioners.

APPROVED AND ADOPTED this 5th day of July, at Telluride, Colorado.

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

By: Lance Waring
Lance Waring, Chair

Vote:	Kris Holstrom ^x	Aye	Nay	Abstain	Absent
	Anne Brown	^x Aye	Nay	Abstain	Absent
	Lance Waring	^x Aye	Nay	Abstain	Absent

ATTEST:



By: Carmen Warfield
Carmen Warfield, Chief Deputy Clerk

EXHIBIT A

3.20 Remote Work

Remote work allows employees to work at an Alternative Work Site for all or part of their workweek. Remote work is not possible or appropriate for every position. To work remotely, an employee must make a written request to their direct supervisor. Requests will be considered on a case-by-case basis, and at the discretion of the employee's elected official, supervisor and/or department head. Unless a flexible work schedule is permitted, employees are expected to work and be generally available during the County's core business hours just as if they are working in the office. The elected official, supervisor and/or department head will consider factors such as:

- the nature of the job or project requirements;
- whether the nature of the work lends itself to remote work;
- the amount of time to be spent working remotely;
- employee work performance and ability to prioritize to meet deadlines;
- the ability of the employee to work independently and manage their time effectively; and
- the impact the arrangement may have on collaboration and coworkers.

The County recognizes two general types of remote work arrangements:

Occasional Remote Work: Occasional remote work is infrequent and not regularly scheduled. Requests for occasional remote work are determined on a case-by-case basis. An employee's elected official, supervisor and/or department head must approve a request for occasional remote work and such approval must be documented, which can be done by email. Such a request should be made in advance to the extent possible. Occasional remote work can be revoked at any time by the employee's elected official, supervisor and/or department head. Nothing in the approved defined occasional remote work period changes an employee's at-will status or guarantees employment.

Regular Remote Work: Regular remote work arrangements are for ongoing remote work and must be approved by the employee's elected official, supervisor and/or department head. Before an employee is permitted to telework on a regular basis, the employee must execute the County's Remote Work Agreement. The arrangement for regular remote work can last for a defined period or is subject to a bi-annual basis or an annual basis renewal. Regular remote work may be revoked at any time by the employee's elected official, supervisor and/or department head. Nothing in the approved defined regular telework period changes an employee's at-will status or guarantees employment.

The elected official, supervisor and/or department head may refuse an employee's request for remote work and can end or modify a remote work arrangement at any time based on business need. Remote work is not an employee right. An executed agreement shall be required prior to any regular remote work.

REMOTE WORK AGREEMENT

Remote working is not an employee right; it is a permissive privilege. At the discretion of the elected official, supervisor, or department head, considering the operational business needs of the department, remote working is a voluntary work arrangement in which an eligible employee works from a remote location instead of commuting to the workplace. Remote working is primarily an arrangement to facilitate the accomplishment of work. Remote working is an alternative method of meeting the needs of the organization. Remote working employees use networking technology to access San Miguel County (County) government information systems from their remote location.

- _____ 1. I understand and acknowledge remote working is a voluntary agreement unless the elected official, supervisor and/or department head as determined it is required as a business need. This agreement begins on _____ and continues until _____, and must renew on either a bi-annual basis or an annual basis at the discretion of the elected official or department head. The County can refuse an employee's request to remote work and can end and/or modify a remote working arrangement at any time based on performance or business need. Either my elected official, supervisor, department head or I can request to terminate the remote working arrangement at any time. The County will not be responsible for costs, damages, or losses resulting from discontinuing remote working.

TELEWORKING LOCATION AND WORK SCHEDULE

- _____ 2. I understand and acknowledge that as a remote worker my salary, job responsibilities, conditions of employment, benefits, and insurance coverage remain unchanged. I remain subject to the same County policies, timesheet recording, Substance Abuse/Drug and Alcohol Policy, and federal regulations (particularly the Fair Labor Standards Act) as an employee on County premises. I remain obligated to comply with all County policies and procedures, departmental policies and procedures, and supervisory direction.
- _____ 3. I will remote work from the following Alternate Work Site: [Name & Address of Alternate Work Site]:

- _____ 4. My in-office days will be [specify day(s) of the week]: _____.
I will work from the Alternate Work Site on [specify day(s) of the week]: _____. I agree to be available during the assigned business hours of [specify hours, e.g., 8:00 a.m. to 4:30 p.m.]: _____ for communication through such methods as designated phone line, voice mail, modem, fax, etc., and agree to respond within _____ minutes. I understand that any change in this schedule requires advanced approval by my supervisor.
- _____ 5. I understand during a declared disaster or declared pandemic, any person in my chain of command may require that I remote work regardless of my County office's operating status.
- _____ 6. I understand if my County office is physically closed due to an event of inclement weather, such as a snow day, I will still be required to remote work, unless directed otherwise by the chain of command.
- _____ 7. I understand that remote working is not an alternative to sick leave, vacation leave, leave under the Family Mental Leave Act, or dependent care. My working hours, approval of overtime compensation, approval and use of sick leave, vacation leave, time off, or any other form of leave will conform to County policies and procedures.
- _____ 8. I agree and understand regular remote work is not a substitute for child or dependent care.
- _____ 9. I understand "in-person" meetings and client interactions will be conducted at a client or County site.
- _____ 10. I agree to follow the County's Remote Work Policy at all times.
- _____ 11. I understand the purpose of this Remote Work Agreement is to facilitate the accomplishment of work. I further understand I will be held to the same performance standards as if I were working in the office.
- _____ 12. I understand, if driving is not an essential function of my position, I will not drive or otherwise operate a motor vehicle while remote working and on the clock unless I have written permission from my elected official, supervisor, or department head prior to driving. If I am asked to come into the physical office for a business reason by my elected official, supervisor, or department head, I may drive to and from the office.

TELEWORKING EQUIPMENT AND SECURITY

- _____ 13. I agree to furnish/pay for internet connection charges unless otherwise agreed upon and approved by my elected official, supervisor, or department head. I understand I will not be reimbursed for this expense, unless otherwise agreed upon in writing in advance of remote work by my elected official, department head, or County Manager (Supervisor for department heads).
- _____ 14. The County has provided me with the following equipment/records/materials [Specify all County property that has been provided]:
- _____
- _____
- _____
- _____ 15. The Department/Office will pay for the following expenses: [Specify expenses. Examples include the costs of maintenance and repairs to County owned equipment and office supplies.]
- _____
- _____
- _____ 16. I will ensure information security/confidentiality at my Alternate Work Site and will check with my elected official, supervisor, or department head when security/confidentiality matters are an issue. Confidential information will not be accessed in a location where it may be possible for others to view, including family members. Confidential information will not be stored on my personal computer; any information stored electronically outside of the network (County laptop, memory stick or other electronic media) or on paper will be kept secured and disposed of properly. I will not allow any person who is not a County employee to use the County owned equipment at my Alternate Work Site.
- _____ 17. I understand and agree I will perform my work duties exclusively on County issued equipment. I agree that configuration, maintenance, and upgrades to County equipment is to be performed only by a County employee or representative. The County is not responsible for network setup or troubleshooting connectivity issues at the Alternate Work Site. I understand I may need to bring my equipment to a County location in order for a staff member to provide assistance.
- _____ 18. I understand if remote location computer access is not working, I will contact my elected official, supervisor, or department head and I may be required to report back to the workplace.

- _____ 19. I agree not to use my personal vehicle for business, unless specifically authorized by my elected official, supervisor, or department head I may use my personal vehicle for driving from my Alternate Work Site into the physical office and then home if I have a mandated business meeting in office.

TELEWORKING WORKSPACE

- _____ 20. I agree to provide a professional workspace and atmosphere.
- _____ 21. I agree to provide a secure location for County equipment, information, data, and materials and will not use or allow others to use such equipment for purposes other than County business. All property, records, and materials provided by the County shall remain County property. I agree to allow the County reasonable access to its equipment and materials.
- _____ 22. I agree to maintain a safe and ergonomically sound work environment. The County is responsible for any work-related injuries, but this liability is limited to injuries resulting directly from my work for the County and only if the injury occurs in my designated work area during work hours. Any claims will be handled according to the normal procedure for workers' compensation claims.
- _____ 23. If my alternative workspace is in my home, I understand that I remain liable for injuries to third persons and/or family members, on these premises. The County is not liable for loss or damage to real or personal property.
- _____ 24. If my alternative workspace is in my home, I understand I am responsible for determining any income tax implications of maintaining a home office area. The County will not provide tax guidance, nor will it assume any additional tax liabilities.
- _____ 25. I understand I will not receive mileage reimbursement for driving into my County office location or driving home from my County office location during the workday. Any driving on County business and other mileage reimbursement shall be in accordance with the Administrative Policy Manual.

DEPARTMENT REQUIREMENT

- _____ 27. I agree to follow any additional procedures/policies as outlined in the Remote Work Policy. I have reviewed this document and understand it is incorporated by reference into this document.

I understand that nothing in this Agreement shall alter or change the at-will nature of my employment with San Miguel County.

I, _____, have read this Remote Working Agreement and agree to its terms.

Remote Working Employee
Signature

Date

Supervisor and/or Department Head
Name and Signature

Date

Elected Official
Name and Signature

Date

ATTACHMENT

IV

**SAN MIGUEL COUNTY BOARD OF COMMISSIONERS
MEETING**

07/05/2023

Date of Meeting

Executive Session Minutes Attest

I, Amy Markwell, County Attorney attest that the _____
07/05/2023
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.

Amy Markwell
Amy Markwell, County Attorney

I, Lance Waring, Chair of the San Miguel County Board of
Commissioners attest that the _____
07/05/2023
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.

Lance Waring
Chair