

Phillips County Commissioner
Meeting Minutes¹
September 19, 2022

Call to order

Chairman Timm called the meeting of the Phillips County Commissioners to order and opened with the Pledge of Allegiance at 8:00 A.M. on September 19, 2022, at the County Courthouse in the Commissioner Meeting room.

County Attendees

Chairman Tom Timm, Commissioners Garold Roberts and Terry Hofmeister, County Administrator Laura Schroetlin, County Clerk Beth Zilla, County Assessor Doug Kamery, Undersheriff Michael Beard and Assistant Administrator Andrew Nygaard.

Additional Attendees

Les Archuleta

Additions or Corrections to the Agenda

Administrator Schroetlin added the following item:

- 11) Deputy Sheriff resignation

Approval of Consent Agenda

Roberts made a motion to approve the consent agenda as presented. Hofmeister seconded the motion. Motion carried unanimously.

Consent Agenda Items:

- a) Approval of the minutes of the BOCC 09.09.2022 meeting
- b) Approval of A/P invoice list
- c) Acknowledge receipt of Mobile Food Pantry report

Public Comments

County Assessor Doug Kamery presented the audit results for the 2022 Colorado Property Assessment Study to the board. There were no issues.

Appointments

The board met with Platinum Technology CEO Les Archuleta to discuss their 2023 budget/contract with the county.

Unfinished Business

None presented.

Motions/ New Business

Following prior approval by the Clerk and Recorder, County Treasurer, and County Assessor, Hofmeister made a motion to approve the revision to the Personnel Policy Section 5.1.2 (A) as presented below.

- (A) Any employee hired before June 30, 2022, with less than 10 years of continuous service with the County and with a Sick Leave Transition Reserve balance above 400 hours may convert those hours into additional pay at 25% of hourly rate or transfer those hours at a 4:1 ratio into PTO. Under no circumstances shall an employee be permitted to convert or transfer accumulated Sick Leave Transition Reserve below the 400-accrual amount. A payout or transfer cannot be requested after December 31, 2022.

Roberts seconded the motion. Motion carried unanimously.

Roberts made a motion to approve the request from Communications Center Director Kenny Gaskill to hire Olivia Olivas O'Dea as a full-time dispatcher at GN40 Grade 11 Step 1, effective October 6, 2022. Hofmeister seconded the motion. Motion carried unanimously.

The board reviewed the final determination of tax status for the Golden Plains Recreation Center.

The board reviewed the E911 maintenance agreement with VoiceProducts Service, LLC.

The board agreed to participate in the Harvest Snack Sacks Promotion.

Roberts made a motion to approve the request from Director of Human Services Lori Lundgren to transfer \$5,000 from Fund 10 to Fund 70 to be used to purchase items for the DHS food pantry. Hofmeister seconded the motion. Motion carried unanimously.

The board was notified of the immediate resignation of Deputy Sheriff Darrell Smith.

The board met with Undersheriff Michael Beard to discuss the possible purchase of a replacement transport van.

¹Minutes prepared by Beth Zilla are a summary of discussions, not a verbatim account.

Hofmeister made a motion to adopt Resolution No. 2022-09-19-01 as follows:

A RESOLUTION DECLINING ANY AND ALL PARTICIPATION IN THE COLORADO PAID FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM

RESOLUTION NO. 2022-09-19-01

WHEREAS, in November of 2020, Colorado voters approved Proposition 118, codified in Part 5, Article 13.3 of Title 8, Colorado Revised Statutes (C.R.S.), establishing the Family and Medical Leave Insurance ("FAMLI") Program, a state insurance plan providing paid leave for Colorado workers during certain life circumstances; and

WHEREAS, under the FAMLI Program, employers and their employees are both responsible for funding the program and may split the cost 50/50; the premiums are set at 0.9% of the employee's wage, with 0.45% paid by the employer and 0.45% paid by the employee; and

WHEREAS, the premiums required for FAMLI will be collected starting January 1, 2023, and benefits will begin January 1, 2024; and

WHEREAS, as a local government defined by C.R.S. §§ 8-13.3-503(14) and 29-1-304.5(3)(b), the Board of County Commissioners ("Board") for Phillips County, Colorado ("County") may decline on behalf of the County and its departments to participate in FAMLI following a public meeting and vote of its governing body pursuant to C.R.S. § 8-13.3-522; and

WHEREAS, should the Board decline participation on behalf of the County in FAMLI, its employees will still have the option to participate in the program and remit premiums to the State; and

WHEREAS, the County already provides paid time off to employees in excess of the requirements of the Colorado Healthy Families and Workplaces Act in the form of PTO leave; and

WHEREAS, certain employees of the County are also eligible for job-protected leave under the federal Family and Medical Leave Act ("FMLA");

WHEREAS, the Board believes that County employees are in the best position to determine whether they individually wish to opt into the FAMLI program; and

WHEREAS, pursuant to C.R.S. 24-6-402 (4)(f)(1&2) the Board posted notice of the meeting at which this Resolution was considered in the same manner as any other business before the Board and provided written notice to all County employees regarding the vote process and the opportunity to submit comments; and

WHEREAS, County employees were notified of their right to individually opt into the program and that more information for the FAMLI program can be found at <https://famli.colorado.gov/individuals-and-families>; and

WHEREAS, prior to consideration of this Resolution, the Board read into the record any written comments regarding this Resolution that were received prior to the meeting and oral comments at the meeting; and

WHEREAS, the Board has determined to make a local decision as to how to provide benefits and protections to employees of Phillips County and all of its departments and declines participation in the FAMLI program on behalf of itself and all County departments.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PHILLIPS COUNTY, THAT:

Section 1. The Board finds and determines that, with regard to the public notice on the decision of whether to decline participation in FAMLI, notice was given, and the meeting was conducted in accordance with the regulations adopted by the Colorado Department of Labor and Employment and codified at 7 CCR 1107-2.

Section 2. The Board, acting by and on behalf of the County and all of its departments, declines any and all participation in the FAMLI Program.

Section 3. The Board further directs its staff to bring the matter of revisiting the decision to decline participation in FAMLI before a future Board by no later than eight years from the date of the vote on this Resolution 2022-09-19-01.

Roberts seconded the motion. Motion carried unanimously.

Adjournment

Chairman Timm adjourned the meeting at 10:53 A.M.

Minutes submitted by County Clerk Beth Zilla.

Next meeting is scheduled for September 30, 2022.

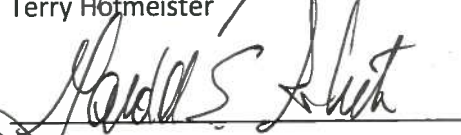
Phillips County Commissioners:

Attest:


Tom Timm


Beth Zilla, County Clerk


Terry Hofmeister


Garold Roberts