

A JOINT RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF KIT CARSON COUNTY, LOGAN COUNTY, MORGAN COUNTY, PHILLIPS COUNTY, SEDGWICK COUNTY, WASHINGTON COUNTY AND YUMA COUNTY, COLORADO, TO DECLINE THE PARTICIPATION OF THE DISTRICT ATTORNEY'S OFFICE FOR THE THIRTEENTH JUDICIAL DISTRICT IN THE PAID FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM (FAMLI) AND DIRECTING THAT NOTICE OF THIS RESOLUTION BE PROVIDED TO THE DIRECTOR OF THE DIVISION OF FAMILY AND MEDICAL LEAVE INSURANCE.

RESOLUTION NO. 2022-10-31-01

WHEREAS, the Board of County Commissioners of the counties of Kit Carson, Logan, Morgan, Phillips, Sedgwick, Washington and Yuma (the "Counties") have the joint obligation to appropriate funds necessary for the transaction of business by the District Attorney's Office of the Thirteenth Judicial District, as provided in C.R.S. section 20-1-302; and

WHEREAS, pursuant to C.R.S. section 30-11-107(2), the Counties have the authority to make final budget determinations for agencies that are funded by county appropriations, including the District Attorney's Office; and

WHEREAS, in 2021, the Colorado General Assembly enacted legislation known as the Paid Family and Medical Leave Insurance Act (FAMLI), C.R.S. section 8-13.3-501, et seq., with insurance premiums becoming payable beginning in 2023 and benefits becoming available to employees beginning in 2024; and

WHEREAS, the Counties have considered the advantages and disadvantages of participating in FAMLI, and the paid time off benefits currently provided to employees of the District Attorney's Office; and

WHEREAS, the Counties conclude that the current paid time off benefits provided to employees of the District Attorney's Office enable employees to become self-sufficient in planning for unexpected medical absences; and

WHEREAS, District Attorney employees may independently choose to enroll in the FAMLI insurance coverage and pay the insurance premium directly to the Division of Family and Medical Leave Insurance, even if the Counties decline to participate in the FAMLI program on a district-wide basis; and

WHEREAS, pursuant to C.R.S. section 8-13.3-522, a local government may decline to participate in FAMLI by formally notifying the Division of Family and Medical Leave Insurance, in writing, and providing the date of the vote and documentation of the local government's decision to decline all participation in the program; and

WHEREAS, notice of the business meeting at which this Resolution has been taken up for consideration was provided to employees of the District Attorney's Office as required by state administrative rule, and the comment of employees was invited and taken into consideration.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Counties, by and through their respective Board of County Commissioners, hereby decline all participation of the District Attorney's Office of the Thirteenth Judicial District in the Paid Family and Medical Leave Insurance Program (FAMLI) and direct staff to provide written notice of this declination by sending a copy of this Resolution to the Division of Family and Medical Leave Insurance.
2. Staff is directed to provide District Attorney employees with written information about their rights to independently participate in the FAMLI program as is required by statute and regulations.
3. The Counties will renew this declination not later than eight years from the date of its adoption, and may elect coverage in the future as provided by statute and regulations.

Adopted and Signed this 31ST day of October, 2022.

THE BOARD OF COUNTY COMMISSIONERS
COUNTY OF PHILLIPS, STATE OF COLORADO

Tom Timm (Aye)(Nay)
Tom Timm, Chair

Garold Roberts (Aye)(Nay)
Garold Roberts, Commissioner

Terry Hoffmeister (Aye)(Nay)
Terry Hoffmeister, Commissioner

I, Madene "Beth" Zille, County Clerk and Recorder in and for the County of Phillips, State of Colorado, do hereby certify that the foregoing Resolution was adopted by the Board of County Commissioners of the County of Phillips and State of Colorado, in regular session on the 31 day of October, 2022.

Beth Zille
County Clerk and Recorder

11/23/2022 12:00:00 AM Page 2 of 2 BOC20220043
BGCC - Resolution BETH ZILLA PHILLIPS COUNTY
REC FEE: 0.00 DOC FEE: TOTAL FEE: 0.00

