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**TOWN COUNCIL MEETING AGENDA
TUESDAY, DECEMBER 6, 2016
Town Hall Council Chambers
551 Hot Springs Blvd
5:00 p.m.**

- I. **CALL MEETING TO ORDER**
- II. **PUBLIC COMMENT** – *Please sign in to make public comment*
- III. **CONSENT AGENDA**
 - 1. **Approval of the November 17, 2016 Meeting Minutes**
 - 2. **SWCOG Dark Fiber Lease MOU**
 - 3. **Housing Needs Assessment Consultant Contract Award**
 - 4. **Liquor License**
 - a. **Liquor License Renewal – Pagosa Lodging LLC dba The View at 3505 W Hwy 160**
 - 5. **Marijuana License**
 - a. **Marijuana License Renewal – The Green House at 270 E Pagosa Street**
 - 6. **Ratify Letter of Support for Forest Service OHV Trails State Trails Grant Application**
- IV. **NEW BUSINESS**
 - 1. **The Foothills Project Concept Approval**
 - 2. **Ordinance 851, Accepting Dedication of Harman Park Subdivision Roads**
 - 3. **Public Hearing on 2017 Budget**
 - 4. **Resolution 2016-17, Approve 2017 Budget, Set Mill Levies, Appropriate Funds**
 - 5. **San Juan River Water Rights Application Approval**
- V. **OLD BUSINESS**
 - 1. **Approval of Personnel Handbook**
- VI. **EXECUTIVE SESSION**
 - 1. **Town Manager 2016 Evaluation with Possible Executive Session Pursuant to C.R.S. Section 24-6-402(4)(f) for Personnel Matters**
- VII. **PUBLIC COMMENT** – *Please sign in to make public comment*
- VIII. **COUNCIL IDEAS AND COMMENTS**
- IX. **NEXT TOWN COUNCIL MEETING DECEMBER 22, 2016 AT 5:00 PM**
- X. **ADJOURNMENT**

**Don Volger
Mayor**



AGENDA DOCUMENTATION

CONSENT AGENDA: III.2

PAGOSA SPRINGS TOWN COUNCIL

DECEMBER 6, 2016

FROM: GREGORY J. SCHULTE, TOWN MANAGER

PROJECT: SOUTHWEST COLORADO COUNCIL OF GOVERNMENTS DARK FIBER MOU

ACTION: DISCUSSION AND POSSIBLE ACTION

PURPOSE / BACKGROUND

When the Southwest Colorado Council of Governments (SWCCOG) was formed in 2009, it was recognized there existed a need to improve telecommunication capabilities, capacity, reliability, and availability among Four Corners communities in order to affect economic development, improve accessibility, and reduce telecommunication costs for community anchor institutions to facilitate greater use of broadband service.

In 2010, the SWCCOG was the recipient of a Colorado Division of Local Affairs (DOLA) grant for telecommunication infrastructure improvements. The initial goal of the project was to install fiber optic line throughout the Four Corners area and to aggregate demand among governmental institutions to achieve lower internet costs. From the beginning, it was envisioned that the SWCCOG would be the central entity to coordinate the administration of the fiber. Over the years, the Town of Pagosa Springs (Town) and Archuleta County (County) matched the grant funding to install a backbone of fiber optic line with the goal of laying the foundation for better broadband service.

The SWCCOG initiated and recently completed the Southwest Colorado Access Network (SCAN) project to provide telecommunication connection in participating communities to a regional network through a variety of economically viable and sustainable models. Local governments may wish to have SWCCOG assist them with Dark Fiber Link Lease Agreements ("DFL's") by serving as its agent with respect to leasing Dark Fiber Links over SCAN Fiber to Internet Service Providers (ISP), invoicing ISPs, collection of payments from ISPs, and disbursement of an agreed upon percentage of those funds to the local governments.

Exhibit A of the MOU describes in greater detail the arrangement between the Parties and to further specify leasing, invoicing, collection of payment, and disbursement of funds procedures between the SWCCOG and the local governments concerning the SCAN Fiber DFLs.

SWCCOG Board Action

The Board of the COG approved the MOU agreement on August 4, 2016 meeting. To date, three of the 11 other COG members have adopted the MOU.

County Commissioner Action

The Archuleta County Commissioners are scheduled to hear this item at the December 6th BoCC meeting at 1:30 pm.

ATTACHMENTS

- Dark Fiber MOU

FISCAL IMPACT

At this juncture, there is no immediate impact, but the Town could realize additional funding from lease of its fiber optic lines if there is interest from ISPs. It should be noted that whatever revenue realized from a fiber lease would be split 50 / 50 with the County as the fiber optic lines are jointly owned by the Town and County.

2017 TOWN COUNCIL GOALS & OBJECTIVES

Included in the Town Council's adopted 2017 Goals & Objectives is Goal #3 of "Promote a vital local economy by supporting economic development, energy efficiency, and tourism." In addition, Objective 3.3 states "Energize General Economic Development Efforts" and within that Objective is the Action of "Support Expansion of Community Broadband."

RECOMMENDATIONS

Possible actions by the Town Council include:

1. **"Move to approve the SWCCOG Dark Fiber MOU."**
2. **"Move to NOT approve the SWCCOG Dark Fiber MOU."**
3. **Direct staff otherwise.**



AGENDA DOCUMENTATION

CONSENT AGENDA: III.3

PAGOSA SPRINGS TOWN COUNCIL
DECEMBER 06, 2016

FROM: JAMES DICKHOFF, PLANNING DIRECTOR

PROJECT: SELECTION OF HOUSING NEEDS ASSESSMENT CONSULTANT

ACTION: DISCUSSION AND POSSIBLE ACTION

BACKGROUND

The Town Council and Board of County Commissioners have recently decided to jointly fund (50%/50%) an update to the 2008 Archuleta County Housing Needs Assessment. The following three consultants were asked to provide proposals and bids for updating the assessment; Economic Planning Systems (EPS), Snow Engineering Group and Sites Southwest.

The assessment will also provide the analysis needed to use for future public and/or private housing project funding justification. Typically, an additional site specific analysis will also be needed for specific development funding applications.

The scope of work received included in each proposal was very similar. A small review committee met to review and discuss the proposals, and short listed EPS and SE Group as the finalists, with a few additional questions for each to respond to. Both have similar cost, proposals and timelines. The final recommended consultant is Economic Planning Systems at a cost of \$34,890.00 and an estimated Timeline: 16 weeks.

PURPOSE

The purpose of this agenda item is to seek Town Council approval to hire EPS as the Housing Needs Assessment Update project consultant, and to initiate a contract and the update process as soon as possible.

The County Commissioners will also be considering approving the recommended consultant at their December 6th BoCC meeting.

To initiate a consultant on the Housing Needs Assessment update, an affirmative decision is needed from the Town Council and Board of County Commissioners

ATTACHMENT(S)

EPS Proposal

FISCAL IMPACT

The County has agreed to pay half of the update Housing Needs Assessment, which totals \$17,490.00
The Town's remaining share is \$17,490.00.

RECOMMENDATIONS

The Planning Director recommends the Town Council:

Approve the Award of the Housing Needs Assessment Update to Economic Planning Systems.

Project Understanding

Economic & Planning Systems (EPS) understands that Archuleta County has prioritized workforce housing and seeks to expand the supply of available and affordable housing to local households. In addition to documenting need, EPS understands that the County is looking for a very practical outcome to this effort as well. Specifically, potential goals for the project include: :

- Understand and analyze market conditions and local housing needs;
- Document how these trends compare to similar communities around the state;
- Identify how the local need compares to other communities;
- Outline what courses of action Archuleta County and the Town of Pagosa Springs can take, understanding best practices; and
- Prepare to move forward with structuring an affordable housing project, potentially a LIHTC project.

Among the relevant issues, EPS understands that there is a growing need and lack of affordable rental inventory. One indication has been the very limited inventory. Another is the consistent presence of long waiting lists for Section 8 housing. Because there has not been an allocation from CHFA since 2008, when Hickory Ridge Apartments received a 9 percent award, the County is increasingly concerned about the adequacy of the housing inventory and the challenge to meet the community's needs. Compounding this issue is the presence of long- and short-term vacation rentals reducing the supply of long-term housing for locals. As such, EPS understands that a major focus of this updated housing needs study will be to structure information to enable the County to move forward on an affordable housing project, where certain findings will be particularly relevant:

- The depth of rental and ownership housing need and the number of units required to address the deficits
- The type of households in need, including focus on workforce housing such as emergency personnel and business professionals

In general, EPS understands that the County is seeking not just an update to the numbers and findings of the previous housing needs assessment, but looking a very practical and actionable approach to documenting housing needs.

Scope of Work

Task 1: Project Initiation

EPS proposes to discuss with the client team several issues regarding the scope, major project priorities, deliverables, outreach and presentations, and milestones. The objective would be to identify which scope tasks reflect the County's highest perceived priorities, to what degree the County would like to involve the public and/or stakeholders, and generally identify when some of these outreach events should occur.

Task 2: Economic & Demographic Framework

EPS will document trends and conditions of employment and wages, commuting, and demographics and household incomes for Archuleta County. One objective is to identify the fundamental trends that are driving the housing market, such as the increase in seasonal or tourist-oriented employment industries, increase in second homeowners, and other socio-economic variables that are clearly playing into housing needs and conditions. Another objective is to collect information on the supply- and demand-side of the housing market, such as the distribution of households and housing units by AMI level.

EPS proposes to collect Colorado Department of Labor and Employment data (QCEW) to document sub-county level employment and wage trends. This will enable documentation of current and historic seasonality of jobs. Demographic information will be collected from both the State Demographer's Office (SDO) as well as the U.S. Census to assemble an updated profile of population, household, and housing unit conditions.

Task 3: Housing Market Conditions

EPS will document activity characteristic of the county's housing market, such as residential construction trends, existing and new home sales activity and price points, the rental market conditions, including VRBOs (short- and long-term rentals) and rates, as well as a documentation of affordable housing development that has occurred in the area (such as CHFA tax credit projects, etc.).

The purpose of this task is to identify the extent that the housing market has or has not been meeting the needs of the county's workforce in terms of affordable or workforce housing supply. Trends in the existing home sales will illustrate the pace at which existing and new inventory is exceeding local households' ability to pay. Trends in VRBOs (utilizing interviews of property managers as well as data from VRBO.com and Airbnb.com) will illustrate the pace at which inventory is further being removed from the potential ownership supply. Additionally, EPS sees that this task will also provide data regarding competitive affordable housing inventory potentially useful in the event the County pursue a CHFA tax credit allocation in the near future.

Task 4: Land Use Policy and Development Process

In this task, EPS proposes to provide contextual land use policy and development process information for a few similar communities to provide a point of comparison and illuminate where the County and Town might consider augmenting or modifying some of its land use policies with regard to facilitating affordable housing development. The purpose is to provide the local jurisdictions with a perspective on its regulatory structure, such that discussions at the culmination of this project may revolve around a full range of potential topics. Specifically, EPS would document where certain land use policies, such as minimum lot size (which is going through Council currently), minimum unit size, parking requirements, fee waivers or deferrals, etc. have been utilized for the purposes of facilitating affordable housing development.

Task 5: Mid-Course Meeting

Task 5.1: Commission Work Session

EPS proposes to conduct a work session with the County Commissioners (at a minimum) with representation from Town Council members (if desired) to discuss the findings to date and discuss preliminary observations and estimates of housing need. The goal of this meeting would

be to ensure that the following work to be completed is targeted specifically to actionable outcomes for the County, such as its interest and immediacy of pursuing a CHFA tax credit project or engaging with the Town on modifying specific land use policies, for example.

Task 5.2: Public Outreach

Depending on the degree to which the County would like to engage the public in discussion of issues, EPS proposes that this point in the process would be an ideal first public meeting to engage stakeholders in the findings of the study to date and to inform them on the course of the project and its purview.

Task 6: Housing Needs

Task 6.1: Housing Needs and Gaps

The supply- and demand-side analysis of housing market conditions will form one basis of the housing needs and gaps analysis. EPS will provide different metrics of need and gaps in the County, using multiple data points to frame the magnitude of need in different terms, such as housing cost-burden levels by income and tenure levels, as well as a juxtaposition of households by income by tenure against the availability of existing and new home sales by income affordability level and against the overall distribution of housing by income affordability level.

Task 6.2: LIHTC Project Opportunity

With subconsultant and expert LIHTC project strategist Sarah Batt, EPS will also provide data, information and guidance to assist the County as it looks toward near-term opportunities to develop and seek tax credit equity for a LIHTC rental project. The objective of the task is to provide a list of considerations the County should make in structuring a competitive tax credit proposal. Considerations will include the pros and cons of various locations, the level of demand based on competitive and comparable rentals, project scale, its walkability, proximity to services and amenities.

Task 7: Findings, Recommendations, Report and Presentation

Task 7.1: Findings, Recommendations, and Report

The deliverables for this project will include a written report with executive summary, action items, and next steps for the County, as well as a presentation of the report's findings and recommendations to the County Commissioners. EPS proposes that the draft report would be prepared in advance of any presentation, followed by discussion, comment and any requests for revision by the client and staff.

Task 7.2: Public Presentation

As an optional task in this scope, EPS can be available to present the findings and recommendations to the public and stakeholders and facilitate a discussion regarding the issues, next steps for the County, and what is within the County's purview to address.

PROJECT BUDGET & TIMELINE

EPS has estimated a draft budget of \$34,890 to complete the proposed scope of services, which includes all tasks as well as two trips.

**Table 1
Proposed Project Budget**

	EPS Staff			Total
	Principal in Charge Knudtsen	Vice President Schwartz	Primary Analyst Shindman	
Billing Rate	\$225	\$180	\$125	
Labor Costs				
Task 1: Project Initiation	2	2	2	\$1,060
Task 2: Economic and Demographic Framework	2	4	18	\$3,420
Task 3: Housing Market Conditions	2	6	20	\$4,030
Task 4: Land Use Regulation and Development Process	2	8	16	\$3,890
Task 5: Mid-Course Presentation	6	8	6	\$3,540
Task 6: Housing Needs				
Task 6.1: Housing Needs and Gaps	2	4	8	\$2,170
Task 6.2: LIHTC Project Opportunity	2	2	2	\$1,060
Task 7: Findings, Recommendations, Report, and Presentation				
Task 7.1: Findings, Recommendations, and Report	10	16	26	\$8,380
Task 7.2: Presentation	4	8	12	\$3,840
Subtotal	32	58	110	\$31,390
as % of Total Staff Hours	16%	29%	55%	
Total Staff Hours				200
Direct Costs				
Data acquisition				\$500
Subconsultant				\$1,000
Travel				<u>\$2,000</u>
Subtotal				\$3,500
Total Project Cost				\$34,890

Source: Economic & Planning Systems

G:\63071-Archuleta County Housing Needs Study\63071-budget.xlsx\BUDGET (2)

EPS estimates that the above scope of services can be completed in approximately 4 months, as shown by the timeline below.

**Table 2
Proposed Project Timeline**

	December			January				February				March				April			
	Week 2	Week 3	Week 4	Week 1	Week 2	Week 3	Week 4	Week 1	Week 2	Week 3	Week 4	Week 1	Week 2	Week 3	Week 4	Week 1	Week 2	Week 3	Week 4
Task 1: Project Initiation																			
Task 2: Economic and Demographic Framework																			
Task 3: Housing Market Conditions																			
Task 4: Land Use Regulation and Development Process																			
Task 5: Mid-Course Presentation																			
Task 6: Housing Needs																			
Task 7: Findings, Recommendations, Report, and Presentation																			

RELEVANT EXPERIENCE

Adequate and affordable housing is critical to the sustained vitality of any regional economy. In resort economies, the high cost of housing has caused the dislocation of many individuals integral to the functions of the economy and community. In such places, the provision of fees to mitigate these economic forces is integral to the strength and diversity of the economic base, the optimal use of land and transportation resources, and the environmental and social health of the community and the region.

EPS has a depth of affordable housing related experience. In addition to conducting evaluations to support municipal fee programs, EPS has completed numerous affordable housing market and feasibility studies; evaluations related to the physical and economic linkage between jobs and housing; and analysis of the impacts that employment growth has on housing needs. We have also analyzed the impacts of land use and growth control measures on the ability of the private sector to meet the demand for housing.

Representative Projects

- Inclusionary Zoning Ordinance Feasibility Update, *Denver, Colorado*
- Affordable Housing Density Bonus Incentive Feasibility, *Portland, Oregon*
- Housing Policy and Inclusionary Zoning Feasibility Study, *Nashville, Tennessee*
- Douglas County Housing Nexus Study, *Douglas County, Colorado*
- Boulder Affordable Housing Density Bonus Analysis, *Boulder, Colorado*
- Comprehensive Housing Market Study, *Kane County, Illinois*
- Flagstaff Housing and Community Sustainability Study, *Flagstaff, Arizona*
- Aspen Affordable Housing Strategic Plan, *Aspen, Colorado*
- Housing Needs and Strategy, *Big Sky, Montana*
- Vail Chamonix Housing Feasibility Analysis, *Vail, Colorado*
- Lower Roaring Fork Housing Initiative, *Basalt, Carbondale, Glenwood Springs, Colorado*
- Wasatch Choices 2040 Housing Needs Assessment, *Wasatch Front, Utah*
- Stapleton Foundation Affordable Housing Study, *Denver, Colorado*
- Affordable Rental Housing Market Opportunities, *Phoenix, Arizona*
- Senior Housing Needs Assessment, *Gilpin County, Colorado*
- Teton County Housing Needs Assessment, *Teton County, Wyoming*
- Aurora Housing Authority Housing Needs Assessment, *Aurora, Colorado*
- Colorado Affordable Housing Trust Fund Economic Impact Analysis, *Denver, Colorado*
- City of Aurora Consolidated Plan, *Aurora, Colorado*
- City of Pueblo Consolidated Plan, *Pueblo, Colorado*
- Neighborhood Stabilization Program 2 (NSP2) Technical Assistance, *Aurora, Colorado*

Pagosa Springs Economic Development Study

Pagosa Springs, Colorado

EPS engaged in a comprehensive economic development study and strategy for the Pagosa Springs region. The area had experienced rapid growth and there had been an extensive community dialogue regarding growth and development issues. In particular, the community had imposed a big box retail store moratorium pending the outcome of the economic study.

EPS completed an economic base study of economic and demographic trends and forecasts and estimated future development in all sectors of the economy, including retail, commercial, tourism, and light industrial. Following up on a community-wide survey documenting current retail expenditure patterns, EPS quantified existing sales inflows and outflows to determine expected retail development under current Town policy. The project focused on identifying economic opportunities and options as input to the new comprehensive plan and to confirming and modifying Town policy toward new growth. The study also included a fiscal analysis of community capital needs to serve expected new development and recommended additional funding options, including impact fees, to address the costs of new development.

Pagosa Springs Housing Needs Assessment

Pagosa Springs and Archuleta County, Colorado

EPS was retained by Town of Pagosa Springs to conduct a housing needs assessment for the Town and Archuleta County. The City operated a small housing authority which marked the beginning of a larger regional housing program. The project included analyses of household income levels and affordable housing pricepoints compared to free market housing opportunities. Key products of the project included a needs analysis that thoroughly evaluated the issue with objective data as well as an action plan that delineated responsibilities and opportunities for the community with sufficient detail to enable organizations within the community to move forward.

Economic Driver and Development Opportunities Analysis

Region 9, Colorado

The objective of this study was to identify economic driver industries within the economy of Region 9, which includes Archuleta, Dolores, La Plata, Montezuma, and San Juan counties. EPS, working with Lloyd Levy Consulting, used IMPLAN and other modeling techniques to identify various basic industries within the region as well as significant regional infrastructure assets, such as major employers, economic development institutions, educational institutions, and other regional tourist and visitation attractions. The product of this work answer what share of total employment is generated by each economic driver, how important each driver is to the regional economy, and how much total employment is generated in response to one basic job within a given economic driver. Additionally, the purpose of the inventory of natural and economic assets was to facilitate the process of opportunities for growth and whether partnerships or other development efforts are possible.

Durango Downtown Vision and Strategic Plan

Durango, Colorado

Durango is a vibrant regional trade center, tourism and recreation destination, and university town in southwest Colorado. The downtown plan has not been updated since participating in the Main Street Program and implementing a streetscape program nearly 30 years ago. The city has one of the most successful small city downtowns in the country, but is currently challenged by a

new wave of suburban retail development and by a surge of infill development that threatens the existing historic buildings and the size and scale of the area.

EPS was economic consultant on a team to prepare a new downtown plan. The project included strategic level market and economic analysis focusing on downtown's competitive role within the city. EPS also compared infill development feasibility under current regulations concerning building heights and parking and recommended adjustments to encourage more compatible infill development. Major elements of the plan include: a new streetscape and three-lane cross-section for Main Avenue; pedestrian and safety improvements for Camino del Rio; building height and parking reductions for infill development; and identification of opportunity sites for infill housing and civic uses. Based on the major plan elements, EPS developed a funding and financing plan and revised the city's CIP to develop the major plan elements over a 15-year period. EPS also recommended a new downtown management organization structure expanding the existing BID which was implemented by the City.

Telluride Affordable Housing Strategy

Telluride, Colorado

The Town of Telluride faced the challenge of maintaining its affordable housing inventory for local residents and employees in the face of escalating housing prices. The Town was concerned that the employment base would be inadequate to support local businesses in the future. Additionally, the Town was concerned that residents, including children growing up in Telluride, would be unable to afford to remain in the community.

The Town retained EPS to develop a housing strategy to identify production targets and evaluate funding sources. For the initial task, EPS quantified the current and future supply and demand for housing. Existing housing programs in the Telluride Region were evaluated, as well as employment projections, commuting patterns, and residency goals. EPS developed production targets that included number of units, type of unit, and sales/rental rates based on the analysis of local demographics. EPS then worked with Town staff to assess vacant sites, establish ranking criteria, and identify a top tier of potential sites. The final task involved a financial analysis and an implementation program prioritizing capital and operating investments against revenue sources.

Telluride Foundation Workforce Housing Study

Town of Telluride, Colorado

EPS was contracted by the Telluride Foundation to evaluate the need for workforce housing in the Telluride region and develop a feasibility model designed to illustrate the potential for workforce housing development through public private partnerships. Similar to many mountain communities across the west, the Town of Telluride is continually faced with the challenge of providing affordable housing for its local workforce. While the Town and surrounding areas, that include Mountain Village and San Miguel County, have worked to provide affordable housing for the local workforce, there continues to be a need.

This study was defined by two major components. The first included an evaluation of the need or demand for workforce housing that identified the size of the local workforce by income group. This was compared to the corresponding supply of housing that was available to each income group in order to determine where gaps in the supply of housing existed.

The second aspect of this project included a detailed feasibility analysis of potential workforce housing development projects in Telluride, Mountain Village, and San Miguel County. The goal of the feasibility analysis was to provide the Foundation and city and county staff with an understanding of the potential for workforce housing development through public private partnerships. To do this, EPS built a multi-faceted development feasibility sensitivity model to identify the extent to which public private partnerships could be leveraged to incent the development of workforce housing.

San Juan County Economic Base Forecasts

San Juan County and Farmington, New Mexico

A coalition of business leaders in the coal mining, power generation, and oil and gas industries formed a committee known as the E>P Committee to begin a collaborative economic development program for the San Juan County region. The committee was formed out of concerns that the area's resource based economy is declining. The San Juan basin oil and gas resources have passed peak production, and one of the two coal fired power plants recently announced it would close three of its five generating units, and the entire plant may close in the coming years due to the high cost of retrofitting new pollution control technology. EPS was retained by the E>P Committee and San Juan Economic Development Services to develop an economic base analysis of the county to educate the public on the contributions and impacts of each industry, and to underscore the negative impacts of a loss of energy and extractive industries. EPS quantified the major economic drivers in the County and forecasted the impacts to employment and unemployment, population, and major local government revenues resulting from a decline in these industries over 20 years. The E>P committee is using the study as part of an education and PR effort to build support for a broader economic development and workforce training program.

Pagosa Springs Comprehensive Impact Fee Study and Update

Pagosa Springs, Colorado

Town of Pagosa Springs and Archuleta County hired EPS in 2005 to provide the Town and the County with an impact fee program, including the identification of fee amounts and a basis for drafting ordinances to adopt the recommended fees. In 2005, the Town of Pagosa Springs and Archuleta County was experiencing a resurgence of residential and commercial growth. The challenge facing the community was to manage the growth and ensure that the Town and County could keep pace with the need for additional infrastructure and community amenities.

EPS estimated future residential and non-residential development within the Town and County using work it previously completed as a part of the 2005 Economic Development Plan. The study identified capital costs associated with roads, open space/parks, trails, emergency services, and public facilities. These costs were apportioned by land uses, as well as by existing and proposed development. Based on expected demand for and use of new improvements and facilities, estimates of supportable fees were calculated. In 2009, the Town and County contracted with EPS to update and recalibrate those impact fees.

Ouray County Housing Needs Assessment

Ouray County, Colorado

EPS conducted a housing needs assessment as the lead on a team of consultants for the City of Ouray, Town of Ridgway and Ouray County. One of the primary challenges of the project was to address the unique needs of the different communities, such as escalating housing costs and

difficulty retaining essential workers. No housing authority existed prior to this work, though a few local developers had attempted to provide for affordable housing needs through various small projects. The project work included stakeholder interviews in each community, a countywide household survey as well as an employer survey, and analysis of demographic and economic trends and projections. The product of the analysis and synthesis of the collected information was an action plan with specific recommendations catered to the needs of each jurisdiction. Each jurisdiction's action plan identified opportunities for addressing housing, including mitigation programs, public-private partnerships, and expanded revenue sources.

San Juan County Housing Needs Assessment

San Juan County, Colorado

EPS conducted a housing needs assessment as the lead on a team of consultants for the Town of Silverton and San Juan County. One of the primary challenges of the project was to address the unique needs of the community, such as escalating housing costs and lack of housing availability, while gauging the balance between the community's interest in self-help programs and potential regulatory solutions. The County had adopted an inclusionary housing program (with a corresponding fee-in-lieu) that had generated sufficient funds to purchase a site on the periphery of the town to be developed for housing. A key issue addressed by the study was to estimate depth of demand by income level for the potential housing development. The project work included stakeholder interviews, a countywide household survey, and an employer survey. The project conclusions included an action plan that identified opportunities for adopting housing policies, production to address future demand, and methods to estimate potential funding sources.

Housing Needs Assessment

Bent, Crowley, and Otero Counties, Colorado

The Tri-County Housing & Community Development Corporation (TCHCDC) expanded from a largely mutual self-help housing and rehabilitations organization to offering financial assistance such as down payment and closing cost assistance. It now manages a loan portfolio of approximately \$6.3 million and is recognized as a successful and effective organization operating in one of the most challenging economic areas of Colorado. The core challenge was providing for housing and social service needs in an area with a struggling rural economy that had experienced a major reduction of its economic base over the past 20 years. As the agency has grown and economics have become more challenging, there was the need to re-evaluate the most effective strategies, policies, and use of limited personnel and financial resources.

TCHCDC retained EPS to perform an update of key economic, demographic, and market indicators, including major employer activity, income levels, housing conditions, and an inventory of suitable affordable and special needs housing. The analysis included a review of funding levels and sources, organizational structures, roles, and activities for TCHCDC and other housing and service providers active in the area. EPS identified housing service area gaps and an implementation plan to address them, as well as other organizational, funding, and strategy/policy issues.

Housing and Community Development Needs Assessment

Pueblo, Colorado

The City of Pueblo commissioned a study to provide it with a comprehensive understanding of housing and community issues. This included an analysis of housing and community

development needs and gaps, which would serve as a basis for the priorities and strategies used in the City's Five-Year Consolidated Plan.

An EPS led team conducted extensive community outreach, including stakeholder interviews, focus groups, and meetings. In addition to addressing special population needs, as related to human and social services, family and youth priorities, the study focused on employment and economic development as it related to business in low and moderate income areas. The results of these comprehensive efforts helped structure priorities for the City's community development programs and activities, as well as provide goals, priorities, and objectives to identify an overall housing and community development strategy to address current and future needs. The final document was used to fulfill the requirements of HUD's guidelines for receiving CDBG, HOME, and ESG funding through the Consolidated Plan process.

Garfield County Cattle Creek Crossing Market Analysis

Garfield County, Colorado

Cattle Creek Crossing is a 240-acre site located in the Roaring Fork Valley in Garfield County, Colorado. At the time of entitlements, it was one of the last remaining large-scale tracts of vacant land located between the towns of Aspen and Glenwood Springs. The vision of the developer was to create a mixed use, master planned community with 1,000 dwelling units that ranged from rental apartments to river front estate homes. The plan also included a town center with 40,000 square feet of retail and office uses. Two central questions faced the developer: how to gauge the depth of demand across a broad spectrum of potential residents, and how to provide an optimal distribution of products to maximize revenue.

The developer retained EPS to conduct a market study for the project and to advise the development team regarding market segmentation, pricing, product definition, and absorption. EPS used a combination of qualitative and quantitative research methods to document the conditions for each of the submarkets throughout the Roaring Fork Valley. The analysis covered deed restricted workforce housing as well as luxury product priced at \$1.5 million and above. EPS identified the market niches of greatest activity, documented thresholds for the relevant buyer profiles, and recommended a unit mix and corresponding pricing that positioned the development competitively and achieved the targeted returns of the developer.

Tree Farm Market Study

Eagle County, Colorado

EPS was retained to complete a residential and commercial market analysis for a 72-acre planned development with sketch plan approval from Eagle County for 319 housing units and 96,375 square feet of commercial space. The primary purpose of the market study was to evaluate the proposed use, propose adjustments in the product mix and pricing based on current and forecasted market conditions, and determine a likely development timeframe and phasing plan, and identify any impacts on the County.

EPS evaluated conditions and trends in the Mid Valley relevant to market rate, affordable, and resident-occupant housing products. The residential analysis assessed demographics, building activity, the development pipeline, product mix, and affordable trends. The study included an analysis of the competitive developments in the Mid Valley, an inventory of the unsold, unbuilt and approved housing units. The commercial market analysis included an inventory of retail commercial, office commercial, and service commercial/industrial space in the Mid Valley. EPS

estimated existing retail expenditure and total personal income, inflow and leakage of retail sales by store type, and existing store sales for the Mid Valley. The analysis also included a forecast of demand for retail space, and retail development potentials for the project by store type. The industrial analysis evaluated the inventory of competitive space, live/work unit developments, historical development conditions, and estimated the development potentials for industrial space and live/work space.

Housing Conditions and Policy Update

Basalt, Colorado

EPS was retained to identify how market and economic conditions since the recession had changed and to what extent housing supply was or was not meeting demand. EPS conducted a targeted employee survey to collect primary data on residence preferences and assessed how widening gaps between local housing costs and lower-paid employees and their households were contributing to the need for a locally-funded affordable housing solution. The work included a full analysis of supply and demand conditions, such as trends in demographics, employment, wages and income, and commuting, as well as the housing inventory. EPS found that exacerbated cost-burden conditions, a drastic increase in low-wage jobs, housing prices in excess of the local workforce, and the lack of new affordable inventory in the pipeline contributed to a workforce development problem. Recommendations were made related to actions that the Town could take to mitigate the causes and effects of these problems.

Three Springs Annexation and Fiscal Report

Durango, Colorado

The Tierra Group had proposed annexation of the 682-acre Three Springs site to the City of Durango. Three Springs was planned as a traditional neighborhood development (TND) community with a diversity of residential and non-residential uses. The plan included a site for the relocation/expansion of the Mercy Medical Center and its related medical offices as well as retail and office uses. The residential component of the plan called for a range of densities and housing types. In addition, Three Springs included a site for primary school, a regional park with athletic fields, and an internal trail system, which links to the City's regional system. A fiscal impact analysis was required as part of the annexation report submitted to Durango City Council and La Plata County. To satisfy this requirement, EPS was hired to conduct a fiscal impact analysis of the proposed project.

The first step in the fiscal analysis was the evaluation of the revenues and expenditures associated with providing general government services to future residents and businesses of Three Springs. EPS performed a budget analysis and conducted interviews with representatives from major City departments and impacted special districts. Based on the data collected and insight gained, a fiscal impact model was developed. The model was a point-in-time analysis, providing an annualized "snapshot" of the expected revenues and expenditures at the end of each phase of development. The analysis highlighted the likely implications of the proposed project on City revenues and expenditures so that these factors could be considered in the policy deliberations.

Inclusionary Housing Ordinance Study

Denver, Colorado

The City and County of Denver's Inclusionary Housing Ordinance passed in 2002 and established a requirement to provide 10 percent of units built in structures with 30 or more units being

moderately-priced dwelling units (MPDU). The IHO was tailored to give a developer the option of constructing MPDUs or paying a cash in-lieu (CIL) fee. To encourage construction of units, the ordinance included a few incentives, such as a density bonus and a cash incentive for up to 50 percent of required MPDUs built. Since that time, however, economic and policy changes occurred, all of which have affected the IHO's performance. To evaluate its options for making the program more productive and effective, the City contracted with EPS to improve the IHO with a focus on: 1) geographic distribution of units; 2) an improved set of incentives that would motivate developers to construct units; and 3) a recalibration of the IHO's parameters, such as cash-in-lieu payments, cash subsidy amounts, and income levels. EPS assessed affordability trends, conditions, and gaps at the neighborhood level, as well as evaluated overlays of proximity to employment, transit, and locally-calibrated H+T costs by neighborhood. The study used a pro forma model to test the feasibility of modified and enhanced IHO requirements and incentives to maximize the incentive to developers to build units. The pro forma tested a variety of prototypical developments throughout the City and accounted for the full range of market and program parameter assumptions. The recommendations, which included adopting a tiered structure of cash incentives and CIL amounts by neighborhood in low/medium/high zones were adopted by City Council in 2014.

Central City Density Bonus and Incentive Policy Update

Portland, Oregon

The City of Portland has historically offered developers additional density, or transfers at entitlement in exchange for meeting one or more of nearly 20 different civic and community amenities. The incentive programs had been met with varying degrees of success and usage overtime, and the transfer options had created a secondary market for transferable FAR. Among the issues facing the City was the reality that the vast number of options not only competed with each other but diluted efforts to make strides toward achieving any one of these civic goals, specifically incenting affordable housing production. The goal of the study was to recalibrate the incentive structure so that developers would find an economically compelling course of action to incorporate incentive measures and build affordable housing. EPS structured an analysis to evaluate the development feasibility of all development types throughout the Central City's entitlement zones. The analysis compared the feasibility of by-right use to developments with a density bonus that provided affordable housing. Developers and industry professionals were engaged throughout the process, including one-on-one interviews and roundtable discussions. Affordable housing experts, brokers, legal experts, builders, and other city staff were also actively engaged throughout. EPS constructed a pro forma model to test a wide range of development scenarios and based on the findings recommended a threshold for FAR and AMI that could be more monetized by developers.

Dwelling Development LLC

Sarah Batt is currently principal consultant with Dwelling Development in Denver and will be providing expert guidance for the County regarding LIHTC project applications to CHFA. The following is an overview of her current and past experience:

Principal Consultant, Dwelling Development, Denver CO

Manage all aspects of affordable housing development for multiple clients in the Metro Denver area. This includes all aspects of due diligence necessary for closing acquisition/rehab and new construction projects. Package optimal financing for properties, including both 4% and 9% credits, private activity bonds, and HOME funds from state and local sources. Solicit and evaluate proposals for both debt and equity. Negotiate all legal documents with assistance from attorneys. Work with client's staff to develop budgets and with construction staff to assess necessary rehabilitation needs for properties. September 2006- to Present

Housing Developer, Aurora Housing Authority, Aurora CO

Performed all aspects of due diligence necessary for closing multiple acquisition/rehab projects for the Authority. Packaged optimal financing for properties, including both 4% credits, private activity bonds, and HOME funds. Solicited and evaluated proposals for both debt and equity. Negotiated all legal documents with assistance from attorneys. Worked with local HUD office and CHFA to gain approval to transfer existing project based Section 8 contracts. Wrote up board packages and resolutions related to development for Board of Director's approval. Worked with asset management staff to develop budgets and with construction staff to assess necessary rehabilitation needs for properties. June 2005- September 2006

Senior Loan Officer, Mile High Housing Fund, Denver

Maintained primary responsibility for managing the loan portfolio. Oversaw MHHF's training and technical assistance in affordable housing. Marketed MHHF's loan products to potential borrowers and referral sources. Reviewed loan applications and financial data from prospective borrowers. Presented loan recommendations to the Loan Committee for approval. Closed and documented loans in consultation with legal counsel. Developed professional relationships with current and potential borrowers to ensure a clear understanding of the role, resources, and requirements of MHHF. Monitored loan portfolio, communicating directly with borrowers as appropriate. Managed loan software program to track loans (Pearl). Prepared analyses and reports on the loan portfolio performance. Managed loan workouts as necessary. April 2002 to June 2005.

Project Manager, Rocky Mountain Mutual Housing Association, Denver

Underwrote possible acquisition/rehab and new construction deals for development in Utah, Arizona and Colorado. Performed due diligence analysis on properties under contract. Packaged optimal financing for properties, including both 4% and 9% credits, private activity bonds, 501(c)3 bonds, HOME funds, AHP funds and other available grants and loans. Presented development package to real estate committee and Board of Directors for approval. Worked with asset management staff to develop budgets and assess necessary rehabilitation needs for properties. March 2000- April 2002

Loan Officer, Colorado Housing and Finance Authority, Denver

Underwrote potential housing projects for funding either through bond program or other available loan programs. Review loan applications and worked with borrowers to resolve any issues. Prepared materials for asset management to review and provided answers to any questions about proposed development. Presented projects to loan committee and then to Board of Directors. Worked with in house legal staff to close loans. Met with other rental housing staff to manage pipeline of developments. October 1999-March 2000

Program Manager, Technical Assistance Collaborative, Boston

Worked with other members of housing consultancy to advise state and local governments and community organizations on a variety of different issues related to development finance and management of affordable supported housing for disabled and disadvantaged individuals and families. Helped groups to assess their consultative needs, develop strategies to respond to these needs and deliver within agreed upon budget. November 1997- October 1999

Acquisition Manager, National Equity Fund, New York.

Underwrote potential housing projects for inclusion in NEF's portfolio. Analyzed the long term viability of affordable housing projects from financial and development perspectives. Coordinated with asset management information on market data and strength of local development teams drawn from current portfolio. Prepared summary proposals of potential projects for review by investment board. Provided customer service to sponsors and development teams. Developed and implemented marketing strategies in coordination with regional business plans. January 1997- October 1997.

Director of Project Management, New York City Housing Partnership, New York.

Oversaw and managed the daily activities of the Neighborhood Entrepreneurs Program (NEP), including review of monthly property management reports, construction loan requisitions, and seed loan requisitions. Supervised staff of 2 project managers. Worked directly with seven entrepreneurs on all aspects of construction and management stages of NEP. Prepared and reviewed low-income housing tax credit proformas and prepared applications for city review. Generated and negotiated construction loan budgets with private banks. Analyzed development costs on a program-wide basis. Worked closely with city housing agency and non-profit sponsors to jointly administer NEP program. September 1995- January 1997.

Education

School of International and Public Affairs, Columbia University, New York.

Masters Degree in Public Administration, May 1995. Concentration in Finance.

Barnard College, Columbia University, New York. BA in American Studies, May 1990.

MEMORANDUM

To: James Dickhoff, Planning Department Director
Town of Pagosa Springs

From: Andrew Knudtsen and David Schwartz
Economic & Planning Systems

Subject: Archuleta County Housing Needs Study Supplemental Text;
EPS #163071

Economic & Planning Systems will build on its depth of housing experience for Archuleta County and will tailor this scope to the current needs and interests of the community. Specifically, the scope of work has been tailored to focus on 'going vertical.' The challenge that every community faces with the goal of constructing affordable housing is the need for subsidy and ability to close feasibility gaps. Subsidy can come in the form of federal, state, and/or local grants and subsidies. This study will document conditions in Archuleta County with sufficient detail to provide the basis for applications for these grants. For example, the study will ground applications to the State of Colorado Division of Housing, which could provide HOME dollars to local development concepts (often geared to ownership households earning less than 80 percent of AMI). The study will also specifically target Low Income Housing Tax Credit opportunities, which are by definition geared to rental households.

The EPS team includes Sara Batt, who is particularly well informed on CHFA's allocation process. The EPS team will use the findings from the Housing Needs Analysis (both in terms of current housing costs, magnitude of gaps by tenure and income, land availability, prospective revenue, project scale, etc.) and tailor an implementation concept that is expected to have the greatest traction with CHFA and highest potential for a LIHTC award.

Please note that this study will not replace the requirements from the Division of Housing, CHFA, or other agencies to submit a complete application that complies with all of their individual requirements. This study will direct Archuleta County and the Town of Pagosa Springs to the sources that have the greatest likelihood of funding a local housing proposal.

Finally, it should be noted that EPS is prepared to construct high level feasibility and can test the financial viability of different concepts. It is recognized that development costs are high. Potential revenues are often high, but can be reduced based on the degree of affordability that is desired. Thus, the degree of gap closure is directly correlated to the affordability targets. Because of the depth of experience EPS has with pro forma construction, EPS can build these models to quantify the financial targets associated with various policy goals regarding affordability, all based on locally calibrated costs and revenues.

The Economics of Land Use



*Economic & Planning Systems, Inc.
730 17th Street, Suite 630
Denver, CO 80202-3511
303 623 3557 tel
303 623 9049 fax*

*Denver
Los Angeles
Oakland
Sacramento*

www.epsys.com



AGENDA DOCUMENTATION

LIQUOR LICENSES: III.4

PAGOSA SPRINGS TOWN COUNCIL

DECEMBER 6, 2016

FROM: BILL ROCKENSOCK, POLICE CHIEF

PROJECT: LIQUOR LICENSE RENEWALS

ACTION: DISCUSSION AND POSSIBLE ACTION

BACKGROUND

Businesses granted liquor licenses by the State of Colorado and the Town of Pagosa Springs are required to renew their liquor license annually. The Town Council, as the Local Licensing Authority, has requested that the Police Department provide them with information on police contacts with these businesses in consideration of their renewal application.

Annually, the Police Department works with the Colorado Liquor Enforcement Division to conduct compliance checks on businesses within the Town of Pagosa Springs holding liquor licenses throughout the year, Officers do perform random checks/walk thru of businesses selling liquor in the town limits.

The vendors listed below have requested a renewal of their liquor license. Based upon a local records check, the Police Department has found the following:

Pagosa Lodging/The View – Since January 1, 2016, there were no documented liquor violations at Pagosa Lodging LLC dba The View, located at 3505 W Hwy 160.

ATTACHMENT(S):

None

RECOMMENDATION

It is the recommendation of the Police Chief that the Town Council,

Consider the above information when determining approval of liquor license renewals.



AGENDA DOCUMENTATION

MARIJUANA LICENSE: III.5

PAGOSA SPRINGS TOWN COUNCIL
DECEMBER 6, 2016

FROM: BUILDING, PLANNING, POLICE, & TOWN CLERK DEPARTMENTS

PROJECT: MARIJUANA LICENSE RENEWALS
ACTION: DISCUSSION AND POSSIBLE ACTION

BACKGROUND

Businesses granted marijuana licenses by the State of Colorado and the Town of Pagosa Springs are required to renew their marijuana license annually. Several inspections are completed annually for the renewal of this license, as well as quarterly inspections/reporting by the Clerk's office to confirm compliance with the 70% from Archuleta County rule.

The vendor listed below have requested a renewal of their retail marijuana license.

The Green House located at 270 East Pagosa Street

POLICE DEPARTMENT

The police department conducted a compliance check of the Green House on November 14th checking the alarm and surveillance system and backup requirements. The inspection also reviewed the signage and appropriate product disposal techniques. All items inspected by the Police Department were accepted as compliant.

BUILDING AND FIRE SAFETY DEPARTMENT

The building department conducted a fire inspection on November 29th. Violations were found and the business representative, Ruth Reed, is working with the department to come into compliance. At this time the violation will not prohibit the approval of the renewal of the marijuana license. A re-inspection has been scheduled for December 12th at which time the department expects to find the business in compliance.

TOWN CLERK

The Town Clerk met with representatives of The Green House to review the sales reports on the State Metrc reporting system. The owners, J&J Enterprises Inc. worked with the State to create a report the Town could easily use to determine the 70% compliance. The report provides sales volume as it associates with original grow location code and by using simple math it was established The Green House is in compliance with the 70% sales from Archuleta growers' requirement as set by ordinance.

PLANNING DEPARTMENT

The planning department will be completing the following inspections for compliance based on the original license approval.

Exterior Lighting:

- 1) Exterior lighting fixtures was inspected on October 13, 2016, and appeared to be in compliance with TOPS exterior lighting regulations.

Parking:

- 1) Parking lot surface was to be repaired / improved prior to the end of the 2016 construction season. The front portion of the parking lot surface was repaired prior to the end of the 2016 construction season, however, it appears the rear portion of the 5 on-site parking spaces is in need of repair as well. The Applicant had hired a contractor who did not complete the project as

Requested, thus, the pavement will be completed in the spring of 2017.

- 2) 8 parking spaces were required for the building square footage of 2300 sq ft. The applicant has provided 5 spaces on site and an additional 6 spaces acquired through a shared parking agreement with an adjacent property owner. He applicant has provided proof the parking agreement is valid and will need to provide such proof during the annual license renewal process.

Landscaping:

- 1) Landscaping requirement of one tree minimum planted in 2016 planting season was completed.
- 2) Maintenance of landscaped areas was also completed in 2016.

Signage:

- 1) Signage has been inspected. AT the time of inspection, the business was displaying a sandwich board sign containing a marijuana leaf. Marijuana "Symbols" are prohibited on exterior signage pursuant to Ordinance 847, section 6.5.1.10(l). Also, we did not show evidence the sandwich board sign has an approved permit. Since the inspection, the applicant has applied for a SB permit and was approved contingent on the Marijuana Symbol shall not be displayed on the sign and the sign shall be placed within 3 feet of the building.

ATTACHMENT(S):

None

RECOMMENDATION

It is the recommendation that the Town Council,

Consider the above information when determining approval of marijuana license renewals.



AGENDA DOCUMENTATION

CONSENT AGENDA: III.6

PAGOSA SPRINGS TOWN COUNCIL

DECEMBER 6, 2016

FROM: JAMES DICKHOFF, PLANNING DIRECTOR

PROJECT: RATIFY LETTER OF SUPPORT FOR PAGOSA RANGER DISTRICT'S STATE TRAILS GRANT APPLICATION FOR OFF HIGHWAY VEHICLE (OHV) TRAIL MAINTENANCE CREW FUNDING FOR 2018 SEASON

ACTION: DISCUSSION AND POSSIBLE ACTION

PURPOSE/BACKGROUND

The Pagosa Ranger District is applying for a State Trails Grant for \$54,000 to hire additional trail maintenance crew members for the 2018 season. The crew members would perform work on the extensive OHV trails within the district boundaries.

The Pagosa Ranger District has requested a letter of support for their State Trails Grant application.

Due to the time, we received the request and the grant deadline, the Mayor signed the letter prior to the December 1, 2016 deadline.

FISCAL IMPACT

There is no requested financial commitment from the Town.

ATTACHMENT

Support Request
Letter of Support

RECOMMENDATION

It is the recommendation of the Planning Director that the Town Council,

Ratify and Approve the Letter of Support for the Pagosa Ranger District's State Trails Grant Application.

Email Date: November 17, 2016

James

The Pagosa Ranger District is applying for an Off-Highway Vehicle Program State Trail Grant and we are required to have letters of support from our partners and community. The grant is requesting funding to pay for a "2 Person OHV Trail Maintenance Crew", who will maintain our motorized trails during the 2018 field season. I would appreciate the town's support for our endeavor and please let me know if this is something you can do. My grant deadline is Dec 1, so I only have 2 weeks with a holiday.

I really appreciate your help.

Thank you

Tyler Albers
Trails and Wilderness
Forest Service
San Juan National Forest, Pagosa Ranger District

p: 970-264-1515
f: 970-264-1538
talbers@fs.fed.us

180 Pagosa St
Pagosa Springs, CO 81147
www.fs.fed.us

Caring for the land and serving people



551 Hot Springs Boulevard
Post Office Box 1859
Pagosa Springs, CO 81147
P: 970.264.4151
F: 970.264.4634

Town of Pagosa Springs
Mayor

Date: November 28, 2016

To: Tom Metsa
OHV Program Manager
Colorado Parks and Wildlife
13787 S. Hwy 85
Littleton, Co. 80125

Re: Letter of Support for Pagosa Ranger District and the San Juan National Forest

Dear Tom Metsa and grant review committee members,

Please accept this letter of support for the Pagosa Ranger District's (San Juan National Forest) State Trails Grant Application, requesting \$54,000 in funding for a 2-person OHV Trail Maintenance Crew during the 2018 season.

The proposed additional staff members will help keep the extensive network of OHV trails in our area maintained for the enjoyment of OHV enthusiasts. These trails are used and enjoyed by local residents and numerous annual visitors to our community. The trails offer extensive access to the beautiful San Juan National Forest and exposing many to the natural beauty of the area.

Recreation plays an important role in the weekly lives of many of our residents and is certainly a major tourism draw to Pagosa Springs and Archuleta County. Dwindling resources available to our local ranger district restricts their ability to provide the annual maintenance needed on our trail systems. An awarded grant would be a great benefit to our overall community.

Thank You for your serious consideration,

Don Volger

Mayor,

Town of Pagosa Springs

Po Box 1859

551 Hot Springs Blvd.

Pagosa Springs, Co. 81147

970-264-4151 x226

ddvolger@gmail.com



AGENDA DOCUMENTATION

NEW BUSINESS: IV.1

PAGOSA SPRINGS TOWN COUNCIL

DECEMBER 6, 2016

FROM: GREGORY J. SCHULTE, TOWN MANAGER

PROJECT: FOOTHILLS PROJECT CONCEPT APPROVAL

ACTION: DISCUSSION AND POSSIBLE ACTION

PURPOSE / BACKGROUND

Jack Bridges and Steve Graham, DBA San Juan Builders, LLC, wish to propose an affordable housing project known as The Foothills. Their proposal entails assembling several parcels of land near the Pagosa Springs High School to create what would be called as "permanent affordable housing." Adjacent to the High School and Yamaguchi Park are 4 parcels referred to as the Pierce House, School Property, Town Shop, and the Jaramillo Property. Combining all 4 parcels would result in approximately 6.5 acres and the project proposal is that 35 single family homes and 20 apartments would be constructed. The proposed housing would entail the following:

- Single Family Homes: 12 @ <600 square feet (may be a duplex)
 24 @ <1,500 square feet

- Multi Family Structures: 2 @ 4 Units
 1 @ 12 Units

The proposal would include deed restrictions and buyers and tenants would be subject to income restrictions.

Implicit in the proposal are the following elements:

- Land donation or conveyed at a reduced cost of School District and Town property
- In-kind contributions from the Town and County
- Fee reduction or waivers
- Deed restriction and /or liens

For the Town, San Juan Builders is looking for in-kind services mainly in the areas of our Streets crew providing assistance is South 6th Street south of Apache. In addition, there would be the desire to have Impact Fees, Sewer Plant Investment Fees, and building fees waived or significantly reduced. Last, and most significantly, San Juan Builders would want to have the land the Town Shop is currently located on to be donated as part of the assembly of the land.

The Archuleta School District #50 JT heard this in August 2016 and at that time indicated conceptual approval. However, it must also be noted the School District has been conducting a facilities assessment and the final outcome and review of the assessment is necessary prior to any final approval since the desired school property is a key element of the proposal.

Affordable Housing Work Group

San Juan Builders presented the proposed project to Affordable Housing Work Group on September 16, 2016 and at that time there was a near unanimous indication of support by the Work Group.

ATTACHMENTS

- San Juan Builders Project Description
- Map of Proposed Project Area

FISCAL IMPACT

At this juncture, there is no fiscal impact if the Council were to indicate “conceptual support.” However, if the project progresses to a point where the Town will be committing the property where the Town Shop is located, then the fiscal implications are quite significant. The prospect of moving the Town Shop presents a tremendous financial implication as relocating the shop would entail a new location with new buildings and infrastructure. Remediation of the old site would also be an outstanding question.

Regardless, the future of the Town Shop needs to be addressed and as the Council may recall, there is funding budgeted in 2017 to perform a Needs Assessment for the Town Shop to determine what current needs there are what might be needed into the future – whether the Shop remains at the current location or some other site.

2017 TOWN COUNCIL GOALS & OBJECTIVES

Included in the Town Council’s adopted 2017 Goals & Objectives is Goal #3 of “Promote a vital local economy by supporting economic development, energy efficiency, and tourism.” In addition, Objective 3.3 states “Energize General Economic Development Efforts” and within that Objective is the Action of “Encourage Work Force Housing Development.”

RECOMMENDATIONS

Possible actions by the Town Council include:

1. **“Move to approve the concept of The Foothills Project presented by San Juan Builders.”**
2. **“Move to approve the concept of The Foothills project, but with the following conditions”**
3. **“Move to decline to approve the concept of The Foothills Project.”**
4. **Direct staff otherwise.**



THE FOOTHILLS:

EQUITABLE DEVELOPMENT FOR PAGOSA SPRINGS

Whereas, the Town has identified the need for Affordable Housing as a “critical priority” on the list of Goals and Objectives for 2017;

Whereas, the Town has identified the need to develop a plan for the Sanitation District property as a “critical priority” on the list of Goals and Objectives for 2017;

Whereas, the Joint Town/County Affordable Housing Task Force has made recommendations to Council to subsidize housing and specifically support, “The Foothills” subdivision;

Jack Bridges and Steve Graham, DBA San Juan Builders, LLC, wish to collaborate with local administrations and create a “Workforce Housing Partnership” within the Town limits to help local residents.

We are respectfully requesting conceptual approval of the project sketch-plan at this time. In addition, we wish to be granted a vested right to build dwelling units on the Town Shop property, upon construction of a new Maintenance facility in the future.

SCOPE:

BUILD 100%, PERMANENT AFFORDABLE HOUSING (PAH)

Adjacent to the High School and Yamaguchi Park there are 4 parcels referred to as the Pierce House, the School Property, the Town Shop, and the Jaramillo Property. By combining these four, an area of approx. 6.5 acres could be replatted into R-12 and R-18 lots varying in size. Buyers and tenants would be subject to income requirements that would adjust according to the specified Area Median Income (AMI). **Cost reductions would be achieved through fee mitigation, street construction assistance, land donation, and lot size adjustments.**

PRIMARY GOALS OF THIS PLAN:

- 1) Reduce costs by utilizing local assets
- 2) Promote stable growth
- 3) Increase affordable housing stock
- 4) Reduce transit costs/emissions through dwelling proximity to jobs and services
- 5) Improve safety and disperse traffic flow with better street connectivity

DETAILS:

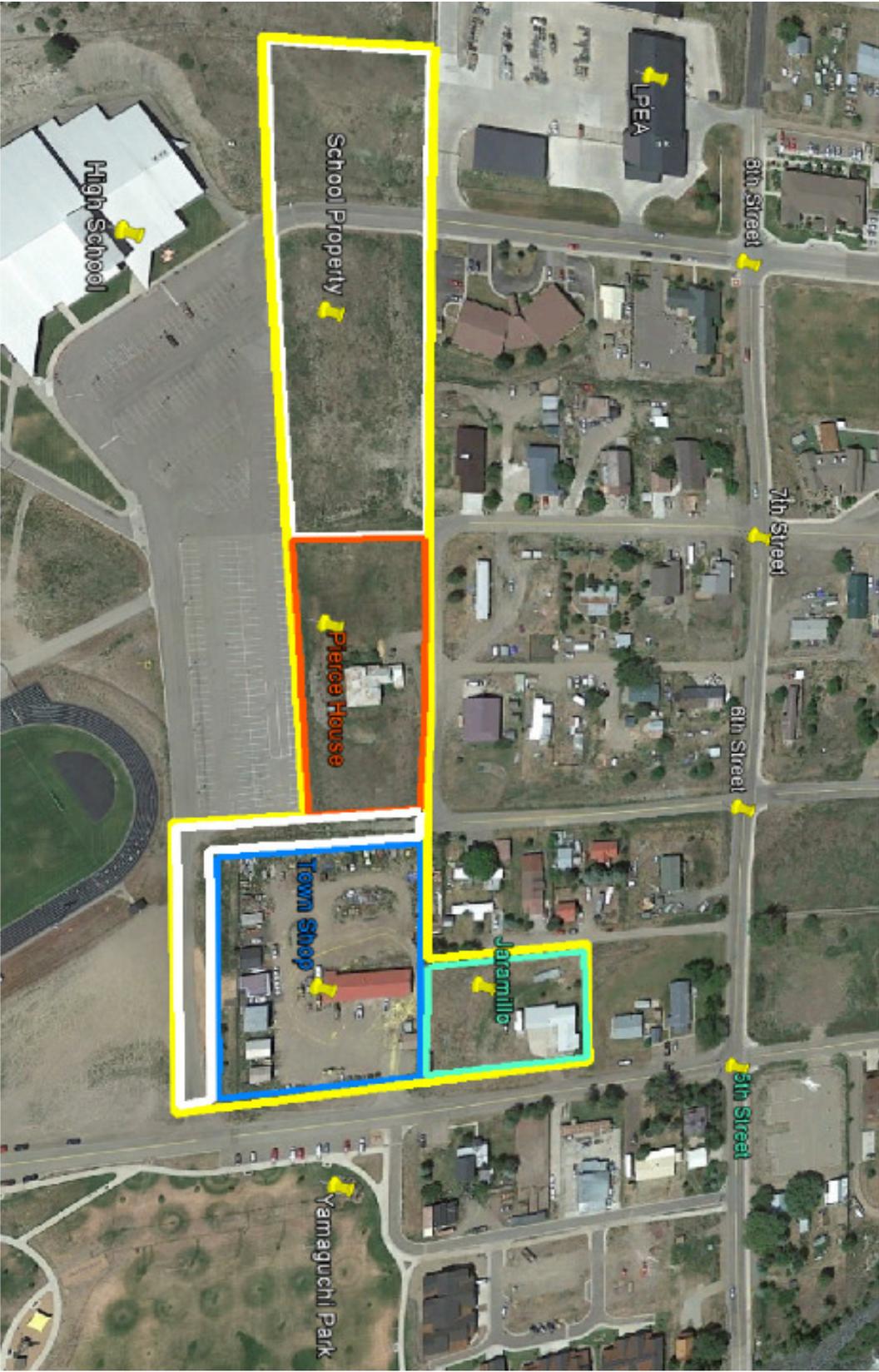
This plan recognizes the need for many types of housing and includes stand-alone Single-Family Dwelling Units for sale and Multi-Family Dwelling Units for sale/rent. It is based on lot designs which follow the recommendations made by the Joint Housing Task Force. Approximate dwelling unit size and quantities are as follows:

Individual structures	12 @	<600 square foot (duplex w common wall)
	36 @	<1500 square foot
Multi-Family Structures	1 @	4 Units
	1 @	8 Units
	2 @	10 Units

Deed riders/restrictions would require purchase and occupancy by full-time residents within defined income brackets. Any recognized 501 Housing Authority could be the "Monitoring Agent" that would enforce these restrictions:

- 1) Dwelling must become primary residence of owner upon sale
- 2) At least one household member must work in Archuleta County a minimum of 30 Hours per week, year-round. (ski area included)
- 3) Buyers must not already own a home in Archuleta County
- 4) Deed restrictions would prevent rise in value to 3%/yr, or to the percent increase of the AMI, whichever is greater.

The largest and most expensive home within "The Foothills" would be priced below the FHA loan maximum, which is currently \$239,000. This number has been calculated by USDA based on U.S. Census Economic Data of Average Household Income in Archuleta County. Many lenders will not exceed this federal limit.



High School

School Property

Pierce House

Town Shop

Jaramillo

Yamaguchi Park

PEA

8th Street

7th Street

6th Street

5th Street

PHASE 1

PHASE 2

APACHE ST

8TH

7TH

6TH

5TH

M/F

House

M/F

M/F

PSHS

PSHS PARKING





AGENDA DOCUMENTATION

NEW BUSINESS: IV.2

PAGOSA SPRINGS TOWN COUNCIL

DECEMBER 06, 2016

FROM: JAMES DICKHOFF, PLANNING DIRECTOR

PROJECT: ORDINANCE 851, FIRST READING, ACCEPTING THE BARGAIN AND SALE DEED FOR REAL PROPERTY KNOWN AS THE HARMAN PARK SUBDIVISION RIGHTS-OF-WAY AND ASSOCIATED INFRASTRUCTURE

ACTION: DISCUSSION AND POSSIBLE ACTION

PURPOSE

Ordinance 851, will formalize the acceptance of the road ways, sidewalk and street lights within the Harman Park subdivision as Town owned roads and associated infrastructure (including sidewalks, street lights and street signs).

BACKGROUND

The subdivision was approved in 2004 and constructed between 2005-2007.

In 2008 Town staff reviewed the public road improvements with TOPS consultant, Davis Engineering, and the geotechnical inspection reports. Town staff at that time determined a number of items needed to be addressed before considering the public improvements being accepted into the Town. A number of meetings with the developer and town staff occurred after the above findings with some corrections occurring.

The items identified regarding the actual roadway included a few compaction tests indicated compaction was slightly below the standard and evidence of raveling of the top layer of aggregate on the asphalt surface.

ANALYSIS

The Public Works director has inspected the recent application of slurry coat and the condition of the 12-year-old roadway, and finds the roadways in acceptable condition for considering its inclusion into the Town's streets network.

Harman Park Drive is identified in our Access Control Plan (ACP) as a major collector local road that will eventually provide connectivity to downtown, removing local traffic from the Highway, and directing traffic to the Harman Park Drive and Highway 160 lighted intersection providing safe left hand turn movements.

FISCAL IMPACT

- ≈ The Public Works director has indicated that the application of a chip and seal project or additional slurry coat would be considered in the future, depending on the longevity of the condition of the asphalt surface. This application is estimated at approximately \$25,000 and will occur only if determined to be needed.
- ≈ If the roads are accepted, TOPS will provide snow plowing, regular street maintenance and maintenance of associated facilities (drainage, street lighting, street signs, and traffic control signs) as needed.

ATTACHMENTS

- ≈ The applicant's request for the Town to accept the roads in Harman Park.
- ≈ Ordinance 851, Accepting the Bargain and Sale Deed for Real Property Known as The Harman Park Subdivision Rights-of-Way and Associated Infrastructure
- ≈ Bargain and Sale Deed

RECOMMENDATIONS

The Planning Director and Public Works Director recommend that Town Council accept the Harman Park Subdivision Roadways. Following are alternative actions for consideration:

- 1) Approve the First Reading of Ordinance 851, Accepting the Bargain and Sale Deed for Real Property Known as The Harman Park Subdivision Rights-of-Way and Associated Infrastructure.
- 2) Approve the First Reading of Ordinance 851, Accepting the Bargain and Sale Deed for Real Property Known as The Harman Park Subdivision Rights-of-Way and Associated Infrastructure, with the following conditions of approval...
- 3) Deny the First Reading of Ordinance 851, Accepting the Bargain and Sale Deed for Real Property Known as The Harman Park Subdivision Rights-of-Way and Associated Infrastructure.

Harman Park Owners Association

P.O. Box 4385
Pagosa Springs, CO 81147

November 17, 2016

TO: TOWN OF PAGOSA SPRINGS

On behalf of the Board of Directors for the HARMAN PARK OWNERS ASSOCIATION (HPOA), we hereby accept the offer from the Town of Pagosa Springs to take over all aspects of Harman Park Drive, Papoose Ct. and Rily Ct. located within the HPOA property. This agreement includes a Certified Check from the Town of Pagosa Springs in the amount of \$10,000 made payable to HPOA, all street maintenance, snow removal, road surface concerns and general upkeep effective January 1, 2017.

This agreement was unanimously approved by the Board of Directors of HPOA.

**Lloyd Goheen
Member, Board of Directors**

TOWN OF PAGOSA SPRINGS, COLORADO

ORDINANCE NO. 851 (SERIES 2016)

AN ORDINANCE OF THE TOWN OF PAGOSA SPRINGS
ACCEPTING THE BARGAIN AND SALE DEED FOR
REAL PROPERTY KNOWN AS THE HARMAN PARK
SUBIVISION RIGHTS-OF-WAY AND ASSOCIATED
INFASTRUCTURE

WHEREAS, the Town of Pagosa Springs (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Pagosa Springs Home Rule Charter of 2003; and

WHEREAS, pursuant to Section 10.6 of the Pagosa Springs Home Rule Charter of 2003, the Town has full authority, power and control over all Town owned property, including streets, and including but not limited to, all power and authority to purchase such property, and section 12.19 of the Charter provides for the acquisition of property by Ordinance; and

WHEREAS, the Town Council hereby finds and determines that it is appropriate and necessary to the function and operation of the Town to accept the Bargain and Sale Deed attached hereto as Exhibit A, for that certain real property known as “that 60 foot Rights-of-Way, entrance traffic circle area, and cul-de-sacs shown as Harman Park Drive, Papoose Court and Ryder Court as shown on the Harman Park Subdivision Final Plat filed for record on December 21, 2004 at reception number 20412244 in the office of the Clerk and Recorder, Archuleta County, Colorado.”

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, as follows:

I. Acceptance of Bargain and Sale Deed. The Bargain and Sale Deed, in the form attached hereto, and the property conveyed by it, is in all respects approved and accepted by the Town.

II. Public Inspection. The full text of this Ordinance, with any amendments, is available for public inspection at the office of the Town Clerk.

III. Severability. If any portion of this Ordinance is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

IV. **Second Reading.** Second reading of this Ordinance shall be held on the ___ day of _____, 201__, at __:00 p.m. at the Pagosa Springs Town Hall, 551 Hot Springs Boulevard, Pagosa Springs, Colorado.

V. **Effective date.** This Ordinance shall become effective and be in force thirty days after final approval.

INTRODUCED, READ, AND ORDERED PUBLISHED PURSUANT TO SECTION 3.9, B) OF THE PAGOSA SPRINGS HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF PAGOSA SPRINGS, ON THE ____ DAY OF _____, 201__.

TOWN OF PAGOSA SPRINGS,
COLORADO

By: _____
Don Volger, Mayor

Attest:

April Hessman, Town Clerk

FINALLY ADOPTED, PASSED, APPROVED, AND ORDERED PUBLISHED PURSUANT TO SECTION 3.9, D) OF THE PAGOSA SPRINGS HOME RULE CHARTER, BY THE TOWN COUNCIL OF THE TOWN OF PAGOSA SPRINGS, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD AT THE TOWN OF PAGOSA SPRINGS, ON THE ____ DAY OF _____, 201__.

TOWN OF PAGOSA SPRINGS,
COLORADO

By: _____
Don Volger, Mayor

Attest:

April Hessman, Town Clerk

CERTIFICATE OF PUBLICATION

I, the duly elected, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 851 (Series 2016) was approved by the Town Council of the Town of Pagosa Springs on first reading at its regular meeting held on the ____ day of _____, 201__, and was published by title only, along with a statement indicating the effective date of the Ordinance and that the full text of the Ordinance is available at the office of the Town Clerk, on the Town's official website, on _____, 201__, which date was at least ten (10) days prior to the date of Town Council consideration on second reading.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Pagosa Springs, Colorado, this __ day of _____, 201__.

April Hessman, Town Clerk

(S E A L)

I, the duly elected, qualified and acting Town Clerk of the Town of Pagosa Springs, Colorado, do hereby certify the foregoing Ordinance No. 851 (Series 2016) was approved by the Town Council of the Town of Pagosa Springs on second reading, at its regular meeting held on the ____ day of _____, 201__, and was published by title only, along with a statement indicating the effective date of the Ordinance and that the full text of the Ordinance is available at the office of the Town Clerk, on the Town's official website, on _____, 201__.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Pagosa Springs, Colorado, this __ day of _____, 201__.

April Hessman, Town Clerk

(S E A L)

EXHIBIT A

BARGAIN AND SALE DEED

BARGAIN AND SALE DEED

Know all by these presents, Harman Park Owners Association, the "Grantor", a corporation organized and existing under and by virtue of the laws of the state of Colorado, whose legal address is Po Box 4385, Pagosa Springs, Co. 81147,

For the consideration of the sum of ONE DOLLAR (\$1.00), in hand paid, hereby sells and conveys to the Town of Pagosa Springs, the "Grantee", of the County of Archuleta and State of Colorado, whose legal address is 551 Hot Springs Blvd, Pagosa Springs, Co. 81147, the following real property situate in the Town of Pagosa Springs, County of Archuleta and State of Colorado to wit:

That 60 foot Rights-of-Way, entrance traffic circle area, and cul-de-sacs shown as Harman Park Drive, Papoose Court and Ryder Court (Collectively the Rights-of-Way),

as described on the Harman Park Subdivision Final Plat filed for record on December 21, 2004 at reception number 20412244 in the office of the Clerk and Recorder, Archuleta County, Colorado.

The purpose of this deed is to sell and convey to the Town of Pagosa Springs and ratify the Town's acceptance of such Right-of-Way by virtue of the above referenced plat. All maintenance of streets, curbs, gutters, sidewalks, street signs, traffic control signs and street lighting within the above described Rights-of-Way shall be the responsibility of the Grantee, the Town of Pagosa Springs. The maintenance of islands, maintenance of landscaping and directional signage, located within the Rights-of-Way will be the responsibility of the grantor, Harman Park Property Owners association, Inc. The rights, interests and obligations described herein shall be effective as of the time of the platted dedication of the Rights-of-Way.

With all its appurtenances.

Signed this ____ day of _____, 20____

Harman Park Owners Association

By: _____

Kelly Dunn, President

Attest:

By: _____

Vice President

STATE OF COLORADO)

) ss.

COUNTY OF _____)

Subscribed and sworn to before me this ____ day of _____, 20____ by _____ as _____ of _____.

Witness my hand and official seal.

My commission expires: _____

Notary Public



AGENDA DOCUMENTATION

NEW BUSINESS: IV.4

PAGOSA SPRINGS TOWN COUNCIL

DECEMBER 6, 2016

FROM: GREGORY J SCHULTE, TOWN MANAGER

PROJECT: RESOLUTION 2016-17, ADOPTING 2017 BUDGET, SETTING MILL LEVY, AND APPROPRIATING FUNDS

ACTION: REVIEW, PUBLIC COMMENT AND POSSIBLE ACTION

PURPOSE/BACKGROUND

Article 9 of the Town Charter outlines the adoption of the annual budget by the Town Council. As part of the budget process the Town Council met several times to review budget documents with the Town Manager and select department heads to form a preliminary budget. After two budget work sessions and meetings to finalize service organization and economic development departments the final proposed budget is ready for discussion and adoption by resolution.

Section 9.5 requires a public hearing on the proposed budget and notice of this public hearing to be posted, as it has been published in the Pagosa Springs Sun newspaper at least 10 days prior to this meeting. This meeting agenda opens with a public hearing for the public to comment on the proposed budget.

GENERAL FUND BUDGET

Projected 2017 General Fund reserves are estimated at \$1,954,667. The proposed 2017 budget reflects a 1.176% cost of living increase for every employee. The mill levy of 1.559 includes 1.557 mills for general operating expenses plus .002 mills for refunds and abatements to generate \$83,261. The County Assessors assessed value is \$2,327,060 over the 2016 values.

CAPITAL FUND BUDGET

Projected 2017 Capital Fund reserves are estimated at \$603,549. The budget reflects an aggressive utilization of Capital Fund reserves to fund the Town's infrastructure and new projects. The budget includes carry over revenue from the financing for the repaving of 8th Street scheduled to start up again in the spring of 2017.

ATTACHMENT(S):

- Resolution 2016-17
- 2017 Proposed Budget
- Assessed valuation and mill levy

FISCAL IMPACT

The Town budget is the Council's tool to implement policies, ordinances and resolutions.

APPLICABILITY TO TOWN OF PAGOSA SPRINGS HOME RULE CHARTER

Section 3.9 of the Home Rule Charter specifies the Town Council's authority and responsibility to anticipate revenues [Section 3.9(A)2] and adopt a balanced annual budget [Section 3.9(B)].

RECOMMENDATION

It is the recommendation of the Town Manager that the Town Council, by motion,

Approve Resolution 2016-17 to approve and adopt the 2017 budget, set the mill levies for 2017, and appropriate funds for the 2017 budget.



TOWN OF PAGOSA SPRINGS

RESOLUTION NO. 2016-17

RESOLUTION TO ADOPT 2017 BUDGET

WHEREAS, the Town Council of Town of Pagosa Springs, Colorado (“Town”) has appointed a budget committee to prepare and submit a proposed 2017 budget to the Town Council at the proper time; and

WHEREAS, such budget committee has submitted the proposed budget to the Town Council on or before October 15, 2016 for its consideration; and

WHEREAS, upon due and proper notice, published in accordance with law, the budget was open for inspection by the public at a designated place, and a public hearing was held on December 6, 2016 and interested electors were given the opportunity to file or register any objections to the budget; and

WHEREAS, the budget has been prepared to comply with all terms, limitations and exemptions, including, but not limited to, enterprise, reserve transfer and expenditure exemptions, under Article X, Section 20 of the Colorado Constitution (“TABOR”) and other laws or obligations which are applicable to or binding upon the Town; and

WHEREAS, whatever decreases may have been made in the revenues, like decreases were made to the expenditures so that the budget remains in balance, as required by law.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Pagosa Springs:

1. That estimated expenditures for each fund are as follows:

General Fund:	\$ 3,037,965
Capital Improvement Fund:	\$ 7,280,546
Impact Fee Fund:	\$ 80,525
Lodgers Tax Fund:	\$ 771,059
Geothermal Enterprise Fund:	\$ 40,350
Conservation Trust Fund	\$ 71,000
Total	\$11,281,445

2. That estimated revenues are as follows:

General Fund:

From unappropriated surpluses	\$1,931,659
From fund transfers	\$48,500
From sources other than general property tax	\$2,929,212
From general property tax	\$83,261
Total	\$4,992,632

Capital Improvement Fund:

From unappropriated surpluses	\$3,707,896
From fund transfers	\$84,000
From sources other than general property tax	\$4,092,199
Total	\$7,884,095

Impact Fee Fund:

From unappropriated surpluses	\$591,324
From sources other than general property tax	\$69,005
Total	\$660,329

Lodgers Tax Fund:

From unappropriated surpluses	\$309,157
From sources other than general property tax	\$731,500
Total	\$1,040,657

Geothermal Enterprise Fund:

From unappropriated surpluses	\$100,186
From sources other than general property tax	\$41,697
Total	\$141,883

Conservation Trust Fund

From unappropriated surpluses	\$56,044
From sources other than general property tax	\$47,000
Total	\$103,044

3. That the budget, as submitted, amended and herein summarized by fund, be, and the same hereby is, approved and adopted as the budget of the Town for the 2017 fiscal year.

4. That the budget, as hereby approved and adopted, shall be certified by the Town Clerk to all appropriate agencies and is made a part of the public records of the Town.

TO SET MILL LEVIES

WHEREAS, the amount of money from property taxes necessary to balance the budget for general operating expenses is \$83,261; and

WHEREAS, the 2016 valuation for assessment of the Town, as certified by the County Assessor, is \$53,406,464.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Pagosa Springs:

1. That for the purpose of meeting all general operating expenses of the Town during the 2017 budget year, there is hereby levied a property tax of 1.557 mills, plus the mill levy for refunds and abatements of .002, for a total of 1.559 mills upon each dollar of the total valuation for assessment of all taxable property within the Town to raise \$83,261.

2. That the Town Clerk is hereby authorized and directed to immediately certify to the County Commissioners of Archuleta County, Colorado, the mill levies for the Town as hereinabove determined and set in order to comply with any applicable revenue and other budgetary limits.

TO APPROPRIATE SUMS OF MONEY

WHEREAS, the Town Council of the Town of Pagosa Springs has made provision in the budget for revenues in an amount equal to the total proposed expenditures as set forth therein; and

WHEREAS, it is not only required by law, but also necessary to appropriate the revenues provided in the budget to and for the purposes described below, as more fully set forth in the budget, including any interfund transfers listed therein, so as not to impair the operations of Town.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Pagosa Springs that the following sums are hereby appropriated from the revenues of each fund, to each fund, for the purposes stated in the budget:

General Fund:	\$3,037,965
Capital Improvement Fund:	\$7,280,546
Impact Fee Fund:	\$80,525
Lodgers Tax Fund:	\$771,059
Geothermal Enterprise Fund:	\$40,350
Conservation Trust Fund:	\$71,000
Total	\$11,281,445

Adopted this 6th day of December, 2016.

TOWN OF PAGOSA SPRINGS, COLORADO

By: _____
Mayor Don Volger

ATTEST:

By: _____
Town Clerk

SUMMARY OF ALL FUNDS REVENUES AND EXPENDITURES

	2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
REVENUES					
General Fund	4,345,472	4,823,079	5,388,502	5,100,086	4,992,632
Capital Improvement	4,567,462	3,905,825	7,296,299	7,377,342	7,884,095
Impact Fee Fund	581,194	643,326	450,003	650,515	660,329
Lodgers Tax Fund	796,114	835,091	887,268	1,045,295	1,040,657
Geothermal Enterprise Fund	135,548	138,934	140,825	146,336	141,883
Conservation Trust Fund	112,248	111,435	136,276	135,684	103,044

EXPENDITURES					
General Fund	2,971,884	2,484,252	3,081,356	3,168,427	3,037,965
Capital Improvement	4,081,484	2,540,143	6,557,867	3,669,445	7,280,546
Impact Fee Fund	410,380	562,029	84,900	91,901	80,525
Lodgers Tax Fund	726,968	616,657	789,569	736,138	771,059
Geothermal Enterprise Fund	101,350	41,285	41,350	46,150	40,350
Conservation Trust Fund	26,000	22,751	81,000	79,640	71,000

Year End Cash Reserve					
General Fund	1,373,588	2,338,827	2,307,145	1,931,659	1,954,667
Capital Improvement	485,978	1,365,682	738,431	3,707,896	603,549
Impact Fee	170,814	81,297	365,103	558,614	579,804
Lodgers Tax Fund	69,146	218,434	97,699	309,157	269,598
Geothermal Enterprise Fund	34,198	97,648	99,475	100,186	101,533
Conservation Trust Fund	86,248	88,684	55,276	56,044	32,044

GENERAL FUND REVENUES

Account	Description	2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
TAXES & CONTRACTS						
10-31-100	Property Tax	75,846	76,221	79,939	79,939	83,261
10-31-200	Special Ownership/MVL	13,500	14,394	13,500	13,500	13,500
10-31-310	Sales Tax	1,895,621	2,079,707	2,176,283	2,306,860	2,352,997 ^a
10-31-420	Cigarette Tax	16,000	16,037	16,000	16,000	16,000
10-31-600	Gas Franchise	14,000	15,387	15,000	15,000	15,000
10-31-610	Telephone Franchise	9,000	10,066	10,000	10,000	10,000
10-31-750	Cable TV Franchise	7,000	6,170	6,500	6,500	6,500
10-31-760	Electric Franchise	0	0	75,000	0	0
10-31-770	Ground Lease	79,825	111,830	86,000	56,834	77,000
10-31-810	Severance Tax	5,000	15,106	10,000	4,686	5,000
	subtotal	2,115,792	2,344,917	2,488,222	2,509,318	2,579,258
LICENSES & PERMITS						
10-32-110	Liquor License	10,000	13,234	12,000	12,000	12,000
10-32-120	Marijuana Business Licensing	0	11,500	10,000	7,700	6,000
10-32-190	Business License	22,500	15,225	19,000	19,000	19,000
10-32-210	Building Permits/Signs/Banners	55,000	74,371	45,000	55,000	55,000
10-32-211	Planning Fees	6,500	9,911	7,500	7,500	7,500
10-32-220	Contractor Licensing	0	7,525	7,500	7,500	7,500
	subtotal	94,000	131,766	101,000	108,700	107,000
INTERGOVERNMENTAL REVENUE						
10-33-410	Mineral Leasing	1,600	3,313	2,800	6,591	4,000
10-33-480	PSSGID Insurance	17,500	17,500	17,500	17,500	17,500
10-33-490	PSSGID Bookkeeping	25,000	25,000	25,000	25,000	25,000
10-33-500	Geothermal Bookkeeping/Insurance	6,000	6,000	6,000	6,000	6,000
10-33-660	PS Community Facilities Coalition	10,030	0	0	0	0
10-34-655	DOLA Geothermal Greenhouse Grant	275,000	0	80,000	275,000	0
10-34-665	CWCB Geothermal Greenhouse Grant	75,000	29,114	30,000	21,672	0
	subtotal	410,130	80,927	161,300	351,763	52,500
CHARGES FOR SERVICES						
10-34-630	Dept Human Service Building Lease	31,900	31,000	31,900	31,900	31,900
10-34-650	Recreation User Fees	39,000	38,754	42,000	44,000	42,000
10-34-680	Developer Reimbursement Fees	0	22,847	4,000	3,500	4,000
	subtotal	70,900	92,601	77,900	79,400	77,900
FINES AND FORFEITS						
10-35-110	Court Fines	35,000	34,433	30,000	40,000	35,000
10-35-115	Traffic Surcharges	4,500	3,723	3,500	5,600	4,000
10-35-125	Police Fees & Misc	2,000	4,610	3,000	3,000	3,000
10-35-740	Police Grant/Training	0	0	0	27,840	28,000
10-35-750	Police Contracted Services	0	0	0	9,000	12,500
	subtotal	41,500	42,766	36,500	85,440	82,500
MISCELLANEOUS						
10-36-110	Miscellaneous	8,000	20,679	10,000	20,300	10,000
10-39-990	Interest Earned	1,000	12,366	15,000	34,800	25,000
10-36-115	Administration from Impact Fee Fund	0	0	0	0	1,000
	subtotal	9,000	33,046	25,000	55,100	36,000
COMMUNITY CENTER						
10-37-110	Center Rentals	55,000	38,484	40,000	15,500	15,000
10-37-115	Events and Programs	24,000	27,911	60,000	67,000	60,000
10-37-120	Center Leases	46,235	46,365	46,235	46,060	45,815
10-37-125	Center Miscellaneous	5,000	2,334	2,000	5,000	5,000
	subtotal	130,235	115,094	148,235	133,560	125,815
	GENERAL FUND REVENUE	2,871,557	2,841,117	3,038,157	3,323,281	3,060,973
	Prior Year End Cash Reserve	1,473,915	1,981,962	2,350,345	1,776,805	1,931,659
	Total General Fund Revenue	4,345,472	4,823,079	5,388,502	5,100,086	4,992,632

a Reflects a 2% increase from 2016 estimated end of year

GENERAL FUND EXPENDITURES						
Account	Description	2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
GENERAL GOVERNMENT						
10-44	Town Manager/Admin Department	269,495	236,046	266,404	353,067	268,493
10-42	Town Clerk/Town Hall Department	428,345	405,330	444,141	444,045	443,805
10-45	Building Department	0	0	254,735	231,065	248,480
10-46	Planning Department	244,795	268,476	181,264	154,709	174,128
10-48	Municipal Court Department	228,301	234,929	308,671	305,323	311,084
10-53	Community Center Department	250,995	223,169	225,440	223,173	230,652
	subtotal	1,421,932	1,367,950	1,680,654	1,711,382	1,676,642
PUBLIC SAFETY						
10-51	Police Department	803,623	702,524	864,656	867,468	949,696
	subtotal	803,623	702,524	864,656	867,468	949,696
RECREATION						
10-56	Recreation Department	179,567	162,894	226,946	199,499	226,246
	subtotal	179,567	162,894	226,946	199,499	226,246
COMMUNITY SUPPORT SERVICES						
10-75	Service Organizations	66,763	63,740	77,100	77,100	77,380
10-77	Economic Development	50,000	42,539	122,000	134,625	108,000
	Subtotal	116,763	106,278	199,100	211,725	185,380
OTHER EXPENDITURE						
10-76-100	General Fund Reserves	100,000	0	0	0	0
10-76-200	Geothermal Greenhouse Grant Funds	350,000	144,606	110,000	178,353	0
	General Fund Expenditures	2,971,884	2,484,252	3,081,356	3,168,427	3,037,965
	Total General Fund Expenditures	2,971,884	2,484,252	3,081,356	3,168,427	3,037,965

	TOTAL REVENUES	4,345,472	4,823,079	5,388,502	5,100,086	4,992,632
	TOTAL EXPENDITURES	2,971,884	2,484,252	3,081,356	3,168,427	3,037,965
	End Year Cash Reserve	1,373,588	2,338,827	2,307,145	1,931,659	1,954,667
	Restricted 3% Tabor Reserve	89,157	74,528	92,441	95,053	91,139
	Unrestricted Reserve	1,284,431	2,264,299	2,214,704	1,836,606	1,863,528

TOWN MANAGER/ADMINISTRATION DEPARTMENT

Account		2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
PERSONNEL						
10-44-110	Town Manager	91,466	91,574	94,006	94,006	95,112
10-44-131	FICA	6,997	6,679	7,191	7,191	7,276
10-44-132	Insurance	15,148	15,472	15,593	17,606	16,536
10-44-133	Travel/Dues/Expenses	4,000	5,056	4,000	4,000	4,000
10-44-134	Pension	4,573	4,573	4,700	4,700	4,756
10-44-226	Attorney	100,000	78,804	90,000	190,000	90,000
	Subtotal	222,184	202,160	215,491	317,504	217,679
COMMODITIES						
10-44-202	Office Supplies	150	697	200	150	200
10-44-402	Telephone	650	0	360	360	360
	Subtotal	800	697	560	510	560
CONTRACTUAL						
10-44-172	Employee Education Program	1,500	1,680	1,500	1,200	500
10-44-204	Employee Merit Increase Fund	22,213	8,091	25,000	10,000	25,254
10-44-420	Contingency Fund	1,000	1,657	1,000	1,000	2,000
10-44-250	Fireworks	10,000	10,070	10,000	10,000	10,000
	Subtotal	34,713	21,498	37,500	22,200	37,754
DUES						
10-44-404	SW Eco. Dev./Region 9	803	803	991	991	991
10-44-405	Region 9 Trans Planning	347	347	347	347	347
10-44-406	San Juan RC&D	50	50	50	50	50
10-44-409	Club 20	200	200	250	250	250
10-44-414	CML Dues	3,587	3,479	3,520	3,520	3,626
10-44-416	Chamber of Commerce	695	695	695	695	695
10-44-	Small Business Development Center	0	0	0	0	513
10-44-433	Southwest Council of Governments	6,116	6,116	7,000	7,000	6,028
	Subtotal	11,798	11,690	12,853	12,853	12,500
TOTAL MANAGER/ADMIN BUDGET						
		269,495	236,046	266,404	353,067	268,493

TOWN CLERK/TOWN HALL DEPARTMENT

Account		2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
PERSONNEL						
10-42-110	Town Clerk/Finance	56,823	56,923	58,401	58,504	59,088
10-42-110	Deputy Clerk	41,082	41,182	42,223	53,136	34,986
10-42-110	Human Resources/Records	41,856	35,443	43,018	43,018	43,524
10-42-131	FICA	10,692	9,713	10,989	11,831	10,526
10-42-132	Insurance	43,617	35,046	39,768	33,136	36,461
10-42-134	Pension	6,988	6,661	7,182	7,100	6,880
	subtotal	201,058	184,969	201,581	206,725	191,465
COMMODITIES						
10-42-203	Office Supplies	4,500	5,801	6,000	6,500	6,500
10-42-205	Employee Training Supplies	0	0	1,000	350	1,000
10-42-211	Copier Expenses	4,000	3,345	4,000	3,500	4,200
10-42-216	Travel/Training Dues	3,500	2,826	3,850	3,850	4,570
10-42-	Recycle/Shredding Service	0	0	0	0	1,230
10-42-218	Utilities Gas/Elec/Water	26,000	22,195	26,000	26,000	26,000
10-42-222	Telephone	15,500	15,324	14,100	14,100	14,100
10-42-230	Printing/Publications/Recordings	3,500	2,290	2,000	1,200	2,000
10-42-231	Marijuana Licensing	0	155	500	350	500
10-42-242	Postage	3,000	2,795	3,000	3,000	3,000
10-42-248	Elections	0	0	4,000	2,200	0
10-42-300	Town Council	24,250	24,141	22,500	21,000	23,400
	subtotal	84,250	78,871	86,950	82,050	86,500
CONTRACTUAL						
10-42-221	County Treasurer Abatement Fees	500	375	500	200	500
10-42-223	County Treasures Collection Fees	1,787	1,404	1,869	1,599	1,665
10-42-224	Drug Testing CDL and Random	2,500	1,979	1,000	500	1,000
10-42-229	Recruiting and Pre-Employment Test	0	0	2,870	2,200	1,500
10-42-227	Auditor	7,000	7,000	10,000	12,500	12,000
10-42-228	Computer Support	1,500	2,395	2,700	2,700	2,700
10-42-232	Bonds, Insurance	104,650	100,770	104,500	104,000	104,500
10-42-246	Caselle Support/Citizenserve	13,000	17,032	19,346	19,346	21,150
10-42-	Records and Agenda Mngmt	0	0	0	0	8,000
10-42-264	Codify Code/Website	3,500	2,571	3,500	2,900	3,500
10-42-269	Cafeteria Plan Administration	5,000	3,858	5,325	5,325	5,325
10-42-510	Web Site	3,600	4,107	4,000	4,000	4,000
	subtotal	143,037	141,491	155,610	155,270	165,840
	TOTAL TOWN CLERK BUDGET	428,345	405,330	444,141	444,045	443,805

a \$2,200 Institute training \$465 IIMC \$215 CMCA \$200 Fred Pryor \$190 SHRM HR kit \$1300 on-the-road workshops

b \$19,5K Salary, \$1500 reasonable expense reimbursement \$2400 CML

c Council Chamber Recorder \$545, Upgrade Access and Adobe Acrobat \$450, Cloud backup \$1,200, support \$500

d Cirsa Property \$67k Pinnocol 0% \$37,500

e Cobra Help \$225, Health reform tax \$2,000, Basic FSA \$600/HRA \$2500

f CDL/Safety Sensitive & new employees testing/background/publication

BUILDING DEPARTMENT

Account		2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
PERSONNEL						
10-45-110	Building and Fire Code Official	0	0	62,000	63,717	64,466
10-45-110	Building/Fire Inspector	0	0	43,018	43,018	43,524
10-45-110	Permit Tech/Residential Plan Review	0	0	37,735	37,735	38,179
10-45-131	FICA	0	0	10,921	11,052	11,182
10-45-132	Insurance	0	0	47,324	34,670	37,221
10-45-133	School/Travel/Dues	0	0	9,500	12,050	10,500
10-45-134	Pension	0	0	7,138	7,224	7,308
	Subtotal	0	0	217,635	209,465	212,380
COMMODITIES						
10-45-202	Office Supplies	0	0	2,000	2,000	2,000
10-45-210	Copy Expense	0	0	1,000	500	500
10-45-212	Fuel/Oil/Mileage	0	0	3,500	3,500	3,500
10-45-402	Telephone	0	0	1,100	1,100	2,000
10-45-	Safety Equipment	0	0	0	0	2,000
10-45-281	Technology	0	0	4,500	3,500	700
	Subtotal	0	0	12,100	10,600	10,700
CONTRACTUAL						
10-45-215	Consultant Expense	0	0	5,000	1,000	5,000
10-45-220	Code Defense/Legal Fees	0	0	20,000	10,000	15,000
10-45-	Citizenserve	0	0	0	0	5,400
	Subtotal	0	0	25,000	11,000	25,400
	TOTAL BUILDING BUDGET	0	0	254,735	231,065	248,480

a Continuing education for three employees

b Cirsa Credit to help reduce costs

c Costs associated with professional Consultant Services needed for department operations

PLANNING DEPARTMENT						
Account		2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
PERSONNEL						
10-46-110	Building Official	54,636	54,746	0	0	0
10-46-110	Planning Manager	56,823	56,933	58,401	58,401	59,088
10-46-110	Assoc Planner/Permit Tech	35,148	35,253	0	0	0
10-46-110	Associate Planner	0	0	41,180	41,180	41,664
10-46-131	FICA	11,215	10,426	7,618	7,618	7,708
10-46-132	Insurance	39,092	39,450	31,186	16,520	19,801
10-46-133	School/Travel/Dues	8,500	18,445	9,000	3,500	9,000
10-46-134	Pension	7,330	7,330	4,979	4,979	5,038
	Subtotal	212,745	222,583	152,364	132,198	142,298
COMMODITIES						
10-46-202	Office Supplies	3,750	3,776	3,500	2,000	3,000
10-46-208	Planning Comm/Hist Preserv Board	4,500	3,375	5,000	5,000	5,000
10-46-210	Copy Expense	2,500	1,904	2,500	2,500	2,500
10-46-212	Fuel/Oil/Mileage	2,500	1,826	1,000	500	1,000
10-46-402	Telephone	1,300	1,212	650	511	480
10-46-281	Technology	1,000	0	750	0	750
10-46-405	Right-of-Way/Easement Process	4,000	0	4,000	1,000	4,000
10-46-225	Annexation	0	0	5,000	5,000	5,000
	Subtotal	19,550	12,094	22,400	16,511	21,730
CONTRACTUAL						
10-46-425	Walmart Application	0	22,843	0	0	0
10-46-215	Consultant Expense	2,500	2,219	2,500	2,500	2,500
10-46-220	Code Defense/Legal Fees	10,000	7,632	0	0	0
10-46-	Citizenserve	0	0	0	0	3,600
10-46-450	Developer Reimbursement Fees	0	1,105	4,000	3,500	4,000
	Subtotal	12,500	33,799	6,500	6,000	10,100
	TOTAL BUILDING/PLNG BUDGET	244,795	268,476	181,264	154,709	174,128

a Expenses for Board Training / HPB projects / HPB Community Presentations

b Expenses associated with Town ROW and easements and acquisitions.

c Expenses associated with processing Annexations. Mill Creek Road and others TBD.

d Professional Consultant Services expenses as needed. Title work, surveying, research, ect..

e Pass thru account for reimbursable expenses associated with processing development applications

f Software upgrades for planning department.

MUNICIPAL COURT						
Accounts		2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
PERSONNEL						
10-48-110	Municipal Judge	31,004	31,054	31,865	31,865	32,240
10-48-110	Court Admin/Probation Officer	52,070	52,180	53,516	53,516	54,146
10-48-110	Court Clerk	35,365	35,475	36,347	36,347	36,775
10-48-110	Deputy Court Clerk	0	1,294	34,579	34,579	34,986
10-48-115	Judge Pro-Tem	1,500	544	1,500	1,500	1,500
10-48-131	FICA	9,061	8,434	11,958	11,958	12,098
10-48-132	Insurance	33,460	35,330	50,250	47,702	47,704
10-48-133	Travel/Dues/Education	6,000	990	7,000	5,500	5,000
10-48-134	Pension	4,372	4,436	6,222	6,222	6,295
	Subtotal	172,831	169,738	233,237	229,189	230,744
COMMODITIES						
10-48-108	Juvenile Task Force	500	309	500	500	500
10-48-120	Drug Test/Monitoring Devices	3,000	2,329	3,000	1,600	2,000
10-48-202	Office Supplies	2,500	4,480	3,000	4,000	4,000
10-48-220	Vehicle Expenses/Fuel/Mileage	250	175	250	200	250
10-48-242	Postage	500	795	800	900	900
	Subtotal	6,750	8,087	7,550	7,200	7,650
CONTRACTUAL						
10-48-123	Prisoner Cost	8,000	4,466	8,000	10,000	10,000
10-48-204	Court Appointed Counsel	3,000	5,991	4,500	6,000	7,500
10-48-206	Counseling	2,500	430	1,000	300	500
10-48-210	Translation Services	200	568	600	300	600
10-48-230	Town Prosecutor	16,000	29,947	32,000	32,000	32,000
10-48-215	Alarm Monitoring	320	312	320	320	320
10-48-	Records Management System	0	0	2,014	2,014	2,070
10-48-221	Legal Research Solution	8,500	8,222	8,500	8,500	8,500
10-48-234	Miscellaneous Expenses	2,000	1,482	2,000	1,500	1,500
10-48-280	Computer Support	500	495	1,250	2,000	2,000
10-48-225	Court Security	7,700	5,191	7,700	6,000	7,700
	Subtotal	48,720	57,104	67,884	68,934	72,690
	TOTAL MUNI COURTS BUDGET	228,301	234,929	308,671	305,323	311,084

a Judge Pro-Tempore for 20 hours/year

b Continuing ed and certification for staff

c Increased costs for printer cartridges

d 2016 IGA with Archuleta County

e HB 16-1309 Required Court Appointed Defense Council

f Appointed/Contract attorney to prosecute all criminal and traffic matters

g E-Force annual license, support, and hosting (2013, 2014, 2015 paid at time of implementation)

h JCG annual contract for court recording equipment, IT Support from Perfect Computing and Echo IT

POLICE DEPARTMENT						
Account		2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
PERSONNEL						
10-51-110	Chief	64,777	64,887	66,576	66,576	67,359
10-51-110	Senior Detective	56,065	56,175	57,622	57,622	58,300
10-51-110	Lieutenant	52,070	52,874	53,516	53,516	54,145
10-51-110	Officer	40,067	17,697	41,180	41,180	41,664
10-51-110	Corporal	45,677	41,843	46,945	46,945	47,498
10-51-110	Officer	40,067	42,839	41,180	41,180	41,664
10-51-110	Officer	40,067	29,931	41,180	41,180	41,664
10-51-110	Officer	40,067	27,114	41,180	41,180	41,664
10-51-110	Administrative Assistant	36,716	36,826	37,736	37,736	38,179
10-51-105	Animal Control	16,104	14,960	16,551	16,551	16,746
10-51-122	Grant Overtime/Training	0	0	0	17,640	17,640
10-51-125	Contracted Security	0	0	0	9,000	12,500
10-51-130	FPPA (officers) 8%	30,309	23,391	31,150	31,150	31,517
10-51-131	Medicare (officers) 1.45%	5,493	6,042	5,646	6,032	6,149
10-51-131	FICA (non officers) 7.65%	4,551	3,958	4,153	4,153	4,202
10-51-132	Insurance	95,576	76,738	117,000	91,535	105,093
10-51-133	Training	10,000	9,634	10,000	18,800	20,000
10-51-134	Pension	20,779	16,283	21,356	21,356	21,607
10-51-216	Dues/Subscriptions	3,200	2,760	3,700	2,900	3,700
10-51-218	Uniform	2,500	2,518	3,000	1,900	3,000
	Subtotal	604,085	526,470	639,669	648,131	674,290
COMMODITIES						
10-51-202	Office Supplies	2,500	2,676	2,500	2,500	3,000
10-51-204	Postage	500	328	500	400	500
10-51-212	Fuel/Oil	30,000	18,258	20,000	16,000	20,000
10-51-226	Duty Ammunition	2,000	1,931	2,000	2,000	2,500
	Subtotal	35,000	23,192	25,000	20,900	26,000
CONTRACTUAL						
10-51-402	Telephone	3,500	3,625	4,680	4,380	4,680
10-51-404	Print/Publishing/Advertising	800	841	1,000	250	1,000
10-51-410	Dispatch Center	126,538	125,045	160,607	160,607	189,026
10-51-412	Humane Society	10,000	10,000	10,000	10,000	10,000
10-51-	AXIS Health Acute Treatment Cntr	0	0	0	0	15,000
10-51-420	Investigation Contingency	2,500	2,237	2,500	2,000	2,500
10-51-428	Radio/Maintenance and Repairs	1,000	828	1,000	1,000	1,000
10-51-430	Radar Certification	1,000	629	1,000	1,000	1,500
10-51-434	Case Medical Expense	10,000	564	10,000	10,000	15,000
10-51-	Computer Support	0	0	0	0	500
10-51-808	Misc Police Equipment	9,200	9,093	9,200	9,200	9,200
	Subtotal	164,538	152,861	199,987	198,437	249,406
	TOTAL POLICE BUDGET	803,623	702,524	864,656	867,468	949,696

- a Increase in ammunition costs
- b Increase in dispatch funding and capital improvements.
- c Increase in vendor costs
- d Jail contract requiring medical clearance of all arrested persons
- e Increase in Toner and general expenses

COMMUNITY CENTER DEPARTMENT

Account		2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
PERSONNEL						
10-53-110	Facility Director	49,330	36,708	0	0	0
10-53-110	Event/Program Coordinator	41,856	41,964	43,018	43,129	43,524
10-53-110	Administrative Assistant	32,208	32,316	33,102	33,102	33,492
10-53-111	Part Time	0	0	35,000	35,000	43,000
10-53-131	FICA	9,440	8,595	8,501	8,509	9,181
10-53-132	Insurance	23,192	19,029	13,012	13,454	13,404
10-53-134	Pension	6,170	5,316	3,806	3,812	3,851
	subtotal	162,195	143,928	136,440	137,007	146,452
COMMODITIES						
10-53-202	Office Supplies	5,000	1,405	1,700	1,300	1,500
10-53-211	Printer/Copy Expenses	3,300	3,328	3,300	4,500	1,200
10-53-133	Travel/Training/Dues	1,500	96	1,500	46	1,000
10-53-218	Utilities Gas/Elec/Water/Trash	28,000	36,881	36,000	36,000	36,000
10-53-402	Telephone	3,000	3,240	3,000	4,300	4,500
10-53-238	Janitorial Supplies	3,500	7,019	7,500	4,500	5,000
10-53-230	Advertising	3,000	1,626	2,500	2,000	2,500
10-53-250	Furnishings	5,000	1,645	5,000	3,500	3,500
10-53-255	Event/Program	19,000	17,225	22,000	24,500	23,000
10-53-270	Miscellaneous Expense	10,000	1,802	1,000	300	500
	subtotal	81,300	74,269	83,500	80,946	78,700
CONTRACTURAL						
10-53-405	Contracted Services/Cleaning	7,500	4,972	5,500	3,500	3,500
10-53-410	Computer Program/Support	0	0	0	1,720	2,000
	subtotal	7,500	4,972	5,500	5,220	5,500
TOTAL COMM. CNTR BUDGET						
		250,995	223,169	225,440	223,173	230,652

a Navajo rugs, orkin, arrowhawk

RECREATION DEPARTMENT						
Account		2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
PERSONNEL						
10-56-110	Director	56,823	56,933	65,000	65,000	65,764
10-56-110	Recreation Supervisor	44,355	25,605	0	0	0
10-56-110	Recreation Coordinator	0	0	34,579	34,579	34,986
10-56-110	Recreation Coordinator	0	0	18,200	18,200	34,320
10-56-111	Refs/Umps/Part time	27,500	38,494	35,000	20,000	20,000
10-56-131	FICA	10,372	9,366	11,688	10,540	11,863
10-56-132	Insurance	6,908	4,640	13,000	7,721	10,080
10-56-133	Travel/Training/Dues	300	260	1,000	200	1,000
10-56-134	Pension	5,059	3,739	4,979	4,979	6,754
	Subtotal	151,317	139,037	183,446	161,219	184,766
COMMODITIES						
10-56-202	Office Supplies	100	93	2,000	1,300	1,500
10-56-206	Recreation Supplies/Equipment	20,000	18,214	29,000	28,000	28,000
10-56-208	Trophies/Awards	4,500	3,082	5,500	4,100	6,000
	Subtotal	24,600	21,390	36,500	33,400	35,500
CONTRACTUAL						
10-56-402	Telephone	650	238	750	480	480
10-56-406	Vehicle Fuel/Maintenance	0	0	2,000	600	1,200
10-56-422	Med Supplies/Maint/Repairs	2,000	1,325	1,500	1,300	1,300
10-56-824	Special Events	500	404	2,500	2,500	2,500
10-56-	Computer Support	0	0	0	0	500
10-56-410	Online Forms and Rec Signup	500	500	250	0	0
	Subtotal	3,650	2,467	7,000	4,880	5,980
	TOTAL RECREATION BUDGET	179,567	162,894	226,946	199,499	226,246

SERVICES/SERVICE ORGANIZATIONS						
Account		2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
County Services						
10-75-399	Nutrition/Seniors	7,000	7,000	12,500	12,500	12,500
10-75-400	Transportation/Seniors	3,500	3,500	4,500	4,500	4,500
10-75-438	New Programs/Seniors	0	0	3,000	3,000	3,000
10-75-430	Mountain Express	20,000	20,000	20,000	20,000	20,000
Education						
10-75-413	Seeds of Learning	5,000	5,000	0	0	0
10-75-434	Pagosa Springs Youth Center	5,000	2,500	0	0	0
10-75-437	Archuleta County Crossing Guard	1,500	977	2,000	2,000	2,000
Health/Safety						
10-75-401	Axis/Pagosa Counseling Center	950	950	2,000	2,000	1,000
10-75-410	Southwest Safehouse/Volunteers of America	500	500	600	600	600
10-75-417	ACVAP	6,000	6,000	7,000	7,000	7,280
10-75-428	Axis/Acute Treatment Unit	15,000	15,000	15,000	15,000	0
10-75-398	San Juan Basin Area Agency on Aging	500	500	500	500	1,500
Community Assistance						
10-75-432	Thingamajig Theatre Company	500	500	10,000	10,000	5,000
10-75-	San Juan Historical Museum	0	0	0	0	15,000
10-75-	Ruby Sisson Library	0	0	0	0	5,000
Housing						
10-75-436	4CORE (Resource Efficiency)	1,313	1,313	0	0	0
TOTAL SERVICE FUNDS		66,763	63,740	77,100	77,100	77,380

ECONOMIC DEVELOPMENT						
Account		2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
Economic Development						
10-77-515	Economic Development Incentives	5,000	30,486	37,000	47,000	33,000
10-77-520	General Economic Development Activites	25,000	5,243	15,000	17,625	0
10-77-525	Economic Development Organization	20,000	6,810	20,000	20,000	30,000
10-77-510	Early Childhood Care/Attainable Housing Council Initiatives	0	0	50,000	50,000	45,000
TOTAL ECONOMIC DEVELOPMENT		50,000	42,539	122,000	134,625	108,000

CAPITAL IMPROVEMENT FUND

REVENUE

Account	Description	2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
TAXES AND FEES						
51-31-100	Highway Users Tax Fund	72,500	73,299	72,502	72,502	76,540
51-31-310	Sales Tax	1,895,621	2,079,707	2,176,283	2,306,860	2,352,997
51-31-640	Park User Fees	13,000	20,048	22,000	24,500	22,000
51-31-650	Cemetery Fees	1,000	2,800	2,000	1,000	2,000
51-31-660	Visitor Center Lease	0	12,865	7,013	7,013	11,655
	Subtotal	1,982,121	2,188,718	2,279,798	2,411,875	2,465,192
INTERGOVERNMENTAL/DEPARTMENT REV						
51-33-400	County Road Mill	69,602	107,088	110,000	112,200	121,765
51-33-410	County Capital Project Contributions	0	0	0	74,000	0
51-33-490	Geothermal Streets/Maintenance Contract	14,000	14,000	14,000	14,000	14,000
51-33-620	Transfer from General Fund	100,000	0	0	0	0
51-33-	Transfer from Trust Fund	0	0	0	6,424	45,000
51-33-	Transfer from Tourism	0	0	0	0	25,000
51-33-630	Dept Human Serv. Janitorial Contract	8,200	8,200	8,200	8,200	8,200
	Subtotal	191,802	129,288	132,200	214,824	213,965
FINANCING PROCEEDS						
51-33-631	Bank Lease/Purchase (8th St, Lewis St)	0	0	2,180,000	2,690,000	0
	Subtotal	0	0	2,180,000	2,690,000	0
GRANTS FOR STREETS						
51-33-880	CMAQ Funds Majestic Dr	0	319,000	0	0	0
51-33-815	CMAQ Funds Crestview Dr	149,000	0	0	0	0
GRANTS FOR TRAILS						
51-33-635	Archuleta County PROST, TTPL West Phase	200,000	0	200,000	0	200,000
51-33-640	PLPOA TTPL West Phase	45,000	0	45,000	0	45,000
51-33-790	State Trails Grant TTPL West Phase	200,000	0	200,000	0	200,000
51-33-	County CDOT Enhancement West Phase	0	0	0	0	360,000
51-33-720	CDOT Enhmt Grant 8-10 St Sdwk 160 (18307)	261,096	0	261,096	261,096	0
51-33-760	State Trails Riverwalk TH to 6th St Bridge	15,000	3,256	0	0	0
51-33-762	GOCO 6th Street Bridge Grant	242,519	242,519	0	0	0
51-33-761	GOCO Planning Grant TTPL and Riverwalk	40,000	0	40,000	0	0
51-33-763	GOCO Springs Pedestrian Bridge	0	0	149,800	0	0
51-33-764	TAP TTPL Trail Harman Hill	0	0	25,000	0	0
51-33-765	Safe Routes to School North 8th Street Sidewalk	0	0	280,000	0	346,500
GRANTS FOR OTHERS						
51-33-810	Reservoir Hill Funding - Mountain States	0	0	0	30,000	0
51-33-811	Historic Preservation Rumbaugh Bridge Grant	166,605	0	166,605	0	166,605
51-33-812	Historic Preservation Water Works Bldg Grant	0	0	94,734	0	167,937
51-33-813	Historic Preservation Interpretive Sign Grant	0	0	32,000	0	0
51-33-780	DOLA fiber-optics /County portion	0	149	0	0	0
MISCELLANEOUS						
51-33-110	Miscellaneous Revenue	0	0	0	72,500	11,000
	Subtotal	1,319,220	564,924	1,494,235	363,596	1,497,042
	Total Annual Revenues	3,493,143	2,882,930	6,086,233	5,680,295	4,176,199
	Prior Year End Cash Reserve	1,074,319	1,022,895	1,210,066	1,697,047	3,707,896
	Total Revenues	4,567,462	3,905,825	7,296,299	7,377,342	7,884,095

CAPITAL IMPROVEMENT FUND

EXPENDITURES

Account	Description	2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
Maintenance & Debt						
51-57-400	Visitor Center Lease/Purchase	18,147	18,147	18,147	18,147	18,147
51-77-430	Lewis Street Lease/Purchase Portion	462,633	462,633	680,000	719,887	0
51-77-437	8th Street Lease/Purchase	0	0	180,000	11,492	186,516
51-77-454	Street Backhoe/Loader Equipment	8,500	5,332	35,357	35,357	35,357
51-46	Planning & Building Capital	140,714	62,492	178,303	102,049	132,667
51-61	Streets Department	430,008	398,249	499,581	498,843	535,844
51-68	Parks Department	302,843	304,327	340,849	320,700	344,109
51-70	Facilities Maintenance Department	210,296	233,407	221,794	220,660	268,007
	Total Maint. and Debt Expenditures	1,573,141	1,484,587	2,154,030	1,927,135	1,520,647

Account	Description	2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
Town Clerk/Town Hall						
51-42-281	Technology	2,200	2,937	7,300	10,500	4,400
51-42-222	Telephone System Upgrades	500	50	100	0	0
	subtotal	2,700	2,987	7,400	10,500	4,400

Town Manager/Administration						
51-44-281	Technology	250	250	250	250	1,000
51-44-204	Employee Merit Increase Fund	9,540	4,608	8,280	8,280	10,549
51-44-410	DOLA fiberoptics and wi-fi grant	0	-2,362	0	0	0
51-44-415	Economic Development Incentives	0	3,049	33,000	33,000	33,000
	subtotal	9,790	5,545	41,530	41,530	44,549

Building/Planning						
51-46-281	Technology	0	0	0	0	3,700
51-46-406	Planning Studies/Grants	0	0	0	0	0
	subtotal	0	0	0	0	3,700

Municipal Court						
51-48-281	Technology	2,500	3,778	2,500	2,500	1,500
	subtotal	2,500	3,778	2,500	2,500	1,500

Police/Safety						
51-51-281	Technology	4,000	4,299	4,000	4,000	4,000
51-51-408	Vehicle/Maintenance and Repairs	18,000	11,476	18,000	16,000	18,000
51-51-409	Public Safety/Traffic Enforcement	7,500	7,500	2,000	1,750	1,000
51-51-410	Safety Equipment/Ballistic Vests	0	0	2,500	2,500	2,500
51-51-806	Police Car	25,000	0	26,000	25,665	35,000
	subtotal	54,500	23,275	52,500	49,915	60,500

Community Center						
51-53-410	Building/Equipment Maintenance	0	0	10,000	9,500	14,000
51-53-	Technology	0	0	0	0	3,000
51-53-450	Capital Improvements	6,400	27,653	3,500	3,100	51,000
	subtotal	6,400	27,653	13,500	12,600	68,000

Recreation						
51-56-281	Technology	1,000	1,130	250	1,500	0
51-56-449	Recreation Equipment	2,000	0	2,000	1,700	2,000
51-56-450	New/Used Recreation Vehicle	0	0	27,000	30,672	0
	subtotal	3,000	1,130	29,250	33,872	2,000

Streets						
51-77-424	Street Paving and Maintenance	50,000	0	0	0	0
51-77-426	Lewis Street Reconstruction	0	225	0	0	0
51-77-432	5 Year Street Maintenance Plan		2,991	85,000	85,000	205,000
51-77-433	Piedra Street Reconstruction	100,000	109,645	0	0	0
51-77-434	Crestview Paving (CMAQ)	180,000	16,239	0	1,220	50,000
51-77-436	Trujillo Road Reconstruction Project	257,193	106,060	151,134	107,537	0
51-77-423	8th Street Reconstruction	0	0	1,500,000	325,000	1,855,000
51-77-447	Majestic Drive Paving (CMAQ)	0	110,721	0	0	0
51-77-431	McCabe Creek Culvert	6,000	0	0	0	0
51-77-	S 5th Street Apache to High School Road	0	0	0	0	390,000
51-77-435	Drainage Maintenance	40,000	1,120	40,000	4,000	40,000
51-77-439	5th Street Economic/Traffic Study	0	0	24,571	49,142	0
51-77-	Town Park parking lot paved	0	0	0	0	85,000
51-77-467	Streets Equipment	0	0	0	6,614	5,500
	subtotal	633,193	347,000	1,800,705	578,513	2,630,500

CAPITAL IMPROVEMENT FUND

Sidewalks						
51-77-427	Misc Concrete/Sidewalks	40,000	23,872	40,000	0	40,000
51-77-472	Main Street Sidewalk Improvement	227,000	226,999	250,000	10,000	250,000
51-77-438	Safe Routes to School North 8th Street	0	0	350,000	51,100	410,000
	subtotal	267,000	250,872	640,000	61,100	700,000
Parks						
51-77-452	Town Parks Improvements	95,000	64,845	55,000	85,010	190,000
51-77-570	Skate Park	0	0	54,000	153,840	0
51-77-	New/Used Parks Trucks	0	0	0	0	32,000
51-77-544	River Restoration Project	45,000	3,320	45,000	28,140	20,000
51-77-550	Parks Equipment	30,000	45,850	13,000	14,155	13,000
51-77-555	Resource Management	27,500	5,973	36,000	37,820	16,000
51-77-575	River Center Riverwalk Paving	25,000	0	0	0	20,000
51-77-574	Centennial Park Restrooms	0	0	80,000	95,500	0
51-77-	Yamaguchi sidewalk ADA (Baseball field)	0	0	0	0	25,000
	subtotal	222,500	119,988	283,000	414,465	316,000
Trails						
51-77-631	Town to Pagosa Lakes Trail West Phase	475,000	1,544	467,000	1,015	700,000
51-77-465	8th Street Sidewalk/East Trail CDOT	319,620	2,897	315,000	236,000	143,000
51-77-632	Town to Pagosa Lakes Trail Harman Hill	0	46	30,000	0	207,000
51-77-633	Trails Planning TTPL and Riverwalk (Grant)	50,000	32,127	50,000	15,000	0
51-77-634	Riverwalk Trail to 6th St Bridge	30,000	110	0	0	0
51-77-663	6th Street Pedestrian Bridge	80,000	165,814	0	0	0
51-77-664	Riverwalk Trail Expense	50,000	3,982	10,000	10,000	0
51-77-662	Springs Pedestrian Bridge	0	15,840	195,500	195,500	0
51-77-	DUST 2 Urban Trail	0	0	0	0	50,000
51-77	Hwy 160 Overlook deck redevelopment	0	0	0	0	190,000
	subtotal	1,004,620	222,359	1,067,500	457,515	1,290,000
Geothermal Exploration						
51-77-700	Geothermal Power Plant Project	10,000	0	2,500	2,000	0
51-77-701	Geothermal Greenhouse Partnership	25,000	25,000	0	0	0
	subtotal	35,000	25,000	2,500	2,000	0
Visitor Center						
51-57-450	Visitor Center Building Maintenance	10,000	1,750	10,000	7,000	2,500
	subtotal	10,000	1,750	10,000	7,000	2,500
Other						
51-77-459	Wayfinding Plan/Medians	25,000	9,237	25,000	25,000	25,000
51-77-460	Mural on Main Street	10,000	2	10,000	0	10,000
51-77-	Small Dumptruck w/ Sander, Mag Tanks and Distri	0	0	0	0	155,000
51-77-461	Historic Pres/Rumbaugh Creek Bridge	222,140	14,981	222,140	15,000	207,250
51-77-462	Historic Pres/Water Works Bldg	0	0	126,312	800	224,000
51-77-463	Historic Pres/Interpretive Signage	0	0	40,000	0	0
51-77-464	Mountain Express Transit Bus	0	0	15,000	15,000	0
51-77-466	ADA Program	0	0	15,000	15,000	15,000
	subtotal	257,140	24,220	453,452	70,800	636,250
	Total Improvement Expenditures	2,508,343	1,055,556	4,403,837	1,742,310	5,759,899
	Total Maintenance/Debt Expenditures	1,573,141	1,484,587	2,154,030	1,927,135	1,520,647
	Total Improvement Expenditures	2,508,343	1,055,556	4,403,837	1,742,310	5,759,899
	Total Capital Expenditures	4,081,484	2,540,143	6,557,867	3,669,445	7,280,546
	TOTAL CAPITAL REVENUES	4,567,462	3,905,825	7,296,299	7,377,342	7,884,095
	TOTAL CAPITAL EXPENDITURES	4,081,484	2,540,143	6,557,867	3,669,445	7,280,546
	End Year Cash Reserve	485,978	1,365,682	738,431	3,707,896	603,549
	Restricted 3% Tabor	122,445	76,204	196,736	110,083	218,416
	Unrestricted Reserve	363,534	1,289,478	541,695	3,597,813	385,133

a Reflects a 2% increase from 2016 estimated end of year

Streets

- b 8th Street reconstruction project \$2.180, pay off Lewis St lease/purchase \$540,254
- f Dog Alley and 1st Street at Rumbaugh Creek
- g Florida and N 7th Street
- h N 5th or N 7th St or Hermosa St

Parks

- i Yamaguchi playground equipment (125k), new roof terrazzo yamaguchi park (10k), yamaguchi Irrigation vault (\$30k) town improvements (15k)
- j Final river feature - Cotton's hole - Improvement on take out and put in areas
- e four wheeler w/blade and snowblower
- c Paving Town Park and Athletic Field Parking lots

CAPITAL IMPROVEMENT FUND

Trails

- l \$30 Town match - \$200K PROST, \$45K PLPOA, \$200K State Trails TTPL West Phase
- m Planning and design of Harman Hill for 2018 construction

Geothermal

- n Audit for Geothermal Authority

Other

- d Detective truck
- k Overlook deck redevelopment (\$25K Tourism - County \$?)
- o \$95K Town Match, Historic Preservation restore water reservoir walls, stone arch bridge at 1st St, Interpretive signage

PROJECTS CAPITAL DEPARTMENT						
Account	Description	2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
PERSONNEL						
51-46-110	Special Projects Manager	49,845	34,699	51,229	52,000	52,612
51-46-133	Travel/Training/Meetings	1,500	1,318	1,500	0	1,500
51-46-131	FICA	3,813	2,804	3,919	3,978	4,025
51-46-132	Insurance	9,564	2,106	15,593	8,871	9,900
51-46-134	Pension	2,492	1,630	2,561	2,600	2,631
	subtotal	67,214	42,557	74,803	67,449	70,667
COMMODITIES						
51-46-202	Office Supplies	750	810	750	200	500
51-46-212	Vehicle Fuel/Oil/Maintenance	3,250	925	3,250	200	1,000
51-46-281	Technology	1,000	518	9,500	12,000	500
51-46-	Office Equipment	0	0	0	0	0
51-46-406	Planning Studies/Grants	37,500	0	75,000	15,000	60,000
51-46-441	Annexations	5,000	0	0	0	0
51-46-450	Planning/Permitting Software	26,000	17,682	15,000	7,200	0
	subtotal	73,500	19,935	103,500	34,600	62,000
TOTAL PROJECTS BUDGET						
		140,714	62,492	178,303	102,049	132,667

a Comprehensive Plan Update, awarded to SE Group.

STREETS DEPARTMENT

Account	Description	2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
PERSONNEL						
51-61-110	Street Superintendent	65,190	65,300	67,000	67,000	67,788
51-61-110	Equipment Operator III	41,856	41,946	43,018	43,018	43,524
51-61-110	Equipment Operator II	38,356	38,791	39,421	39,420	39,885
51-61-110	Equipment Operator I	40,423	40,533	41,546	41,546	42,034
51-61-110	Equipment Operator I	0	0	36,124	25,000	36,549
51-61-131	FICA	14,216	14,348	17,374	16,523	17,578
51-61-132	Insurance	43,126	43,427	59,742	53,222	56,297
51-61-133	School/Travel	2,500	1,377	2,900	2,115	3,500
51-61-134	Pension	9,291	9,307	11,355	10,799	11,489
	Subtotal	254,958	255,028	318,481	298,643	318,644
COMMODITIES						
51-61-202	Office Supplies	200	167	250	250	300
51-61-212	Fuel & Oil	26,000	17,833	22,000	18,000	22,000
51-61-222	Tires	4,000	3,933	4,000	5,000	6,000
51-61-228	Gravel/Asphalt	20,000	15,239	25,000	25,000	25,000
51-61-230	Culverts	2,000	0	1,000	1,100	1,000
51-61-234	Street Lighting - LPEA	44,000	38,117	44,000	42,000	44,000
51-61-281	Techology	250	160	750	250	2,000
51-61-439	Street Lighting Maintenance	2,000	1,660	2,000	2,000	2,000
	Subtotal	98,450	77,109	99,000	93,600	102,300
CONTRACTUAL						
51-61-402	Telephone Cellular	1,100	1,112	1,100	1,100	1,200
51-61-406	Maintenance-Vehicles	20,000	8,939	17,000	45,800	30,000
51-61-410	Uniforms	5,000	4,638	5,000	5,000	5,700
51-61-418	Cemetery Maintenance	2,000	4,184	4,000	4,000	4,000
51-61-434	Utilities/Shop Supplies	16,500	15,224	17,000	17,000	17,000
51-61-436	Maintenance-Roads	20,000	25,657	27,000	23,000	27,000
51-61-444	Sweeper Maintenance	5,000	4,410	5,000	5,000	24,000
51-61-460	Clean-Up Week	7,000	1,946	5,000	5,000	5,000
51-61-470	Lightpole Banners/Fixtures	0	0	1,000	700	1,000
	Subtotal	76,600	66,112	82,100	106,600	114,900
	TOTAL STREETS BUDGET	430,008	398,249	499,581	498,843	535,844

PARKS DEPARTMENT						
Account	Description	2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
PERSONNEL						
51-68-110	Parks Manager	48,357	51,589	0	0	0
51-68-110	Parks Crew Leader	0	0	41,180	41,180	41,664
51-68-110	Parks Crew Leader	0	0	41,180	41,180	41,664
51-68-110	Parks Maintenance II	36,716	36,826	37,736	37,849	38,179
51-68-110	Parks Maintenance II	36,716	36,826	0	0	0
51-68-110	Parks Use Administrator	20,000	15,802	0	0	0
51-68-111	Parks Maintenance Part time	49,046	60,209	82,500	60,000	70,000
51-68-131	FICA	14,599	15,353	15,499	13,786	14,650
51-68-132	Insurance	31,720	23,207	42,000	50,675	51,165
51-68-134	Pension	6,089	5,532	6,005	6,010	6,075
51-68-135	Training/Travel/Dues	1,500	492	1,500	1,500	1,500
	Subtotal	244,743	245,835	267,599	252,180	264,899
COMMODITIES						
51-68-212	Fuel/Oil	8,000	5,470	6,000	5,000	5,500
51-68-216	Park/Field Maintenance	20,000	27,033	30,000	28,000	30,000
51-68-218	Park Utilities	25,000	23,511	25,500	25,500	25,500
51-68-220	Vehicle Maintenance	2,500	1,251	3,500	3,200	3,500
51-68-221	Equipment Maintenance	0	0	5,000	5,000	5,500
51-68-222	Uniforms	0	0	1,500	1,500	1,500
51-68-xxx	Parks Supplies/Amenities	0	0	0	0	6,500
51-68-281	Technology	1,100	588	250	0	250
51-68-402	Telephone	1,000	438	1,000	320	960
51-68-816	Town Tree Program	500	200	500	0	0
	Subtotal	58,100	58,491	73,250	68,520	79,210
	TOTAL PARKS BUDGET	302,843	304,327	340,849	320,700	344,109

a Five summer seasonal workers

b DUST2 Trail Maintenance

FACILITIES MAINTENANCE DEPARTMENT

Account	Description	2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
PERSONNEL						
51-70-110	Maintenance Director	52,274	52,380	53,726	53,726	54,357
51-70-111	Part Time Help	1,500	1,551	1,500	0	0
51-70-112	Building Maintenance Tech II	33,645	33,755	34,579	34,579	34,986
51-70-112	Building Maintenance Tech II	33,645	33,755	34,579	34,579	34,986
51-70-133	Travel/Training	250	128	500	416	500
51-70-131	FICA	9,261	8,601	9,515	9,401	9,511
51-70-132	Insurance	39,392	36,092	35,000	36,135	36,470
51-70-134	Pension	5,978	5,978	6,144	6,144	6,216
51-70-410	Uniforms	1,600	2,027	1,800	1,800	1,800
	subtotal	177,546	174,266	177,344	176,780	178,827
CONTRACTUAL						
51-70-206	Janitorial Supplies	6,000	3,206	5,000	3,000	4,000
51-70-281	Technology	250	0	850	0	0
51-70-402	Telephone	800	370	400	480	480
51-70-406	Vehicle Fuel/Maintenance	4,000	3,121	5,000	3,250	5,000
51-70-435	Town Hall Improvements	1,200	848	1,200	1,200	60,000
51-70-436	Town Hall Maintenance	12,000	9,880	9,000	5,000	7,000
51-70-437	Heating/Cooling Maintenance	2,000	34,910	10,000	17,000	5,000
51-70-438	Building Electric Maintenance	1,000	390	1,000	250	1,000
51-70-440	Elevator Maintenance	2,300	2,187	2,500	2,500	2,500
51-70-442	Furnishing Town Hall	3,200	4,230	3,200	3,200	3,200
51-70-443	Courtroom Update	0	0	6,300	8,000	1,000
	subtotal	32,750	59,141	44,450	43,880	89,180
	TOTAL MAINTENANCE BUDGET	210,296	233,407	221,794	220,660	268,007

CONSERVATION TRUST FUND						
		2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
Revenue						
21-37-530	Town Lottery	17,000	16,665	17,000	17,000	17,000
21-37-700	County Lottery	30,000	30,000	30,000	30,000	30,000
	Subtotal	47,000	46,665	47,000	47,000	47,000
	Prior Fund Balances	65,248	64,770	89,276	88,684	56,044
	TOTAL REVENUES	112,248	111,435	136,276	135,684	103,044
Expenditures						
21-40-800	Parks & Rec Maintenance	13,000	12,895	5,000	5,530	6,000
21-40-910	Yamaguchi Park	10,000	6,857	31,000	31,000	39,000
21-40-950	South Park	0	0	25,000	25,000	5,000
21-40-960	Rivercenter Park	0	0	8,000	6,110	17,000
21-40-970	CC Exercise Room	0	0	12,000	12,000	4,000
21-40-940	Elementary School Playground	3,000	3,000	0	0	0
	Subtotal	26,000	22,751	81,000	79,640	71,000
	Total Expenditures to CIF	26,000	22,751	81,000	79,640	71,000
	TOTAL REVENUES	112,248	111,435	136,276	135,684	103,044
	TOTAL EXPENDITURES	26,000	22,751	81,000	79,640	71,000
	Ending Fund Balance	86,248	88,684	55,276	56,044	32,044

- a Riverwalk repaving towards the ponds (5k), new fishing dock (12k)
- b landscaping park (4k) and stain bathroom (1k)
- c skywerx monitoring (1k), 2 shade structures (10k), landscape and irrigation at skate park (10k), volleyball court (8k), pump track (10k)
- d stair climber for exercise room

TRUST/IMPACT FUND

REVENUES

Account	Description	2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
IMPACT FEES						
31-34-600	Roads	8,000	22,834	8,000	28,646	7,800
31-34-700	Regional Public Buildings	0	2,108	0	2,368	0
31-34-710	Town Public Buildings 2013	0	2,540	0	3,845	1,016
31-34-800	Regional Recreation Facilities	0	363	0	859	0
31-34-810	Recreational Facilities 2013	0	7,260	0	5,082	2,904
31-34-900	Parks	0	7,728	0	5,520	2,944
31-34-910	Trails	0	13,692	0	9,592	5,216
31-39-990	Interest Earned	0	1,464	0	820	0
	Subtotal	8,000	57,989	8,000	56,732	19,880
IMPACT FEES - OTHERS						
31-34-100	Emergency Service Provider	3,600	14,364	3,600	20,763	7,070
31-34-200	Water Storage	1,900	1,712	1,900	2,820	1,691
31-34-300	School Fees	1,200	5,824	1,200	4,245	2,264
31-23-350	Administration	100	447	100	590	100
	Subtotal	6,800	22,347	6,800	28,418	11,125
TRUST ACCOUNTS						
31-36-415	Walmart West End Trail Donation	0	45,000	0	0	0
31-36-450	Pinon Lake Fountain	0	4,540	0	0	0
31-36-520	Health Account	0	136,855	0	35,340	30,000
31-36-530	Community Center	0	182,929	0	0	0
31-36-580	Marky Egan Scholarship	0	100	0	0	0
31-36-581	Festival of Trees	0	13,650	0	0	0
31-36-590	Reservoir Hill Ticket Tax	8,000	8,104	8,000	8,145	8,000
	Subtotal	8,000	391,179	8,000	43,485	38,000
	Prior Fund Balances	558,394	171,812	427,203	521,880	591,324
	TOTAL REVENUES	581,194	643,326	450,003	650,515	660,329

TRUST/IMPACT FUND

EXPENDITURES

Account	Description	2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
IMPACT FEES						
31-77-600	Roads	0	0	0	0	0
31-22-602	Piedra St Improvement Project	400,000	289,000	0	0	0
31-22-603	Trujillo Road Reconstruction	0	111,000	0	0	0
31-22-700	Regional Public Buildings	2,780	0	0	0	0
31-46-710	Town Public Building 2013	0	0	0	0	20,000 ^a
31-56-810	Recreation Facilities 2013	0	0	0	0	0
31-68-900	Parks	0	0	5,000	5,000	0
31-68-910	Trails	0	0	10,000	10,000	0
	Subtotal	402,780	400,000	15,000	15,000	20,000
IMPACT FEES - OTHERS						
31-51-100	Emergency Service Provider	4,500	14,364	3,600	20,325	7,070
31-76-200	Water Storage	1,900	1,712	1,900	2,763	1,691
31-76-300	School	1,200	5,824	1,200	4,148	2,264
	Subtotal	7,600	21,900	6,700	27,236	11,025
TRUST ACCOUNTS						
31-23-415	Walmart West End Trail Donation	0	0	45,000	0	45,000
31-76-450	Pinon Lake Fountain	0	4,561	0	0	0
31-76-520	Health Account	0	23,941	8,200	20,500	4,500
31-53-530	Community Center	0	88,236	10,000	17,664	0
31-23-550	Whitewater Fund	0	0	0	0	0
31-23-580	Marky Egan Scholarship	0	0	0	0	0
31-76-581	Festival of Trees	0	13,650	0	0	0
31-76-590	Reservoir Hill Ticket Tax	0	9,741	0	11,070	0
31-76-600	Park User Fee Expense	0	0	0	431	0
	Subtotal	0	140,129	63,200	49,665	49,500
	Total Expenditures	410,380	562,029	84,900	91,901	80,525
	TOTAL REVENUES	581,194	643,326	450,003	650,515	660,329
	TOTAL EXPENDITURES	410,380	562,029	84,900	91,901	80,525
	Ending Fund Balance	170,814	81,297	365,103	558,614	579,804

^a Town shop site and needs assessment

LODGER'S TAX FUND						
		2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
REVENUE						
41-31-500	Lodgers Tax	540,000	533,595	540,000	570,000	560,000
41-31-505	Intergovernmental Revenue	85,000	87,342	108,000	127,627	125,000
41-31-510	Visitor Center Revenue	0	1,299	1,500	1,500	1,500
41-31-600	Other Income	5,000	22,500	45,000	45,000	45,000
41-31-650	Miscellaneous Revenue	0	0	0	4,715	0
41-31-	Transfer from Trust Fund	0	0	0	1,015	0
	Subtotal	630,000	644,736	694,500	749,857	731,500
	Prior Year End Cash Carryover	166,114	190,355	192,768	295,438	309,157
	TOTAL REVENUES to TTC	796,114	835,091	887,268	1,045,295	1,040,657
EXPENDITURES						
PERSONNEL						
41-42-110	Executive Director	70,000	70,110	71,944	71,944	72,790
41-42-110	Visitor Program Manager	33,645	33,598	34,579	34,579	34,986
41-42-110	Volunteer Coordinator	17,725	17,897	18,217	18,217	16,748
41-42-110	Visitor Center Coordinator	0	3,805	20,150	20,150	17,846
41-42-110	Visitor Center Assistant	0	0	0	0	5,500
41-42-111	Part Time	15,000	0	0	0	0
41-42-131	FICA	10,432	9,541	11,084	11,084	11,312
41-42-132	Insurance	17,233	17,031	19,018	19,132	18,973
41-42-134	Pension	5,182	5,174	5,326	5,326	5,389
41-42-	Employee Merit Increase	0	0	0	0	2,915
	Subtotal	169,218	157,156	180,319	180,432	186,459
COMMODITIES						
41-42-205	External Marketing	330,000	299,766	350,000	350,000	350,000
41-42-133	Training/Travel/Dues	13,000	10,562	8,000	8,000	8,000
41-42-210	Event Funding	57,000	42,772	57,000	47,500	50,000
41-42-402	Telephone	0	0	850	1,089	1,100
41-42-230	Administration (Board Retreat)	1,250	1,160	400	117	500
41-42-240	Economic Incentives	1,500	0	1,500	0	0
	Subtotal	402,750	354,260	417,750	406,706	409,600
CAPITAL PROJECTS						
41-42-221	Fish Stocking	10,000	8,200	10,000	7,000	7,500
41-42-222	Infrastructure	20,000	13,843	25,000	23,000	25,000
41-42-223	Wayfinding and Signage	25,000	0	25,000	2,500	25,000
	Subtotal	55,000	22,043	60,000	32,500	57,500
VISITOR INFORMATION						
41-42-326	Visitor Center Utilities/Phone	9,000	6,199	9,000	6,500	6,500
41-42-327	Visitor Center Janitorial	10,000	4,549	10,000	5,000	5,000
41-42-328	Printing and Publications	10,000	8,669	40,000	40,000	40,000
41-42-329	Technology	5,000	2,965	3,000	3,000	1,500
41-42-330	Volunteer Appreciation	5,000	2,736	3,000	3,000	3,000
41-42-331	VC Office Expenses	6,000	1,541	4,000	4,000	4,000
41-42-235	Fulfillments	32,500	43,215	40,000	32,500	35,000
	Subtotal	77,500	69,873	109,000	94,000	95,000
CONTRACTUAL						
41-42-245	Tax Compliance	12,500	13,325	12,500	12,500	12,500
41-42-255	Fireworks	10,000	0	10,000	10,000	10,000
	Subtotal	22,500	13,325	22,500	22,500	22,500
	TOTAL REVENUES	796,114	835,091	887,268	1,045,295	1,040,657
	TOTAL EXPENDITURES	726,968	616,657	789,569	736,138	771,059
	Ending Fund Balance	69,146	218,434	97,699	309,157	269,598

a CTO grant for hot springs loop \$5K match

GEOHERMAL ENTERPRISE FUND

REVENUES

Account	Description	2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
SERVICE FEES AND FINES						
55-38-100	Geothermal Utility	40,500	41,053	40,500	40,500	40,500
55-38-300	Geothermal Lease & Heat Tap	1,200	1,197	1,197	1,197	1,197
53-38-400	Other Revenue	0	578	0	3,000	0
	Total Annual Revenues	41,700	42,828	41,697	44,697	41,697
	Prior Year End Cash Reserves	93,848	96,106	99,128	101,639	100,186
	Total Revenues	135,548	138,934	140,825	146,336	141,883

GEOHERMAL ENTERPRISE FUND

EXPENDITURES

Account	Description	2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
PERSONNEL						
55-40-133	School/Travel	500	0	0	0	0
	Subtotal	500	0	0	0	0
COMMODITIES						
55-40-202	Office Supplies	100	0	100	100	100
55-40-204	Postage	250	196	250	250	250
	Subtotal	350	196	350	350	350
CONTRACTUAL						
55-40-444	Utilities/Electric and Water	12,000	12,593	13,000	14,000	13,000
55-40-446	Legal/Attorney	2,000	0	1,000	1,000	1,000
55-40-438	Engineering	5,000	0	1,000	0	1,000
55-40-448	Bookkeeping (paid to Town GF)	5,000	5,000	5,000	5,000	5,000
55-40-450	Insurance (paid to Town GF)	1,000	1,000	1,000	1,000	1,000
55-40-452	Contractual Services Streets Dept	9,500	9,500	9,500	9,500	9,500
55-40-456	Contractual Services Maintenance Dept	4,500	4,500	4,500	4,500	4,500
55-40-458	Pagosa Verde Symposium	500	500	500	0	0
	Subtotal	39,500	33,093	35,500	35,000	35,000
CAPITAL IMPROVEMENTS						
55-40-242	Repair Equipment/Meters	5,000	2,515	2,000	3,100	2,000
55-40-244	Repair of Leaks	10,000	70	1,500	5,500	1,500
55-40-246	New Pump/Meters	5,000	5,411	2,000	2,200	1,500
55-40-500	McCabe Creek Reconstruction	40,000	0	0	0	0
55-40-832	Contingency	1,000	0	0	0	0
	Subtotal	61,000	7,996	5,500	10,800	5,000
	Total Geothermal Expenditures	101,350	41,285	41,350	46,150	40,350
	TOTAL REVENUES	135,548	138,934	140,825	146,336	141,883
	TOTAL EXPENDITURES	101,350	41,285	41,350	46,150	40,350
	Year End Carryover Reserve	34,198	97,648	99,475	100,186	101,533



Town of Pagosa Springs
P.O. Box 1859
Pagosa Springs, CO 81147
Phone 970.264.4151
Fax 970.264.4634

ASSESSED VALUATION AND MILL LEVIES

YEAR	2015	2016	2017
ASSESSED VALUATION	48,126,020	51,079,404	53,406,464
MILL LEVY	1.576 Mills	1.565 Mills	1.559 Mills
TOTAL REVENUES	\$75,846	\$79,939	\$83,261

I, April Hessman, certify that the attached is a true and accurate copy of the adopted 2017 budget of the Town of Pagosa Springs, Colorado.

April Hessman, Town Clerk/Finance

CERTIFICATION OF TAX LEVIES for NON-SCHOOL Governments

TO: County Commissioners¹ of Archuleta County, Colorado.

On behalf of the Town of Pagosa Springs,
(taxing entity)^A

the Town Council
(governing body)^B

of the Town of Pagosa Springs
(local government)^C

Hereby officially certifies the following mills to be levied against the taxing entity's GROSS \$ 53,406,464 assessed valuation of: (GROSS^D assessed valuation, Line 2 of the Certification of Valuation Form DLG 57^E)

Note: If the assessor certified a NET assessed valuation (AV) different than the GROSS AV due to a Tax Increment Financing (TIF) Area^F the tax levies must be calculated using the NET AV. The taxing entity's total property tax revenue will be derived from the mill levy multiplied against the NET assessed valuation of: \$ _____ (NET^G assessed valuation, Line 4 of the Certification of Valuation Form DLG 57)

Submitted: 12/06/2016 for budget/fiscal year 2017.
(not later than Dec. 15) (mm/dd/yyyy) (yyyy)

PURPOSE (see end notes for definitions and examples)	LEVY ²	REVENUE ²
1. General Operating Expenses ^H	1.557 mills	\$ 83,154
2. <Minus> Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction ^I	< > mills	\$ < >
SUBTOTAL FOR GENERAL OPERATING:	1.557 mills	\$ 83,154
3. General Obligation Bonds and Interest ^J	_____ mills	\$ _____
4. Contractual Obligations ^K	_____ mills	\$ _____
5. Capital Expenditures ^L	_____ mills	\$ _____
6. Refunds/Abatements ^M	.002 mills	\$ 107
7. Other ^N (specify): _____	_____ mills	\$ _____
	_____ mills	\$ _____
TOTAL: [Sum of General Operating Subtotal and Lines 3 to 7]	1.559 mills	\$ 83,261

Contact person: April Hessman Daytime phone: (970) 264-4151 ext 237
(print)
Signed: _____ Title: Town Clerk

Include one copy of this tax entity's completed form when filing the local government's budget by January 31st, per 29-1-113 C.R.S., with the Division of Local Government (DLG), Room 521, 1313 Sherman Street, Denver, CO 80203. Questions? Call DLG at (303) 866-2156.

¹ If the taxing entity's boundaries include more than one county, you must certify the levies to each county. Use a separate form for each county and certify the same levies uniformly to each county per Article X, Section 3 of the Colorado Constitution.
² Levies must be rounded to three decimal places and revenue must be calculated from the total NET assessed valuation (Line 4 of Form DLG57 on the County Assessor's final certification of valuation).

CERTIFICATION OF TAX LEVIES, continued

THIS SECTION APPLIES TO TITLE 32, ARTICLE 1 SPECIAL DISTRICTS THAT LEVY TAXES FOR PAYMENT OF GENERAL OBLIGATION DEBT (32-1-1603 C.R.S.). Taxing entities that are

Special Districts or Subdistricts of Special Districts must certify separate mill levies and revenues to the Board of County Commissioners, one each for the funding requirements of each debt (32-1-1603, C.R.S.) Use additional pages as necessary. The Special District's or Subdistrict's total levies for general obligation bonds and total levies for contractual obligations should be recorded on Page 1, Lines 3 and 4 respectively.

CERTIFY A SEPARATE MILL LEVY FOR EACH BOND OR CONTRACT:

BONDS^J:

1. Purpose of Issue: _____
Series: _____
Date of Issue: _____
Coupon Rate: _____
Maturity Date: _____
Levy: _____
Revenue: _____

2. Purpose of Issue: _____
Series: _____
Date of Issue: _____
Coupon Rate: _____
Maturity Date: _____
Levy: _____
Revenue: _____

CONTRACTS^K:

3. Purpose of Contract: _____
Title: _____
Date: _____
Principal Amount: _____
Maturity Date: _____
Levy: _____
Revenue: _____

4. Purpose of Contract: _____
Title: _____
Date: _____
Principal Amount: _____
Maturity Date: _____
Levy: _____
Revenue: _____

Use multiple copies of this page as necessary to separately report all bond and contractual obligations per 32-1-1603, C.R.S.

AMENDED CERTIFICATION OF VALUES

TOWN OF PAGOSA SPRINGS

Name of Jurisdiction: **TOWN OF PAGOSA SPRINGS**

New District:

USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATIONS (5.5% LIMIT) ONLY

In accordance with 39-5-121(2)(a) and 39-5-128(1), C.R.S. The total Assessed Valuations for taxable year 2016
In Archuleta County, CO On 11/14/2016 Are:

Previous Year's Net Total Assessed Valuation:	\$51,079,404
Current Year's Gross Total Assessed Valuation:	\$53,406,464
(-) Less TIF district increment, if any:	\$0
Current Year's Net Total Assessed Valuation:	\$53,406,464
New Construction*:	\$1,200,240
Increased Production of Producing Mines**:	\$0
ANNEXATIONS/INCLUSIONS:	\$0
Previously Exempt Federal Property**:	\$0
New Primary Oil or Gas production from any Oil and Gas leasehold or land (29-1-301(1)(b) C.R.S.)***:	\$0
Taxes collected last year on omitted property as of August 1 (29-1-301(1)(a) C.R.S.) Includes all revenue collected on valuation not previously certified.	\$152.06
Taxes Abated or Refunded as of August 1 (39-10-114(1)(a)(I)(B) C.R.S.):	\$134.31

This value reflects personal property exemptions IF enacted by the jurisdiction as authorized by Art. X, Sec. 20(8)(b), Colo. Constitution
 * New Construction is defined as: Taxable real property structures and the personal property connected with the structure.
 ** Jurisdiction must submit a certification to the Division of Local Government in order for a value to be accrued (DLG52 & 52A)
 *** Jurisdiction must submit an application to the Division of Local Government in order for a value to be accrued. (DLG 52B)

USE FOR 'TABOR' LOCAL GROWTH CALCULATIONS ONLY

In accordance with the Art. X, Sec. 20, Colorado Constitution and 39-5-121(2)(b), C.R.S. The Actual Valuations for the taxable year 2016
In Archuleta County, CO On 11/14/2016 Are:

Current Year's Total Actual Value of All Real Property*:	\$286,953,853
ADDITIONS TO TAXABLE REAL PROPERTY:	
Construction of taxable real property improvements**:	\$7,430,152
ANNEXATIONS/INCLUSIONS:	\$0
Increased Mining Production***:	\$0
Previously exempt property:	\$0
Oil or Gas production from a new well:	\$0
Taxable real property omitted from the previous year's tax warrant. (Only the most current year value can be reported):	\$0
DELETIONS FROM TAXABLE REAL PROPERTY IMPROVEMENTS:	(\$64,160)
Destruction of taxable property improvements.	
Disconnections/Exclusions:	\$0
Previously Taxable Property:	\$62,640

* This includes the actual value of all taxable real property plus the actual value of religious, private schools, and charitable real property.
 ** Construction is defined as newly constructed taxable real property structures.
 *** Includes production from a new mine and increase in production of a producing mine.

NOTE: All levies must be certified to the Board of County Commissioners no later than December 15, 2016



AGENDA DOCUMENTATION

NEW BUSINESS: IV.5

PAGOSA SPRINGS TOWN COUNCIL

DECEMBER 6, 2016

FROM: GREGORY J. SCHULTE, TOWN MANAGER

PROJECT: SAN JUAN RIVER WATER RIGHTS APPLICATION APPROVAL

ACTION: DISCUSSION AND POSSIBLE ACTION

PURPOSE / BACKGROUND

At the end of September, the Town was given notice pursuant to C.R.S. 37-92-305(7) regarding the Town's conditional water rights awarded by Division 7 of the Colorado Water Court. The Town was notified they needed to make an Application for Finding of Reasonable Diligence or To Make Absolute for its current water rights. The application needs to be filed with the Water Court Clerk no later than December 31st, 2016. Failure to file the application and show diligence could result in the Town's conditional water rights being considered abandoned and cancelled.

The Town has several water interests in San Juan River water for irrigation and to keep established flows. The decree for water is for use of raw water from the San Juan River to be used for irrigation water rather than using treated water from Pagosa Area Water and Sanitation District (PAWSD). PAWSD originally obtained the water rights and then conveyed them to the Town.

A summary of the water rights, by location and in cubic feet per second (cfs), are as follows:

ABSOLUTE

- Town Park Diversion: 0.09 cfs
- Athletic Fields Diversion: 0.27 cfs

CONDITIONAL

- River Center Diversion: 0.30 cfs
- Reservoir Hill Diversion: 0.20 cfs
- Town Park Diversion: 0.51 cfs
- Centennial Park Diversion: 0.25 cfs
- Athletic Fields Diversion: 2.73 cfs

The prior decree dated 2008 and a map of the diversion points are attached.

Essentially, the Town needs to demonstrate that it has been reasonably diligent in using its existing water rights for the stated purpose and that we would apply to make the rights that are conditional to absolute. Staff is requesting Council approval to submit the application (prepared by the Town's water law firm, Maynes, Bradford, Shippy, & Sheftel) by the deadline of December 31st.

ATTACHMENTS

- 2008 Water Court Decree
- Application

FISCAL IMPACT

At this juncture, there is no immediate fiscal impact. However, if the application is not submitted, then the Town is in jeopardy of losing its water rights and, if lost, presumably would have to pay for treated water from PAWSD for irrigation uses. That is presently an unbudgeted item and more than likely would cost thousands of dollars.

2017 TOWN COUNCIL GOALS & OBJECTIVES

Arguably, submittal of the application for continued use of raw water for irrigation purposes supports all 4 Goals of the Town – either directly or indirectly.

RECOMMENDATIONS

Possible actions by the Town Council include:

1. **“Move to approve the submittal of the Application of Reasonable Diligence or to make Absolute for the Town’s decreed water rights.”**
2. **“Move to decline submittal of the Application of Reasonable Diligence or to make Absolute for the Town’s decreed water rights.”**
3. **Direct staff otherwise.**

IN DISTRICT COURT WATER DIVISION 7
NOV 18
FILED Document
CO La Plata County District Court 6th JD
Filing Date: Dec 30 2010 1:38PM MST
Filing ID: 35260386
Review Clerk: N/A

DISTRICT COURT, WATER DIVISION 7, STATE OF COLORADO	
Court Address: LaPlata County Courthouse 1060 2nd Avenue P. O. Box 3340 Durango, CO 81302	
Phone Number: 970-247-2304	
CONCERNING THE WATER RIGHTS OF THE PAGOSA AREA WATER AND SANITATION DISTRICT IN ARCHULETA COUNTY	▲ COURT USE ONLY ▲
	Case No.: 08CW63 (2000CW92)
FINDINGS OF FACT, RULING OF THE REFEREE, CONCLUSIONS OF LAW, JUDGMENT AND DECREE	

THIS MATTER, having come before the Water Referee and the Court upon the timely filing of the Application for Findings of Continued Diligence on, and to Make Absolute, Conditional Water Rights on August 29, 2008 ("Application"), and the Water Referee and Court being fully advised in the premises does hereby make the following Findings of Fact and Ruling:

FINDINGS OF FACT

1. Applicant. Applicant, Pagosa Area Water and Sanitation District ("PAWSD").
The Applicant's address is:

Pagosa Area Water and Sanitation District
P.O. Box 4610
Pagosa Springs, CO 81157

2. Notices. All notices of the Application were given in the manner required by law, and the Court has jurisdiction over the subject matter of this proceeding and over all persons and property affected hereby irrespective of whether those persons or owners of property have appeared.
 - (a) Certificate of Notice to Landowners: Applicant provided notice to landowners as required by §37-92-302(2)(b), C.R.S., on October 1, 2008 and certified the same to this Court on October 10, 2008.

- (b) Certificate of Publication: Applicant certified to this Court, on October 8, 2008, that the Application in this matter had been duly published on September 18, 2008 in the Pagosa SUN, a newspaper of general circulation in Archuleta County.
3. Statements of Opposition. No Statements of Opposition were filed in this matter. The time for filing statements of opposition has expired.
4. Summary of Consultation. The Division 7 Engineer filed his Consultation Report on November 5, 2009. Said report recommended that the Court approve PAWSD's claims for absolute and continued diligence findings, but noted a discrepancy in the legal description of one decreed point of diversion. Any requests or requirements contained in the Summary of Consultation have been resolved by the terms and conditions of this ruling and decree.
5. Real Party in Interest. PAWSD is a quasi-municipal corporation of the State of Colorado. PAWSD owns and operates municipal water and sewer utility systems for the benefit of its citizens, and for the provision of water and sewer service to such extra-territorial customers as it may serve from time to time pursuant to its service contracts. PAWSD filed this Application in order to obtain findings of perfection upon part, and findings of reasonable diligence on the balance, of conditional water rights originally decreed in Case No. 2000CW092, District Court, Water Division No. 7.
6. Prior Decrees. The original decree for the San Juan Irrigation System (the "Subject Water Rights") was issued on July 3, 2003, Case No. 2000CW092, District Court, Water Division 7, *Findings and Ruling of the Referee and Decree of the Water Court, In the Matter of the Application for Water Rights of the Pagosa Area Water and Sanitation District, in Archuleta County, Colorado* ("Original Decree").
7. Description of the Subject Water Rights. The Subject Water Rights, as originally decreed, are described as follows:
- (a) Name: San Juan Irrigation System.
- (b) Location of Points of Diversion:
- (i) River Center Diversion. Located on the east side of the San Juan River in Section 13, Township 35 North, Range 2 West of the N.M. P.M., at a point whence the Northwest corner of said Section 13 bears N. 62° 20' W., a distance of 5742 feet, in Archuleta County.
- (ii) Reservoir Hill Diversion. Located on the south side of the San Juan River in Section 13, Township 35 North, Range 2 West of the N.M.

P.M., at a point whence the Northwest corner of said Section 13 bears N. 49° 40' W., a distance of 5480 feet, in Archuleta County.

- (iii) Town Park Diversion. Located on the north side of the San Juan River in Section 13, Township 35 North, Range 2 West of the N.M.P.M. at a point whence the Northwest corner of said Section 13 bears N. 43° 45' W., a distance of 4795 feet, in Archuleta County.
 - (iv) Centennial Park Diversion. Located on the north side of the San Juan River in Section 13, Township 35 North, Range 2 West of the N.M.P.M., at a point whence the Northwest corner of said Section 13 bears N. 28° 54' W., a distance of 4599 feet, in Archuleta County.
 - (v) Athletic Fields Diversion. Located on the west side of the San Juan River in Section 24, Township 35 North, Range 2 West of the N.M.P.M., at a point whence the Northwest corner of said Section 13 bears N. 16° 35' W., a distance of 8405 feet, in Archuleta County.
- (c) Source: San Juan River and its tributaries.
 - (d) Appropriation Date: June 13, 2000.
 - (e) Amount:
 - (i) River Center Diversion. 0.30 cfs (135 gpm), CONDITIONAL.
 - (ii) Reservoir Hill Diversion. 0.20 cfs (90 gpm), CONDITIONAL.
 - (iii) Town Park Diversion. 0.60 cfs (270 gpm), CONDITIONAL.
 - (iv) Centennial Park Diversion. 0.25 cfs (112 gpm), CONDITIONAL.
 - (v) Athletic Fields Diversion. 3.00 cfs (1346 gpm), CONDITIONAL.
 - (f) Uses: Irrigation of parks, athletic fields and open spaces.

8. Diligence Activities. During the relevant diligence period, PAWSD invested in capital projects and performed substantial work in the development and improvement of its municipal water system, including the subject irrigation system. Costs incurred by PAWSD totaled over \$14,000,000, in part, to further completion of the appropriation and application of water to the beneficial uses conditionally decreed in Case No. 2000CW092, and specifically including the following activities:

- (a) PAWSD invested \$30,799 in performing ditch system improvements and maintenance.

- (b) PAWSD invested over \$46,300 in water system planning efforts. Such costs included payments to engineering and economic consultants for analysis and reports concerning future water demands and sources of supply.
- (c) In a cooperative project with the Town of Pagosa Springs, PAWSD invested \$69,394 to install pumps, meters and pipelines for non-potable irrigation systems to serve the public school athletic fields and Town parks.
- (d) PAWSD developed a water conservation program and plan with the assistance of a consultant firm. The plan was submitted to the Colorado Water Conservation Board and approved by that agency, thus qualifying PAWSD for grant and loan funds administered by that agency. PAWSD also funds a full-time position within its organization to conduct water conservation education and to monitor the success of the program in reducing water demand throughout the municipal water system. Cost of developing and implementing the water conservation program totaled over \$156,400 during the relevant diligence period.
- (e) During the relevant diligence period, PAWSD performed improvement of, and installed a large pipeline to replace sections of, the Dutton Ditch. The Dutton Ditch diverts from Four Mile Creek at a point located on U.S. Forest Service land, and the ditch and pipeline alignment crosses U.S. Forest Service land. Therefore the pipeline replacement project required extensive permitting and environmental mitigation. PAWSD invested over \$3,924,000 in maintenance of the ditch, and in the planning, permitting, construction and environmental mitigation of the Dutton Ditch improvement and pipeline replacement project.
- (f) PAWSD invested over \$438,000 in capital improvements to the San Juan Water Treatment Plant during the relevant diligence period.
- (g) Over \$555,000 was invested by PAWSD during the diligence period to complete the pumping and pipeline system to convey water from the San Juan River Intake diversion to the San Juan Water Treatment Plant.
- (h) In addition to improvements to the treatment processes at the San Juan Water Treatment Plant described in ¶8(f) above, PAWSD invested over \$110,000 to increase the plant's capacity to 3 million gallons per day.
- (i) Recognizing the need for developing additional water supply storage to supplement the water yield of its water rights and to meet future water demand, PAWSD invested over \$49,300 in early planning, permitting and

engineering analysis for the Dry Gulch Project – a large diversion and storage project.

- (j) PAWSD invested approximately \$8,760,000 in conjunction with approximately \$1,000,000 invested by the San Juan Water Conservancy District (“SJWCD”) for acquisition of land necessary for the Dry Gulch Project. Additional land may be acquired in future years to achieve the land area necessary for the project.
- (k) PAWSD and SJWCD have cooperated for several years to fund cloud seeding efforts conducted within the San Juan River watershed. During the relevant diligence period, PAWSD contributed \$16,785 toward this effort.
- (l) During the diligence period, PAWSD expended approximately \$121,180 in legal fees and costs for defending and maintaining its water rights in water court adjudications initiated by PAWSD and others, to facilitate agreements with the Town of Pagosa Springs for construction of diversion facilities and use of the water diverted, and other activities related to PAWSD’s municipal water system.

9. Integrated System. As described immediately above, during the relevant diligence period PAWSD expended significant effort and money in the development of its overall unified municipal water system. The structures named in this decree are several components of the integrated water supply system that PAWSD operates to divert and store water from Four Mile Creek, Stollsteimer Creek, and the San Juan River to provide a raw water supply for its municipal water system. Structures that exist at the two of the points of diversion described in ¶7 above are operated in cooperation with the Town of Pagosa Springs for irrigation of parks and athletic fields owned and maintained by the Town. As structures are constructed at the other points of diversion described in ¶7 above, those structures will also be operated cooperatively with the Town. Reasonable diligence in the development of the subject water right has been demonstrated by PAWSD’s activities during the relevant diligence period to improve and operate its integrated raw water system, including the San Juan Irrigation System.

10. Claims to Make Absolute: At times during the diligence period, PAWSD has diverted and used water by exercise of the subject San Juan Irrigation System water rights on multiple days at varying rates. Exercise of the San Juan Irrigation System water rights upon which the Applicant claims perfection to absolute status occurred during the 2008 irrigation season, during which the Applicant diverted and beneficially used irrigation water at the maximum rates described below:

- (a) Town Park Diversion. 0.09 cfs; for the irrigation of portions of approximately 2.5 acres.

(b) Athletic Fields Diversion. 0.27 cfs; for the irrigation of portions of approximately 24 acres.

11. Beneficial Use. All water diverted under the San Juan Irrigation System water rights was used for irrigation in accordance with the terms and conditions of the Original Decree.

CONCLUSIONS OF LAW

12. Jurisdiction. The Application is one contemplated by law pursuant to §37-92-301(4), C.R.S.
13. Notice. Timely and adequate notice of the Application was given in the manner required by law and the Court has jurisdiction over the subject matter of this proceeding and over all persons and water rights affected thereby, irrespective of whether those persons or owners of water rights have appeared in accordance with §§37-92-203 and 37-92-302, C.R.S.
14. Reasonable Diligence. PAWSD has pursued with steady application of effort the completion of the appropriations in a reasonably expedient and efficient manner under all the facts and circumstances. PAWSD's work on the features of its integrated raw water system as described herein demonstrates that reasonable diligence has been exercised toward development of PAWSD's water rights, including the subject water right, for all features of the entire system within the meaning of §37-92-301(4)(b), C.R.S.
15. Can and Will. On the basis of the *prima facie* evidence described herein, this Court determines that PAWSD can and will perfect the remaining conditional portions of the Subject Water Rights with diligence and within a reasonable time as required by §37-92-305(9)(b), C.R.S.
16. Burden of Proof. On the basis of the *prima facie* evidence described herein, PAWSD is entitled to a decree of this Court confirming the perfection of portions of the Subject Water Rights as detailed in ¶10 hereinabove, and continuing the conditional portions of the Subject Water Rights for an additional diligence period.

RULING, JUDGMENT AND DECREE

17. Incorporation of Findings of Fact and Conclusions of Law. The foregoing Findings of Fact and Conclusions of Law are hereby adopted and made a part of this Ruling, Judgment and Decree as if fully set forth hereafter.
18. Perfection of Conditional Water Rights. Specific portions of the Subject San Juan Irrigation System water rights conditionally decreed in Case No. 2000CW092 (described in ¶7 hereinabove), are hereby made absolute in the following amounts:

- (a) Town Park Diversion. 0.09 cfs, ABSOLUTE.
 - (b) Athletic Fields Diversion. 0.27 cfs, ABSOLUTE.
19. Continuation of Conditional Water Rights. The remaining conditionally decreed portions of the subject San Juan Irrigation System water rights originally decreed in Case No. 2000CW092 (described in ¶7 hereinabove) are hereby continued in full force and effect as a conditional water right in the following amounts:
- (a) River Center Diversion. 0.30 cfs, CONDITIONAL.
 - (b) Reservoir Hill Diversion. 0.20 cfs, CONDITIONAL.
 - (c) Town Park Diversion. 0.51 cfs, CONDITIONAL.
 - (d) Centennial Park Diversion. 0.25 cfs, CONDITIONAL.
 - (e) Athletic Fields Diversion. 2.73 cfs, CONDITIONAL.
20. Specific Terms and Conditions Pertinent to Completion of the Appropriations.
- (a) The Consultation Report filed by the Division 7 Engineer noted a discrepancy in the originally decreed legal description for the River Center Diversion point of diversion. Further engineering analysis has confirmed that the probable location of that diversion will be approximately 450 feet distant from the decreed location. Because the eventual diversion location will likely be greater than 200 feet from the decreed location, PAWSD has stipulated with the Division Engineer to submit a petition for correction of the legal description pursuant to Rule 4(b)(1), Uniform Water Court Rules at such future time, after the River Center Diversion structure has been designed and construction has begun or occurred, when the actual location can be accurately described.
 - (b) All terms and conditions contained in paragraphs 18, 19, 20 and 21 of the Original Decree, and any further limitations as imposed by stipulations to the Original Decree, that have not been specifically enumerated herein remain unaffected by the decree issued herein. Applicant shall comply with orders of the Division Engineer to install necessary measuring and administrative structures, and shall keep records and make reports as reasonably requested by the Division Engineer.
21. Diligence Filings. If PAWSD desires to maintain these conditional water rights, an application for a finding of reasonable diligence shall be made on or before the last day of December, 2016, or a showing made on or before such date that the conditional water rights have been made absolute by reason of completion of

the appropriation. The next evidentiary period upon which the Court shall make determinations of reasonable diligence and/or findings of perfection shall begin on August 30, 2008, the day following the date that the Application was filed in this case.

DATED this 18th day of November, 2010.



GREGORY G. LYMAN
Water Judge sitting as Water Referee
Water Division No. 7

CONSENTED TO:



Rege Leach
Division Engineer
Water Division No. 7

THE COURT FINDS: NO PROTEST WAS FILED IN THIS MATTER.

THE FOREGOING RULING IS CONFIRMED AND APPROVED, AND IS HEREBY MADE THE JUDGMENT AND DECREE OF THIS COURT.

Dated: December 30, 2010



GREGORY G. LYMAN
Water Judge
Water Division No. 7

- b. Location of Points of Diversion:
 - i. River Center Diversion. Located on the east side of the San Juan River in Section 13, Township 35 North, Range 2 West of the N.M.P.M., at a point whence the Northwest corner of said Section 13 bears N. 62° 20' W., a distance of 5742 feet, in Archuleta County.
 - ii. Reservoir Hill Diversion. Located on the south side of the San Juan River in Section 13, Township 35 North, Range 2 West of the N.M.P.M., at a point whence the Northwest corner of said Section 13 bears N. 49° 40' W., a distance of 5480 feet, in Archuleta County.
 - iii. Town Park Diversion. Located on the north side of the San Juan River in Section 13, Township 35 North, Range 2 West of the N.M.P.M. at a point whence the Northwest corner of said Section 13 bears N. 43° 45' W., a distance of 4795 feet, in Archuleta County.
 - iv. Centennial Park Diversion. Located on the north side of the San Juan River in Section 13, Township 35 North, Range 2 West of the N.M.P.M., at a point whence the Northwest corner of said Section 13 bears N. 28° 54' W., a distance of 4599 feet, in Archuleta County.
 - v. Athletic Fields Diversion. Located on the west side of the San Juan River in Section 24, Township 35 North, Range 2 West of the N.M.P.M., at a point whence the Northwest corner of said Section 13 bears N. 16° 35' W., a distance of 8405 feet, in Archuleta County.
- c. Source: San Juan River and its tributaries.
- d. Appropriation Date: June 13, 2000.
- e. Amount:
 - i. River Center Diversion. 0.30 cfs (135 gpm), CONDITIONAL.
 - ii. Reservoir Hill Diversion. 0.20 cfs (90 gpm), CONDITIONAL.
 - iii. Town Park Diversion. 0.51 cfs, CONDITIONAL; 0.09 cfs, ABSOLUTE.
 - iv. Centennial Park Diversion. 0.25 cfs (112 gpm), CONDITIONAL.

v. Athletic Fields Diversion. 2.73 cfs, CONDITIONAL; 0.27 cfs, ABSOLUTE.

f. Uses: Irrigation of parks, athletic fields and open spaces.

3. Provide a detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures, during the previous diligence period:

a. Applicant diverted in priority and placed to beneficial use water at the following rates and irrigated acreages:

i. Reservoir Hill Diversion: 0.2 cfs to irrigate 1.5 acres.

ii. Town Park Diversion: 0.1 cfs to irrigate 5 acres.

iii. Athletic Fields Diversion: 0.55 cfs to irrigate 30 acres.

b. Applicant expended considerable funds in legal fees and staff time to continue developing and planning the San Juan Irrigation System, including bringing additional areas under irrigation and using additional diversion structures.

4. The River Center Diversion is an established but erroneously described point of diversion. The correct location of the River Center Diversion is in the SE1/4 SW1/4 NW1/4, Section 18, Township 35 North, Range 1 West, N.M.P.M. being 2215 feet from the North section line and 930 feet from the West section line of said Section 18. GPS location: Northing 4126724, Easting 322841 (UTM-NAD83, Zone 13N).

5. Applicant is the only owner of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored.

WHEREFORE, Applicant requests entry of a decree confirming the perfection of certain water rights in the amounts described in paragraph 3.a above, a finding of reasonable diligence for the balance of Applicant's above-described water rights, and a correction in the point of diversion for the River Center Diversion pursuant to C.R.S. §37-92-305(3.6).

///



AGENDA DOCUMENTATION

Old BUSINESS:V.1

PAGOSA SPRINGS TOWN COUNCIL

DECEMBER 6, 2016

FROM: GREGORY SCHULTE, TOWN MANAGER
AND APRIL HESSMAN, TOWN CLERK

PROJECT: APPROVAL OF PERSONNEL HANDBOOK

ACTION: DISCUSSION AND POSSIBLE ACTION

PURPOSE/BACKGROUND

At the Town Council Meeting of September 22nd and November 1st, this item was presented and at the time there were questions about the zero tolerance drug testing policy included within the Personnel Manual and how that would apply to new applicants for employment and drug testing of existing employees when probably cause occurs. Legal Counsel has responded to the items and presented a potential redraft of Section 7.

In order to provide a framework for uniform and consistent administration, the Town has used a Personnel Handbook to establish personnel rules and guidelines. In order for a Personnel Handbook to be effective, it should reflect best practices and adapt to changing circumstances and applicable laws.

The last update to our Personnel Handbook was in February 2009. As a result, staff was directed by the Town Manager to perform a comprehensive review and update of our handbook. Although the core of our policies remained the same, the handbook was modified to ensure that the policies were well communicated for both readability and understanding; as well as, to ensure continued compliance with employment laws.

ATTACHMENTS

Town Counsel memo
Section 7 re-draft
Draft Personnel Policy Handbook – Original Version

FISCAL IMPACT

None

RECOMMENDATION

Possible actions by the Town Council include:

- 1) Move to approve the revised Personnel Handbook as submitted on September 22nd
- 2) Move to approve the revised Personnel Handbook with changes to Section 7 as presented
- 3) Move to not to approve the Personnel Handbook and direct staff

SECTION 7: DRUG AND ALCOHOL USE

701 DRUG-FREE WORKPLACE

Effective Date: ##/##/####

Revision Date:

The Town is a drug-free workplace as required by the Drug-Free Workplace Act. The Town strictly prohibits the use or possession on Town premises of alcoholic beverages of any kind and drugs other than those prescribed by a physician or obtained from a legal over-the-counter source. For purposes of this policy, marijuana is considered an illegal drug, regardless of whether it is used for medical or recreational purposes in accordance with Colorado law.

No employee is permitted to report for duty while impaired by or under the influence of alcohol or drugs to the slightest degree. Any employee who reports to work impaired by or under the influence of drugs (including being impaired or under the influence due to off-duty recreational or medical use of marijuana) or alcohol shall be relieved of his or her duties immediately and without pay, and may be subject to additional disciplinary action.

Employees are expected to use prescription or legal over-the-counter drugs in an appropriate manner and dosage and are expected to know whether the appropriate use of such drugs may impair their ability to perform their jobs safely and competently. If an employee becomes aware that a prescription or legal over-the-counter drug is impairing his or her job performance, the employee should notify his or her supervisor. An employee may be required to use accrued paid time off in order to address and remedy any situation where job performance is impaired.

An employee's violation of this prohibition, or any other drug abuse violation, may result in disciplinary action up to and including discharge. While the Town does not have a formal employee assistance program, the use of other available resources, including any health insurance coverage, is encouraged for any employee desiring drug counseling or rehabilitation.

As required by the Drug-Free Workplace Act, each employee engaged in the performance of any federal grant, as a condition of employment, must:

- a) Abide by the terms of this policy; and
- b) Notify the Town in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction. Upon notification of any such conviction, the Town shall take action in compliance with the Drug-Free Workplace Act and Regulations.

702 DEFINITIONS

For the purposes of these policies, the following definitions apply.

- a) **CDL Employee.** An employee whose job description requires him or her to hold a commercial driver's license under Colorado law.
- b) **Safety Sensitive Employee.** A safety sensitive employee is one that holds a position identified by the job descriptions as safety sensitive, ordinarily, but not limited to, those employment positions where drug and alcohol use presents a direct threat to the public at large.
- c) **Illicit Use of Drugs.** The *Illicit Use of Drugs* means the on-the-job or off-the-job unauthorized use by an employee of a controlled substance, as defined by federal law or the misuse of prescription drugs, over-the-counter drugs or other substances known to affect a person's ability to safely or efficiently perform job duties. Off-duty use of marijuana in compliance with Colorado law shall not be deemed Illicit Use of Drugs.
- d) **Marijuana or Marijuana Product.** *Marijuana or Marijuana Product* means any product that contains Tetrahydrocannabinol or THC.
- e) **Impaired by Alcohol.** CDL and Safety Sensitive employees are *Impaired by Alcohol* if alcohol testing under this policy indicates an alcohol concentration of 0.04 or more grams of alcohol per 210 liters of breath or per 100 milliliters of

blood. All other employees are *Impaired by Alcohol* if alcohol testing under this policy indicates an alcohol concentration of 0.05 or more grams of alcohol per 210 liters of breath or per 100 milliliters of blood.

- f) Under the Influence. As related to marijuana, the employee's blood contained five nanograms or more of delta 9-tetrahydrocannabinol per milliliter in whole blood, as shown by analysis of the defendant's blood.

703 DRUG AND ALCOHOL TESTING

All Town employees required to hold commercial drivers' licenses shall be subject to a drug and alcohol testing program that fulfills the requirements of Code of Federal Regulations Title 49, Part 382. Tests shall be conducted under the following circumstances:

- a. Each such employee shall be tested before the first time they perform any safety-sensitive function for the Town. Such functions including driving; waiting to be dispatched; inspecting and servicing equipment; supervising, performing or assisting in loading or unloading; repairing or obtaining and waiting for help with a disabled vehicle; performing driver requirements related to accidents; and performing any other work related to vehicle maintenance or operation. Pre-employment tests shall be required only after an applicant is offered a position.
- b. Alcohol and controlled substance tests shall be conducted after any accident involving any safety-sensitive function. Such tests shall be conducted as soon as is practicable following an accident if the accident involved personal injury, property damage, or a citation for a moving traffic violation. Employees involved in accidents shall make themselves available for testing unless they need immediate medical attention, and shall not use alcohol for eight hours after any accident or until after a post-accident alcohol test, whichever occurs first.
- c. Tests shall be conducted on a random basis at unannounced times throughout the year. Such random tests shall be conducted just before, during, or just after the performance of safety-sensitive functions.
- d. Tests shall be conducted when a supervisor or Town official trained in accordance with law has reasonable suspicion that an employee has violated the Town's alcohol or drug prohibitions. Reasonable suspicion must be based on specific, contemporaneous observations concerning the employee's appearance, behavior, speech or body odors. Such observations may include indications of the chronic and withdrawal effects of controlled substances.
- e. A drug or alcohol test shall be conducted if and when an employee who has violated the Town's drug or alcohol prohibition returns to performing safety-sensitive duties. No employee may be assigned to a safety-sensitive position until a return-to-duty drug test is administered with a negative result.
- f. An employee who violates the Town's drug or alcohol prohibition and is subsequently identified by a substance abuse professional as needing assistance in resolving a drug or alcohol problem shall be subject to unannounced follow-up testing as directed by the substance abuse professional in accordance with law. Such follow-up testing shall be conducted just before, during, or just after the performance of safety-sensitive functions.

Testing procedures and facilities used for tests shall conform with the Code of Federal Regulations, Title 49, Section 40, et seq.

Any driver who refuses to submit to a drug or alcohol test required by this guideline shall not perform or continue to perform safety-sensitive duties and will be subject to discipline up to and including dismissal. An employee will be deemed to have refused to submit to testing if he or she is unavailable or fails to provide samples sufficient for testing absent any medical necessity. Verified positive tests for alcohol or drugs (including marijuana) shall subject employees to disciplinary action up to and including dismissal.

In addition, any employee may be subject to reasonable suspicion or post-accident drug testing as described in this Section.

704 EMPLOYMENT-RELATED TESTING.

Safety-Sensitive Positions

The Town may require drug testing, finger printing, and/or Federal or state background checks of employees engaged in safety or security sensitive functions, including positions that involve operation of Town vehicles not requiring a CDL. Tests shall be conducted in accordance with the law and in a manner that ensures accuracy and limits access to the test results.

Reasonable Suspicion Testing

An employee must submit to immediate drug and alcohol testing if reasonable suspicion exists to believe that the employee may be using drugs and alcohol in violation of this policy. Reasonable suspicion may be based on visual or other evidence that an employee is under the influence of, or using or possessing drugs or alcohol at the workplace. Indications of drug and alcohol use include, but are not limited to: slurred speech; lack of balance; excessive aggressiveness; docility or drowsiness; the detection or smell of drugs or alcohol; an employee's unusual demeanor, appearance or conduct; irrational, threatening or violent behavior. Reasonable suspicion testing requires prior approval by the Town Manager.

Post-Accident and Post-Incident Testing

An employee may be subject to immediate drug and alcohol testing after an on-the-job accident or incident involving a Town vehicle, equipment, property or personnel, or involving the employee's personal vehicle while on Town business, under the circumstances described below.

- a) Unless unable to do so because of a serious injury, an employee involved in an on-the-job accident or incident must immediately report it to the employee's supervisor, who will notify the Department Head.
- b) The Department Head will determine whether an employee must submit to post-accident or post-incident drug and alcohol testing. Post-accident and post-incident testing is permissible under the following circumstances:
 - 1) There is reasonable suspicion that the employee is under the influence of drugs or alcohol; or
 - 2) The employee receives a citation (or there is other reasonable indication of the employee's fault) and there is bodily injury or fatality; or
 - 3) The employee receives a citation (or there is other reasonable indication of the employee's fault) and there is property damage or direct incident costs reasonably ascertained to exceed \$1500.00; or
 - 4) The employee suffers an on-the-job injury requiring a visit to a medical provider and there is other reasonable indication of the employee's fault; or
 - 5) The employee failed to follow operational or safety protocol, causing or potentially causing a serious operational incident.
- c) An employee subject to drug and alcohol testing after an accident or incident will be escorted to an approved testing facility for immediate testing, and shall not use alcohol until the alcohol test is performed, or until eight hours after the accident or incident, whichever is first.
- d) If seriously injured as a result of an accident or incident and unable to provide a sufficient breath or urine sample as required by this policy, the employee must authorize the release of medical records to determine if alcohol or drugs were detected. An employee who fails to immediately report any accident or an incident resulting in a serious injury, or who refuses to release medical records of drug and alcohol tests under these circumstances will be subject to corrective action up to and including termination.

Timing and Location of Drug and Alcohol Testing

Drug and alcohol tests should be performed *as soon as possible* after the determination that *reasonable suspicion* or *post-accident or post-incident* testing is appropriate.

- a) If alcohol testing is not performed within two hours of a reasonable suspicion determination, the reason for the delay must be documented by the persons involved in the determination. The documentation will be kept by the Human Resources Office. Contribution to the delay by the employee is cause for disciplinary action, up to and including termination.
- b) Drug and alcohol testing of employees will be performed by a testing facility approved by the Town.
- c) If testing is delayed more than eight hours after the determination of reasonable suspicion, drug testing, but not alcohol testing, will still be performed.

Return to Work After Drug and Alcohol Testing

An employee's return to work after being required to submit to drug and alcohol testing is dependent on such factors as the employee's job description, the results of the testing, and the reason for the testing.

- a) An employee referred for drug and alcohol testing based on reasonable suspicion or an accident may not return to work until released to return to work by the employee's supervisor. Time off work under this section will be paid.

- b) An employee referred for random or biennial alcohol testing may return to work immediately after alcohol test results are obtained except under the following circumstances:
 - 1) Any employee *Impaired by Alcohol* will be suspended with pay pending correction action;
 - 2) CDL and Safety Sensitive employees and any employee whose job description requires driving whose alcohol test results indicate the Use of Alcohol, will be required to take personal leave until a breath alcohol test indicates an alcohol concentration below 0.02 grams of alcohol per 210 liters of breath or per 100 milliliters of blood; or
 - 3) Substantial safety concerns are at stake.
- c) An employee may return to work pending the Town's receipt of negative test results.

705 PRE-EMPLOYMENT DRUG TESTING

Effective Date: ##/##/####

Revision Date:

As a condition of employment, the Town requires all employees to submit to a pre-employment drug test. Employee drug and alcohol test results will be kept confidential to the extent required by law. The Human Resources Office is the custodian of records related to drug and alcohol tests.

706 CORRECTION ACTION FOR VIOLATIONS OF DRUG AND ALCOHOL POLICY

Employees are subject to corrective action for any violation of the Town's drug and alcohol policies, up to and including termination. Corrective action may be based on the results of drug and alcohol tests conducted by the Town or by any federal, state, or local officials having independent authority to test the employee for drug and alcohol use.

Termination Mandatory

An employee will be terminated if any one of the following conditions is met:

- a) A drug or alcohol test required by this policy determines the employee engaged in the *Illicit Use of Drugs* or was *Impaired by Alcohol* or used any *Marijuana or Marijuana Product*, and the employee holds a job description that requires a CDL or a driver's license or is identified as Safety Sensitive;
- b) A drug or alcohol test required by this policy determines the employee, while operating a Town vehicle or equipment or the employee's personal vehicle on Town business, engaged in the Illicit Use of Drugs or was Impaired or Under the Influence of alcohol or drugs;
- c) When referred for drug and alcohol testing, the employee refuses to submit the required blood, urine or breath specimen;
- d) The employee refuses to authorize the release of drug or alcohol testing results performed by a health care provider after an accident for which the employee may be at-fault, and testing is warranted under this policy; or
- e) The employee tampers with or attempts to tamper with a blood, urine or breath specimen collected for testing.

Deleted: while operating a Town vehicle or equipment or the employee's personal vehicle on Town business



TOWN OF PAGOSA SPRINGS

PERSONNEL HANDBOOK

DRAFT

Effective Date:

MMM DD, 2016

Created by:

Town of Pagosa Springs

551 Hot Springs Blvd

Pagosa Springs, CO 81147

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INTRODUCTION

Welcome!

On behalf of your colleagues and the Town Council, I welcome you to the Town of Pagosa Springs (Town) and wish you every success here. We believe that each employee contributes directly to the Town's growth and success, and we hope you will take pride in being a member of our team.

This handbook was developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with the Town.

We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome!

Sincerely,

Greg Schulte
Town Manager

INTRODUCTORY STATEMENT

This handbook is designed to acquaint you with the Town and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by the Town to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or question about policy. As the Town continues to grow, the need may arise and the Town reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time as it deems appropriate, in its sole and absolute discretion. The only exception to any changes is our employment-at-will policy permitting you or the Town to end our relationship for any reason at any time. Employees will, of course, be notified of such changes to the handbook as they occur.

Additionally, the policies in this Handbook are not intended to supersede the Town's ordinances, or other applicable laws; in case of any conflict between these policies and such charter, ordinances, or laws, the latter shall prevail. Any matter not specifically covered by this Handbook may be administered by the Town Manager in a manner not inconsistent with this Handbook.

ORGANIZATION AND ADMINISTRATION

The Town of Pagosa Springs was incorporated in 1891 and became a home rule municipality in 2003. Per the home rule charter, the Town is organized under a Council-Manager form of government served by a six-member Town Council and an elected Mayor. A full-time Town Manager administers the affairs of the Town for the Council.

PUBLIC PERCEPTION AND CUSTOMER RELATIONS

Every employee represents the Town to the public. The way we do our jobs presents an image of our entire Town. The Public judges all of us by how they are treated with each employee contact. Nothing is more important than being courteous, friendly, helpful, and prompt in the attention you give to the public.

Individuals who wish to lodge specific comments or complaints should be directed to the immediate supervisor for appropriate action. Our personal contact with the public, our manners on the telephone, and the communications we send to customers are a reflection not only of ourselves, but also of the professionalism of the Town. Positive customer relations enhance the public's perception or image of the Town.

IMPORTANT

The policies contained in this Personnel Handbook do not represent a contract, nor should they be relied upon as binding, inflexible promises made by the Town. The Town reserves the right to interpret and change or rescind these policies at any time, as well as the right to determine their meaning, purpose, and effect. The Town also reserves the right, in its sole discretion, to determine whether, and to what extent, these policies and procedures should be applied in any given circumstance. No personal contract or agreement shall be implied by these policies or the statement of any employee of the Town, unless in writing, signed by the Mayor, or where required the Town Council.

These policies apply to all Town employees, except the overtime compensation policies, which do not apply to positions that are classified as “exempt” by the Town pursuant to the federal Fair Labor Standards Act (“FLSA”).

EMPLOYEE ACKNOWLEDGEMENT FORM

The employee handbook describes important information about the Town, and I understand that I should consult the Human Resources Office regarding any questions not answered in the handbook.

I have entered into my employment relationship with the Town voluntarily and acknowledge that there is no specified length of employment. Accordingly, either I or the Town can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal or state law.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the handbook may occur, except to the Town's policy of employment-at-will. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Town Manager and/or the Town Council has the ability to adopt any revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

EMPLOYEE'S NAME (printed): _____

EMPLOYEE'S SIGNATURE: _____

DATE: _____

SECTION 1: EMPLOYMENT

101 AT-WILL NATURE OF EMPLOYMENT

Effective Date: ##/##/####

Revision Date:

Employment with the Town is voluntarily entered into, and the employee is free to resign at will at any time, with or without cause. Similarly, the Town may terminate the employment relationship at will at any time, with or without notice or cause, so long as there is no violation of applicable federal or state law. Nothing in this handbook is intended to modify the Town's at-will employment policy.

Policies set forth in this handbook are not intended to create a contract, nor are they to be construed to constitute contractual obligations of any kind or a contract of employment between the Town and any of its employees. The provisions of the handbook have been developed at the discretion of management and, except for its policy of employment-at-will, may be amended or canceled at any time, at the Town's sole discretion.

These provisions supersede all existing policies and practices and may not be amended or added to without the express written approval of the Town Manager or, where required, by Town Council.

102 EMPLOYEE RELATIONS

Effective Date: ##/##/####

Revision Date:

The Town believes the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and in this industry. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors.

Our experience has shown that when employees deal openly and directly with supervisors, the work environment can be excellent, communications can be clear, and attitudes can be positive. We believe the Town amply demonstrates its commitment to employees by responding effectively to employee concerns.

103 EQUAL EMPLOYMENT OPPORTUNITY

Effective Date: ##/##/####

Revision Date:

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at the Town will be based on merit, qualifications, and abilities. The Town does not discriminate in employment opportunities or practices on the basis of race, creed, color, religion, sex, national origin, ancestry, age, disability, sexual preference, gender identity or expression, marital or military status, or political affiliation, or any other characteristic protected by law, subject to reasonable requirements of the Town as may be permitted by law.

This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Any employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their immediate supervisor or the Human Resources Office. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

104 IMMIGRATION LAW COMPLIANCE

Effective Date: ##/##/####

Revision Date:

The Town is committed to employing only United States citizens and individuals who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with the Town within the past three years, or if their previous I-9 is no longer retained or valid.

Employees with questions or seeking more information on immigration law issues are encouraged to contact the Human Resources Office. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

105 DISABILITY ACCOMMODATION

Effective Date: ##/##/####

Revision Date:

The Town is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis and employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual. Reasonable accommodations are available to all employees where a disability affects the employee's performance of job functions, subject to reasonable requirements of the Town as may be permitted by law.

This policy is neither exhaustive nor exclusive. The Town is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

106 BUSINESS ETHICS AND CONDUCT

Effective Date: ##/##/####

Revision Date:

The successful operation and reputation of the Town is built upon the principles of fair dealing and ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity. The continued success of the Town is dependent upon the public's trust and we are dedicated to preserving that trust. Employees owe a duty to the Town, the Town Council, and the public to act in a way that will merit the continued trust and confidence of all.

The Town will comply with all applicable laws and regulations and expects its directors, officers, and employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct. In general, the use of good judgment, based on high ethical principles, will guide you with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your immediate supervisor and, if necessary, with the Town Manager for advice and consultation.

Compliance with this policy of business ethics and conduct is the responsibility of every Town employee. Disregarding or failing to comply with this standard of business ethics and conduct could lead to disciplinary action, up to and including possible termination of employment. Town employees shall abide by C.R.S. §24-18-104, "Rules of conduct for all public officers, members of the general assembly, local government officials, and employees." Town employees shall also abide by the Town's Code of Ethics adopted by Ordinance 717 on September 2, 2008.

107 CONFLICTS OF INTEREST

Effective Date: ##/##/####

Revision Date:

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which the Town wishes to operate. The purpose of these guidelines is to provide general direction so employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Town Manager for more information or questions about conflicts of interest.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of the Town's business dealings. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if employees have any influence on transactions involving purchases, contracts, or leases, it is imperative they disclose to an officer of the Town as soon as possible the existence of any actual or potential conflict of interest so safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which the Town does business, but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving the Town.

108 JOB POSTING

Effective Date: ##/##/####

Revision Date:

Generally, job openings will be posted at Town Hall and disseminated through the email system, and normally remain open for 21 days. Each job posting notice will include the dates of the posting period, job title, department, location, grade level, job summary, essential duties, and qualifications (required skills and abilities). However, the Town reserves its discretionary right to not post a particular opening.

Employees may indicate their interest in open positions and advance within the Town according to their skills and experience. To be eligible to apply for a posted job, employees must have performed competently for at least 365 calendar days in their current position. Employees who have a written warning on file, or are on probation or suspension are not eligible to apply for posted jobs. Eligible employees can only apply for those posted jobs for which they possess the required skills, competencies, and qualifications.

To apply for an open position, employees should submit a job posting application to the Human Resources Office listing job-related skills and accomplishments. It should also describe how their current experience with the Town and prior work experience and/or education qualifies them for the position.

Job posting is a way to inform employees of openings and to identify qualified and interested applicants who might not otherwise be known to the hiring manager. Other recruiting sources may also be used to fill open positions in the best interest of the Town.

109 ORIENTATION AND TRAINING

Effective Date: ##/##/####

Revision Date:

New employees will be provided information concerning the Town's pay plan, personnel policies, employee benefits, promotional opportunities, safety and training programs, and other Town policies and programs having a bearing on employment.

It shall be the responsibility of each supervisor to orient, or assure orientation is provided to all new employees in regard to policies, goals, objectives, and job related policies and programs, and any other matter having a bearing on such person's employment in the

department assigned. In general, costs for training sessions approved by the department but not sponsored by the Town and held away from Town facilities will be paid out of individual departmental training budgets.

110 ELIGIBILITY FOR REHIRE

Effective Date: ##/##/####

Revision Date:

Former employees who left employment with the Town of Pagosa Springs in good standing may be considered for rehire. Former employees who resigned without written notice or who were dismissed for disciplinary reasons may not be considered for rehire. A former employee who is rehired will be considered a new employee from the date of re-employment unless the break in service is fewer than three (3) months. If the break in services is fewer than three (3) months, the rehired employee will retain his/her original hire date, and the employee will not have an introductory period. Additionally, the rehired employee's accrual rate for Personal Time Off (PTO) will be the same rate as when the employee separated from the Town's employment. Length of service for the purpose of benefits is governed by the terms of each benefit plan. Employees who retire may be eligible, in certain circumstances, to be considered for rehire. Any former employee who is rehired will be required to take a pre-employment drug test.

111 HIRING OF RELATIVES

Effective Date: ##/##/####

Revision Date:

The employment of close relatives or individuals involved in a dating relationship in the same department can be disruptive to the workplace. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried over into day-to-day working relationships.

For purposes of this policy, a close relative is anyone of equal or greater relationship than a first cousin, whether by birth or adoption, a spouse, civil union or domestic partner and any individuals related by blood or adoption and living in the same household. A dating relationship is defined as a relationship that may be reasonably expected to lead to the formation of a consensual "romantic" or sexual relationship. This policy applies to all employees without regard to the gender or sexual orientation of the individuals involved.

Close relatives and individuals involved in a dating relationship may not occupy positions where one would directly or indirectly exercise supervisory, appointment, dismissal or disciplinary authority over the other; where one would have access to the Town's confidential information including personnel records and payroll; or where one would audit, receive, or be entrusted with moneys received or handled by the other in the course of employment. The Town reserves the right to take prompt action if an actual or potential conflict of interest arises involving relatives or individuals involved in a dating relationship who occupy positions at any level (higher or lower) in the same line of authority that may affect the review of employment decisions.

When employees of the Town become related or establish a dating relationship and their working relationship is prohibited by this policy, one employee will be required to transfer to another position, provided a position is available, or to resign. If neither affected employee voluntarily transfers or resigns, the Town Manager shall terminate or transfer one of the employees, at his discretion.

In other cases where a conflict or the potential for conflict arises because of the relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment or terminated from employment. Employees in a close personal relationship should refrain from public workplace displays of affection or excessive personal conversation.

112 OUTSIDE EMPLOYMENT

Effective Date: ##/##/####

Revision Date:

Employees may hold outside jobs as long as they meet the performance standards of their job with the Town. All employees will be judged by the same performance standards and will be subject to the Town's scheduling demands, regardless of any existing outside work requirements. If the Town determines an employee's outside work interferes with performance or the ability to meet the requirements of the Town as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with the Town.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside the Town for materials produced or services rendered while performing their jobs.

SECTION 2: EMPLOYMENT STATUS AND RECORDS

201 EMPLOYMENT CATEGORIES

Effective Date: ##/##/####

Revision Date:

It is the intent of the Town to clarify the definitions of employment classifications so employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at will at any time is retained by both the employee and the Town.

Each employee is designated as either *NONEXEMPT* or *EXEMPT* from federal and state wage and hour laws. *NONEXEMPT* employees are entitled to overtime pay under the specific provisions of federal and state laws. *EXEMPT* employees are excluded from specific provisions of federal and state wage and hour laws. An employee's *EXEMPT* or *NONEXEMPT* classification may be changed only upon written notification by the Town Manager.

In addition to the above categories, each employee will belong to one other employment category, as follows:

REGULAR FULL-TIME employees are those who are regularly scheduled to work more than 32 hours per week. Generally, they are eligible for the Town's benefit package, subject to the terms, conditions, and limitations of each benefit program.

REGULAR PART-TIME employees are those who are regularly scheduled to work less than 32 hours per week. While they do receive all legally mandated benefits (such as Social Security and workers' compensation insurance), they are ineligible for all of the Town's other benefit programs.

REGULAR EMPLOYMENT. Employees are considered to be employed in a "regular position" if the position is identified and funded in the annual budget and the position is expected to be for a duration longer than a temporary or seasonal employee. The use of the term Regular Employee is not intended to imply that the employee is hired pursuant to a contract of employment or to otherwise modify the at-will employment relationship of any Town employee.

TEMPORARY OR SEASONAL employees are those who have established an employment relationship with Town but who are assigned to work on a seasonal, temporary, intermittent and/or unpredictable basis. A position is considered to be temporary if it is reasonably expected at the time the position is filled that the position will terminate within a period of months, even though the precise termination date may not be known. A seasonal employee is an employee who is hired to perform duties only during certain specified seasons of the year. While temporary and seasonal employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for all of Town's other benefit programs.

202 ACCESS TO PERSONNEL FILES

Effective Date: ##/##/####

Revision Date:

The Town maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, resume, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of the Town, and access to the information they contain is restricted, subject to the Colorado Open Records Act. Generally, only supervisors and management personnel of the Town who have a legitimate reason to review information in a file are allowed to do so. All personnel records are maintained in compliance with the laws related to public records. No documents shall be released from a personnel record, except as required by the Open Records Act, without a written request from the employee designating the documents to be released and the person or entity to which the release is to be made, and indemnifying and holding harmless the Town from liability, claims, and demands resulting from such release.

Employees who wish to review their own file should contact the Human Resources Office. With reasonable advance notice, employees may review their own personnel files, except for any employment recommendations or references contained therein, in

the Town's offices and in the presence of a Human Resources representative. An employee shall have the opportunity to submit a letter to the file, responding to or rebutting information contained in his/her file.

203 EMPLOYMENT REFERENCE CHECKS

Effective Date: ##/##/####

Revision Date:

Unless required by a valid court order or the law, at the written request of the subject employee, or the employee provides a signed written release, the Town will furnish only the following information about past or present Town employees:

- a) Dates of employment
- b) Current job title or job title at date of separation from employment
- c) Verification of salary information

No employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry, unless the release is authorized or required by the Colorado Open Records Act. All requests for information regarding past or present Town employees shall be directed to the Human Resources Office.

204 PERSONNEL DATA CHANGES

Effective Date: ##/##/####

Revision Date:

It is the responsibility of each employee to promptly notify the Town of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency, educational accomplishments, and other such status reports should be accurate and current at all times. If any personnel data has changed, notify the Human Resources Office.

205 EMPLOYMENT APPLICATIONS

Effective Date: ##/##/####

Revision Date:

The Town relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

206 PERFORMANCE EVALUATION

Effective Date: ##/##/####

Revision Date:

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, ongoing basis. Formal performance evaluations are generally conducted at the end of an employee's initial period (6 months) in any new position. This introductory period allows the supervisor and the employee to discuss the job responsibilities, standards, and performance requirements of the new position. Additional formal performance evaluations are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals. *The performance of all employees is generally evaluated according to an ongoing 12-month cycle, beginning at the calendar-year end.* Nothing in this policy should be construed as granting employees a right to an evaluation.

Merit-based pay adjustments or bonuses may be awarded by the Town in an effort to recognize outstanding employee performance. The decision to award such an adjustment is dependent upon numerous factors, including, but not limited to, the information documented by this formal performance evaluation process.

All evaluation forms, following completion, shall be signed by the supervisor and the employee, and then forwarded to the Town Manager for review and approval. The evaluation process permits oral and written responses by the employee being evaluated. Original, signed performance evaluations are filed in the employee's personnel file.

207 JOB DESCRIPTIONS

Effective Date: ##/##/####

Revision Date:

The Town makes every effort to create and maintain accurate job descriptions for all positions within the Town. Each description includes a job information section, a job summary section (giving a general overview of the job's purpose), an essential duties and responsibilities section, a supervisory responsibilities section, a qualifications section (including education and/or experience, language skills, mathematical skills, reasoning ability, and any certification required), a physical demands section, and a work environment section.

The Town maintains job descriptions to aid in orienting new employees to their jobs, identifying the requirements of each position, establishing hiring criteria, setting standards for employee performance evaluations, and establishing a basis for making reasonable accommodations for individuals with disabilities.

The Human Resources Office and the Department Head prepare job descriptions when new positions are created. Existing job descriptions are also reviewed and revised in order to ensure they are up to date. Job descriptions may also be rewritten periodically to reflect any changes in the position's duties and responsibilities. All employees will be expected to help ensure their job descriptions are accurate and current, reflecting the work being done.

Employees should remember that job descriptions do not necessarily cover every task or duty that might be assigned, and that additional responsibilities may be assigned as necessary. Contact the Human Resources Office if you have any questions or concerns about your job description.

208 SALARY ADMINISTRATION

Effective Date: ##/##/####

Revision Date:

The salary administration program at the Town was created to achieve consistent pay practices, comply with federal and state laws, mirror our commitment to Equal Employment Opportunity, and offer competitive salaries within our labor market. Because recruiting and retaining talented employees is critical to our success, the Town is committed to paying its employees equitable wages that reflect the requirements and responsibilities of their positions and are comparable to the pay received by similarly situated employees in other organizations in the area. The Town Manager administers the pay plan adopted by the Town Council and establishes a pay range for each job classification.

Compensation for every position is determined by several factors, including job analysis and evaluation, the essential duties and responsibilities of the job, and salary survey data on pay practices of other employers. The Town periodically reviews its salary administration program and restructures it as necessary. Merit-based pay adjustments or bonuses may be awarded in conjunction with outstanding employee performance documented by the performance evaluation process, as well as other contributing factors.

Employees should bring their pay-related questions or concerns to the attention of their immediate supervisors, who are responsible for the fair administration of departmental pay practices. The Human Resources Office is also available to answer specific questions about the salary administration program.

209 MEDICAL INFORMATION PRIVACY

Effective Date: ##/##/####

Revision Date:

The Town is committed to maintaining and protecting the confidentiality of our employees' personal information in compliance with the Health Insurance Portability and Accountability Act (HIPAA). The Human Resources Office is the designated Privacy Officer for all employee medical information.

210 SOCIAL SECURITY NUMBER PRIVACY

Effective Date: ##/##/####

Revision Date:

To protect employees' personal information, Town prohibits the use of employees' Social Security numbers for identification purposes, except as allowed by law. The Town will not:

- Publicly post or publicly display in any manner an employee's Social Security number. "Publicly post" or "publicly display" means to intentionally communicate or otherwise make available to the general public.
- Print an employee's Social Security number on any card required for the employee to access products or services provided by the Town.
- Require an employee to transmit his or her Social Security number over the Internet, unless the connection is secure or the Social Security number is encrypted.
- Require an employee to use his or her Social Security number to access an Internet web site, unless a password or unique personal identification number or another authentication device is also required to access the Internet web site.
- Print an employee's Social Security number on any materials that are mailed to the employee, unless state or federal law requires the Social Security number to be on the document to be mailed.

However, Social Security numbers may be included in applications and forms sent by mail, including documents sent as part of an application or enrollment process; or to establish, amend, or terminate an account, contract, or policy; or to confirm the accuracy of the Social Security number.

In instances where the Town previously used an employee's Social Security number in a manner inconsistent with this policy, it will continue using that employee's Social Security number in that manner, if all of the following conditions are met:

- The use of the Social Security number is continuous. If the use is stopped for any reason, the conditions listed above will apply.
- The employee is provided an annual disclosure that informs the employee that he or she has the right to stop the use of his or her Social Security number in a manner prohibited by those conditions listed above.

A written request by an employee to stop the use of his or her Social Security number in a prohibited manner will be implemented within 30 days of the receipt of the request. There will be no fee or charge for implementing the request. The Town will not deny services to an employee because the employee makes a written request to stop the use of his or her Social Security number. The Town will continue to collect, use, or release Social Security numbers as required by state or federal law, and may use Social Security numbers for internal verification or administrative purposes.

Employees who have questions about this policy or who feel their Social Security number has been used inappropriately by the Town should contact the Human Resources Office.

SECTION 3: BENEFIT PROGRAMS

301 EMPLOYEE BENEFITS

Effective Date: ##/##/####

Revision Date:

Regular full-time employees, working a minimum of 32 hours per week, are eligible for benefits, such as group medical, dental, vision, life, and disability insurance coverage programs through the Town. Unless noted otherwise in these policies, regular part-time and temporary or seasonal employees are not eligible to receive benefits including insurance, retirement, leave, and holidays. The Town covers all employees in the manner prescribed by law for Social Security, workers' compensation, and unemployment insurance.

In the event the handbook information conflicts with the actual terms and conditions of coverage, the latter governs. For detailed information describing the insurance coverages or to obtain Summary Plan Descriptions, contact the Human Resources Office.

302 HEALTH, DENTAL, AND VISION INSURANCE

Effective Date: ##/##/####

Revision Date:

Regular full-time employees and their dependents are eligible to participate in the Town's medical, dental, and vision insurance programs on the first day of the month following their date of hire and subject to all terms and conditions of the agreement between the Town and the insurance carrier.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee and his/her qualified dependents for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Refer to the Benefits Continuation (COBRA) Policy for more information.

Details of the health insurance plan are described in the Summary Plan Description (SPD). An SPD and information on cost of coverage will be provided in advance of enrollment to eligible employees.

303 BENEFITS CONTINUATION (COBRA)

Effective Date: ##/##/####

Revision Date:

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the Town's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements. It is the responsibility of the employee to notify the Human Resources Office of any qualifying events stated above in order to comply with the distribution of COBRA notifications for continued coverage.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the Town's group rates plus an administration fee. Town provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the Town's health insurance plan. The notice contains important information about the employee's rights and obligations.

304 FLEXIBLE SPENDING ACCOUNT (FSA)

Effective Date: ##/##/####

Revision Date:

The Town provides a Flexible Spending Account (FSA) program that allows employees to have pre-tax dollars deducted from their salaries to pay for eligible out-of-pocket expenses. The pre-tax contributions made to the FSA can be used to pay for predictable non-reimbursed health care expenses and dependent care expenses during the plan year. Participation in the Health Care and/or Dependent Care FSA is optional and determined on an annual basis for the plan year. You must enroll for each plan year.

Details of the Flexible Spending Account program are described in the Summary Plan Description (SPD). Contact the Human Resources Office for more information on the Flexible Spending Account program and to obtain enrollment and reimbursement forms and worksheets with examples of reimbursable and non-reimbursable expenses.

305 WORKERS' COMPENSATION INSURANCE

Effective Date: ##/##/####

Revision Date:

Employees are covered for employment-related injury or illness by the Colorado Worker's Compensation Act. Under the Act, an employee may receive benefits for missing work as a result of an employment-related injury or illness. Delay in reporting a work-related injury or illness may result in a reduction of benefits under the Act.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately, but no later than seventy-two (72) hours following the accident, no matter how minor an on-the-job injury may appear. Employees shall cooperate in a timely manner with written reports, forms and other requests required by the supervisor, the Town Council or its agents, insurance companies, or other authorities.

If medical treatment is needed, it must be provided from a Town-designated provider. In the event a workers' compensation injury requires time off from work, the employee may, at his/her option, use accrued PTO, Comp Time, or Prior Sick Leave to supplement workers' compensation benefits not to exceed his/her regular salary for the applicable period.

The Town will attempt to reasonably accommodate an employee who is released by his/her physician for modified duty after a workers' compensation injury or illness. Modified duty must be approved by the Town Manager in coordination with the employee's department head.

306 MODIFIED DUTY/TEMPORARY REASSIGNMENT

Effective Date: ##/##/####

Revision Date:

Modified duty or temporary work reassignment may be considered when a full time employee is unable to perform his/her regular duties due to a work-related injury or illness. The types of modified duty/temporary job reassignment available may include:

1. Job restructuring by reallocating or redistributing of appropriate job functions, or by altering when and/or how such functions are performed.
2. Reassignment to another, vacant position, if appropriate.
3. Other methods as warranted.

The following conditions must be met by an employee seeking modified duty/temporary reassignment:

1. The employee must provide a WORK STATUS form from the designated physician indicating he/she is unable to perform his/her regularly assigned duties. The form must contain the physician's estimation of the time frame the condition is expected to exist, and a statement from the physician releasing the employee to return to work for the modified duty/temporary reassignment. Limitations or restrictions shall be specifically documented on the WORK STATUS form by the physician; the physician shall also verify on the form that the modified duty or temporary re-assignment can be performed by the employee and is within the employee's limitations or restrictions.
2. The department head must determine that modified duty/temporary reassignment is available within the department or another department, that the modified duty/temporary reassignment is consistent with the limitations and restrictions indicated by the physician, and that the modified duty/temporary reassignment is not imposing undue hardship on operations. If the reassignment is to a position created as a temporary job, the duration of assignment shall be limited to the temporary period established for the job.

The department head will be responsible for overseeing the modified duty/temporary reassignment and tracking the number of hours worked by the employee each week.

Regular updates from the physician may be required by the department head during the modified duty/temporary reassignment period. All information from the physician shall be collected and maintained on separate forms in separate medical files and shall be treated as a confidential medical record except as otherwise permitted or required by law.

The modified duty/temporary reassignment shall be evaluated every two weeks by the employee's department head and the Town Manager, regarding continuation or termination of modified duty/temporary reassignment.

A physician's release authorizing the employee to return to full regular duty shall be required before the employee may be returned to his/her original position. In no way shall modified duty/temporary reassignment confer any continuing right on the employee to occupy the position as modified, or the position to which he/she is temporarily reassigned, or any other position.

An employee who refuses a medically authorized modified employment may be subject to reduction or termination of certain workers' compensation benefits as provided by law.

Modified duty/temporary reassignment is not available for a non-work related injury or illness.

307 LIFE INSURANCE

Effective Date: ##/##/####

Revision Date:

Life insurance offers you and your family important financial protection. The Town provides a basic life insurance plan for regular full-time employees. Additional supplemental and/or dependent life insurance coverage may also be purchased.

Accidental Death and Dismemberment (AD&D) insurance provides protection in cases of serious injury or death resulting from an accident. AD&D insurance coverage is provided as part of the basic life insurance plan.

Eligible employees may participate in the life insurance plan subject to all terms and conditions of the agreement between Town and the insurance carrier.

Details of the basic life insurance plan including benefit amounts are described in the Summary Plan Description provided to eligible employees.

308 RETIREMENT SAVINGS PLAN

Effective Date: ##/##/####

Revision Date:

In addition, the Town provides regular full-time employees the following retirement plans:

401(a) Retirement Plan – A mandatory retirement plan, each employee is required to contribute 5% of their gross monthly wages into the plan and the Town will match the employee’s contribution of 5%. The Town’s contribution is subject to a 5-year vesting schedule based on years of service. After the first year of service, an employee is vested for 20% of the Town’s total contribution with additional vesting in increments of 20% on anniversary dates until 100% vested at the completion of five years of service with the Town.

457 Deferred Compensation Plan – The 457 Deferred Compensation Plan is a voluntary supplemental retirement plan that allows employees to defer an additional amount of their wages for investment. This plan allows the employee to choose either pre-tax or after-tax (Roth) deferrals.

Fire and Police Pension Association (FPPA) Pension Plan (sworn police officers only) – Officers in the Police Department are covered under the FPPA pension plan as provided by law and instead of participation in social security.

Complete details of the retirement plans are described in the Summary Plan Description provided to eligible employees. Contact the Human Resources Office for more information about the retirement plans.

309 SHORT-TERM DISABILITY

Effective Date: ##/##/####

Revision Date:

The Town provides a short-term disability (STD) benefits plan to eligible employees (after one year of service) who are unable to work because of a qualifying disability due to an injury or illness. Eligible employees may participate in the STD plan subject to all terms and conditions as outlined by the Town.

Disabilities arising from pregnancy or pregnancy-related illness are treated the same as any other illness that prevents an employee from working. Disabilities covered by workers' compensation are excluded from STD coverage.

Details of the STD benefits plan including benefit amounts, when they are payable, and limitations, restrictions, and other exclusions are described in the Summary Plan Description provided to eligible employees. Contact the Human Resources Office for more information about STD benefits.

310 EDUCATIONAL ASSISTANCE

Effective Date: ##/##/####

Revision Date:

The Town wants to encourage a healthy, better educated, and highly skilled work force. This tuition reimbursement policy has been established to meet this goal. Any employees who has completed one year of employment with the Town at the time courses begin may be eligible for this benefit.

Courses related to an employee’s job or courses taken through accredited institutions may be eligible for reimbursement. Courses may or may not be part of a degree program. Courses paid for as part of an employee’s regular job training are not covered by this policy. Non-accredited courses such as Spanish language, computer skill development, and other skill development that are demonstrably relevant to an employee’s job may be reimbursed upon review and approval by the Town Manager.

Tuition reimbursement may be authorized for post high school or vocational courses leading to a degree that is relevant to the employee's position or promotional opportunities within the Town. Consideration of requests by an employee for education assistance is dependent upon the availability of funds and the relevance of the course and/or the degree being pursued to the employee's position or line of promotion. Only courses taken through an accredited college, university or vocational training which are relevant to the employee's current position or in the direct line of promotion will be considered for reimbursement. Eligible courses should also provide technical knowledge or skill that will improve the employee's ability to perform on the job.

Requests for tuition reimbursement should be pre-approved by the Town Manager and should be completed prior to registration. Approval will be based upon relevancy, job performance, training priorities, and the availability of funds. Funds will be distributed

on a first-come, first-served basis. Upon completion of the course, an official copy of the grade report, a statement of tuition fees paid, and any necessary receipts must be submitted for reimbursement.

In order to obtain the reimbursement authorized, the employee must successfully complete the course attaining a "C" grade or better (2.0 or above on a 4.0 scale) or a "Pass" in a Pass/Fail course. It is anticipated that course work will be undertaken during non-work hours. Flexible working hours may be allowed by the Department Head to accommodate the employee's course schedule.

The maximum reimbursement amount will be \$1,500 per calendar year per employee, depending on the availability of funds. Reimbursement will not be allowed for books, lab fees, travel expenses, material or other costs. Employees accepting education assistance agree to repay to the Town the amount of assistance received if they do not remain employed by the Town for one year following completion of the course for which reimbursement is received.

SECTION 4: LEAVE

Employees who must be absent from work are expected to notify their supervisor within a reasonable time to accommodate work schedules. If an employee knows that he or she will need to take time off in advance, the employee must submit a request to use Paid Time Off (PTO, as described in this Section 4) must be submitted to the employee's supervisor.

If an employee cannot give advance notice of the need for time off due to circumstances beyond his or her control, such as illness, the employee must call his or her supervisor at least one (1) hour before his or her scheduled starting time, if possible. All leave requests must be approved by a supervisor. Requested leave may be denied and approved leave may be rescinded when overriding Town needs dictate the employee's presence is required at work.

No leave period or combination of leaves will be authorized beyond 12 consecutive weeks except as specifically authorized by the Town Manager.

401 PERSONAL TIME OFF (PTO)

Effective Date: ##/##/####

Revision Date:

Paid Time Off (PTO) is an all-purpose time-off policy for eligible employees to use for vacation, illness or injury, and personal business. It combines traditional vacation and sick leave plans into one flexible, paid time-off policy. PTO is a benefit by the employer and carries no entitlement.

Regular full-time employees begin to accrue PTO immediately upon employment and may utilize PTO in increments of no less than one-half hour subject to supervisory approval and accrual. In no event may PTO be used in advance of accrual. It is the responsibility of the Department Head or the designee to determine when and in what amount the leave may be granted. PTO shall be coordinated in advance with the employee's supervisor.

Regular full-time employees (scheduled for 2,080 hours per year) shall accrue the following amount of PTO on an annual basis, prorated into twenty-six (26) pay periods based on the exempt or non-exempt status. PTO accruals shall increase to the next level beginning with the pay period that includes the employee's appropriate anniversary date. Part-time employees accrue a prorated amount of PTO calculated by multiplying the above amounts by the percentage rate of hours regularly scheduled to work compared to forty (40) hours. Seasonal and temporary are not eligible for PTO.

Years of Service	PTO Hours for Regular Full-Time Non-Exempt Employees	PTO Hours for Regular Full-Time Exempt Employees
0-2	144 hrs annual or 5.54 hrs per pay period	184 hrs annual or 7.08 hrs per pay period
3-5	160 hrs annual or 6.15 hrs per pay period	192 hrs annual or 7.38 hrs per pay period
6-8	176 hrs annual or 6.77 hrs per pay period	200 hrs annual or 7.69 hrs per pay period
9-11	200 hrs annual or 7.69 hrs per pay period	216 hrs annual or 8.31 hrs per pay period
12-14	224 hrs annual or 8.62 hrs per pay period	232 hrs annual or 8.92 hrs per pay period
15-17	232 hrs annual or 8.92 hrs per pay period	248 hrs annual or 9.54 hrs per pay period
18-20	240 hrs annual or 9.23 hrs per pay period	
20+	248 hrs annual or 9.54 hrs per pay period	

The length of eligible service is calculated on the basis of a "benefit year." This is the 12-month period that begins when the employee starts to earn PTO. An employee's benefit year may be extended for any significant leave of absence except military leave of absence. Military leave has no effect on this calculation. (See individual leave of absence policies for more information.)

PTO is paid at the employee's base pay rate at the time of absence. It does not include overtime or any special forms of compensation such as incentives, commissions, bonuses, or shift differentials.

As an additional condition of eligibility for PTO, an employee on an extended absence for illness or injury must apply for any other available compensation and benefits, such as workers' compensation. PTO will be used to supplement any payments an employee is eligible to receive from state disability insurance, workers' compensation, or Town-provided disability insurance programs. The combination of any such disability payments and PTO cannot exceed the employee's normal weekly earnings.

The maximum PTO an employee may accumulate is two hundred forty-eight (248) hours. When an employee reaches 248 hours of accrued by unused PTO, the employee will cease to accrue PTO until the employee uses PTO and brings the available amount below the cap of 248 hours.

Upon separation of employment, employees will be paid for unused PTO earned through the last day of work not to exceed 248 hours, paid out hour-for-hour at the employee's pay rate for the previous year.

402 UNSCHEDULED PERSONAL TIME OFF (PTO)

Unscheduled PTO should be requested as soon as an employee knows that illness or any other emergency will require absence from work, preferably one day in advance. An employee shall personally communicate this fact to the supervisor or his/her designee, as early as reasonably required by the individual department. Such notification shall be made each time a scheduled work shift will be missed unless authorization has been granted by the supervisor for a prolonged absence of a specified duration. Absences not reported in accordance with these provisions may be subject to disciplinary action.

Verification of Need for Unscheduled PTO – The employee may be required to furnish medical verification, or other proof that any unscheduled use of PTO was unavoidable, to his/her Department Head or the Town Manager. In the case of any unscheduled use of PTO due to personal illness or injury, the Town may require, at the expense of the employee, medical confirmation that the employee is fit to return to work.

Excessive Use of Unscheduled PTO – The unscheduled use of PTO, which is considered excessive by the Town, may be subject to discipline. Abuse of unscheduled leave may be subject to disciplinary action up to and including discharge. Excessive use of unscheduled PTO shall be documented to the employee's personnel file and will reflect negatively on the employee evaluation. All consecutive workday absences shall be considered as one occasion for the purpose of this policy.

403 LEAVE OF ABSENCE WITHOUT PAY

Effective Date: ##/##/####

Revision Date:

Leave of Absence without Pay may be granted by the Town Manager when an employee has exhausted all of his/her PTO and his/her absence from work is for reasons beyond their control. PTO is not earned when an employee is on Leave without Pay status and holidays that fall within this period are not paid.

404 PRIOR SICK LEAVE

Effective Date: ##/##/####

Revision Date:

Effective October 1, 2007, the Town transitioned from a traditional policy of vacation, personal days, and sick leave to a combined general policy of Personal Time Off (PTO) as outlined in Section 307 above. Consequently, the Town does not currently provide a separate Sick Leave benefit. However, in order to not adversely affect employees hired prior to September 30, 2007 that accrued a sick leave balance, any unused sick leave was converted to "Prior Sick Leave." *Prior sick leave* may be used by those employees for short term disability, maternity leave, or family leave, from the first day such disability or leave is designated.

Upon retirement, resignation, or reduction in force, employees with a prior sick leave balance will be paid up to two hundred forty (240) hours of prior sick leave at their rate of pay on October 1, 2007. Any prior sick leave at discharge from employment with the Town as referenced in Section 706 will be forfeited and not paid for by the Town.

405 HOLIDAYS

Effective Date: ##/##/####

Revision Date:

The Town will grant paid holiday time off to all regular full-time employees on the holidays listed below during the benefit year (calendar). Holiday pay will be calculated based on the employee's straight-time pay rate (as of the date of the holiday) for eight hours per holiday.

- New Year's Day (January 1)
- Martin Luther King, Jr. Day (third Monday in January)
- Presidents' Day (third Monday in February)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Veterans' Day (November 11)
- Thanksgiving (fourth Thursday in November)
- Day after Thanksgiving
- Christmas (December 25)

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday. If a recognized holiday falls during an eligible employee's paid absence, holiday pay will be provided instead of the paid time off benefit that would otherwise have applied.

If eligible nonexempt employees work on a recognized holiday, they will be paid their wages at their straight-time rate for hours worked on the holiday and they may flex the holiday within the same pay period with approval from their supervisor or receive holiday pay in the form of compensatory time (at a straight-time rate). Holidays can only be taken in increments of eight (8) hours.

In addition to the recognized holidays previously listed, eligible employees will receive one (1) floating holiday in each benefit year following 365 days of service as a regular full-time employee. Floating holidays must be scheduled with the prior approval of the employee's supervisor and taken in eight (8) hours increments. All holidays are classified as "floating" holidays for all sworn officers in the Police Department due to the complexities of their schedules and shifts. Unused floating holidays for all employees do not rollover into the next benefit year, they are use or lose.

If an employee's religious beliefs require observance of a holiday not included in the holiday schedule, the employee may, with his/her Department Head's approval, take a day off using PTO, compensatory time, a floating holiday, or leave without pay.

Paid time off for holidays will not be counted as hours worked for the purposes of determining overtime.

Town Council reserves the right to amend any of these holidays.

406 BEREAVEMENT LEAVE

Effective Date: ##/##/####

Revision Date:

Regular full-time employees who wish to take time off due to the death of an immediate family member should notify their supervisor immediately. The supervisor may, in his/her discretion, grant up to five (5) days with pay based upon distance to be traveled and mode of transportation.

Bereavement pay is calculated based on the base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials. Bereavement leave will normally be granted unless there are unusual business needs or staffing requirements.

The Town defines "immediate family" as the employee's spouse, parent, child, sibling, grandparents, or grandchildren; and the parents, siblings, or children of the employee's spouse.

Bereavement leave shall not be granted for settlement of estates or for any other matter except required time to travel to, attend, and return from the funeral. Leave taken in excess of that required to attend the funeral shall be charged as PTO, or leave without pay, as determined appropriate by the Department Head.

407 PAID MATERNITY LEAVE

Effective Date: ##/##/####

Revision Date:

The Town provides a paid Maternity Leave benefit (STD) to regular full-time employees after six (6) months of regular full-time employment with the Town. Temporary employment does not count toward the six (6) months requirement. Maternity leave is for a period of two hundred forty (240) regularly scheduled work hours.

An employee is required to use accrued PTO or Prior Sick Leave during the first forty (40) regularly scheduled work hours of maternity leave. If the employee does not have enough PTO or Prior Sick Leave, the employee may choose to use compensatory time, if applicable, or request Leave without Pay, if qualified.

An employee will receive 60% of normal salary during the remaining 200 regularly scheduled work hours of maternity leave. After the onset of the 60% maternity leave benefit, remaining PTO, Prior Sick Leave, and compensatory time may be used to supplement the maternity leave benefit to equal an employee's regular pay during the maternity leave.

The Town will continue its normal Social Security contributions, if applicable, normal retirement contributions, and insurance contributions, from both the Town and the employee, during the maternity leave period.

While off work during maternity leave, an employee will not accrue PTO. If a declared holiday falls within an employee's period of maternity leave, the employee will receive a holiday leave benefit in accordance with the holiday leave provisions in Section 310 of this handbook.

408 PAID FAMILY LEAVE

Effective Date: ##/##/####

Revision Date:

Only employees designated as regular full-time employees are eligible for paid family leave after six (6) months of regular Town employment. Any time as a temporary or seasonal employee does not count toward the six (6) months requirement for family leave. Family leave is available for a maximum of eighty (80) regularly scheduled work hours.

An eligible employee may take family leave for one or more of the following reasons:

- a) Father's attendance at the birth of his child
- b) Parent's care of a newborn after the birth of his or her child
- c) Placement of a son or daughter with the employee for adoption or foster care
- d) To care for an immediate family member who has a serious health condition, as defined by the Family Medical Leave Act

For purposes of this policy, an employee's "immediate family" includes his or her spouse, children, parent, grandparents, grandchildren or siblings, and the parents, siblings, or children of the employee's spouse.

An employee is required to use accrued Personal Time Off (PTO) or Prior Sick Leave during the first forty (40) regularly scheduled work hours of family leave. If the employee does not have enough PTO or Prior Sick Leave, the employee may choose to use compensatory time, if applicable, or request Leave without Pay, if qualified.

An employee will receive 60% of normal salary during the remaining forty (40) regularly scheduled work hours of family leave. After the onset of the 60% family leave benefit, remaining PTO, Prior Sick Leave, and compensatory time may be used to supplement the family leave benefit to equal an employee's regular pay during the family leave.

The Town will continue its normal Social Security contributions, if applicable, normal retirement contributions, and insurance contributions, from both the Town and the employee during the family leave period. While off work during family leave, an employee will not accrue PTO. If a declared holiday falls within an employee's period of family leave, the employee will receive a holiday leave benefit in accordance with the holiday leave provisions in Section 405 of this handbook.

409 FAMILY AND MEDICAL LEAVE

Effective Date: ##/##/####

Revision Date:

The Town has fewer than 50 employees and therefore its employees are not eligible for leave under the Family and Medical Leave Act. Employees may be eligible for up to twelve (12) weeks of unpaid family and medical leave per year ("Family and Medical Leave") for the following reasons:

- a) Incapacity due to pregnancy, prenatal medical care, or child birth.
- b) To care for the employee's child after birth, or placement for adoption or foster care.
- c) To care for the employee's spouse, domestic, or civil union partner, son or daughter, or parent, who has a serious health condition.
- d) Serious health condition that makes the employee unable to perform the essential functions of his or her position.
- e) Because of a qualifying exigency arising out of the fact that the employee's spouse, son, daughter or parent is a covered military member. For purposes of this policy, "covered military member" means a member of the National Guard or reserve forces or a retired member of the Armed Forces or reserve forces who is on active duty or has been notified of an impending call or order to active duty. Any of the following are considered a "qualifying exigency," as long as they arise from the covered military member's call or notice of an impending call to active duty.
 - a. Short-notice deployment (if a covered military member is notified of an impending call or order to active duty seven (7) or fewer calendar days prior to the date of deployment, the employee may take leave during that 7-day period to address any issues arising from the call or order); or
 - b. Military events and related activities (to attend an official ceremony, program or event sponsored by the military or to attend family support or assistance programs and informational briefings); or
 - c. Childcare and school activities (with respect to the child of the covered military member, to arrange a change to existing childcare, to provide childcare on an urgent, immediate need basis, to enroll in or transfer to a new school or day care facility when necessary due to the call to active duty status, and to meet with school or day care staff);
 - d. Financial and legal arrangements (to make or update such arrangements to address the covered military member's absence); or
 - e. Counseling; or
 - f. Rest and recuperation (to spend up to five (5) days in each instance with a covered military member who is on short-term, temporary rest and recuperation leave during deployment);
 - g. Post-deployment activities (to attend official military events, such as arrival ceremonies and reintegration briefings, during the 90-day period following termination of active duty status, or to address issues related to the death of the covered service member); or
 - h. Additional activities arising from the call to active duty, as long as the Town and the employee agree that the activity is a "qualifying exigency" and agree to the timing and duration of the leave.
- f) Because of a serious injury or illness incurred in the line of duty of employee's spouse, son, daughter, parent, or next of kin who is a current member of the Armed Forces, including a member of the National Guard or Reserves ("Military Caregiver Leave"). Employees taking Military Caregiver Leave may take up to twenty-six (26) weeks of leave during a single twelve-month period to care for a covered service member with a serious illness incurred in the line of duty on active duty. Military Caregiver Leave may not be taken to care for former service-members on the permanent disability retired list.

The amount of Family and Medical Leave and Military Caregiver Leave available will be determined based on a "rolling" twelve-month period, meaning that the amount of leave available to an eligible employee at any given time is twelve weeks (or twenty-six weeks in the case of Military Caregiver Leave) less the amount of Family and Medical Leave or Military Caregiver Leave used during the preceding twelve months. The total leave taken for any purpose during a single twelve-month period may not exceed twenty-six

(26) weeks, regardless of whether an employee is eligible for Military Caregiver Leave and another type of Family and Medical Leave in the same twelve-month period.

Eligibility for Leave

Eligibility for leave is as follows:

- a) Any employee who has been employed by the Town at least 12 months and has worked at least 1,250 hours during the 12 months preceding the commencement of leave of absence is eligible for Family and Medical Leave if certain conditions are met.
- b) Employees who return to work from Family and Medical Leave will be returned to their same job or an equivalent position. Certain highly compensated employees (key employees) may have limited reinstatement rights.
- c) If the necessity for leave is foreseeable, the employee must notify his supervisor of the request for leave 30 days prior to the first day of leave, or as soon as is practicable. If the leave is foreseeable based on a planned medical leave, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt departmental operations. If the leave is unforeseeable, the employee is expected to give notice to the employer of the need for Family and Medical Leave as soon as practicable under the circumstances, i.e., within one or two working days.
- d) An employee requesting leave must complete a Leave Request Form, stating the reason for the leave, the starting date, and the planned date of return to work. Medical certification is required for any serious health condition and must specify the work restrictions and the duration of the work restriction. For leaves stemming from the medical condition of a family member, the medical statement must specify that the employee is needed to care for the family member. The Town may require second and third medical opinions at the Town's expense.
- e) Employees who intend to take Family and Medical Leave or Military Caregiver Leave must give at least thirty (30) days' notice when circumstances permit. When advance notice is not possible, an employee needing leave must call his or her supervisor to report an absence from work, as practicable

Definition of a Serious Health Condition

A serious health conditions 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.

Leave Duration

Each eligible employee may be granted medical and/or family leave for up to 12 weeks (26 weeks for Military Caregiver Leave) during a 12-month period. The 12-month period is measured forward from the date an employee's first Family and Medical Leave begins. In cases in which both spouses or civil union partners who both work for the Town, the spouses are limited to an aggregate of 12 weeks (26 weeks for Military Caregiver Leave) of leave during this 12-month period unless the leave is necessitated by the serious health condition of the employee or that of the employee's spouse or child.

Employees will be required to use all accrued compensatory time and PTO leave at the beginning of any Family and Medical Leave, except that the employee may retain a balance of 8 hours of PTO leave. Employees shall be paid on leave while they are using accrued PTO or compensatory time. After all accrued PTO and compensatory time is used, Family and Medical Leave or Military Caregiver Leave shall be unpaid.

Benefits During Leave

If an employee is on the Town's health plan, the benefits continue while on Family and Medical Leave. Employees must continue to pay their portion of any insurance premiums while on leave. As with other types of unpaid leave, PTO and holiday leave will not accrue when an employee is on unpaid status. Bereavement leave or jury duty pay are not granted if on unpaid leave. However, employment benefits accrued by the employee up to the day on which Family and Medical leave of absence begins are not lost.

In the event that the employee fails to return from Family and Medical Leave, the employee may be liable for the premiums paid by the Town to maintain insurance coverage unless:

- a) The employee's failure to return to work stems from the continuation, recurrence, or onset of a serious health condition of the employee or a family member; or

b) The failure to return stems from circumstances beyond the control of the employee.

Return from Leave

An employee on leave is required to report periodically on their status and intent to report to work. An employee returning from leave will be reinstated to the same or an equivalent position when possible. Certain highly compensated employees may have limited reinstatement rights. Medical certification is required verifying an employee's ability to return to work from medical leave. Failure to return to work on the day after the expiration of leave will normally result in separation of employment.

Reduced Work Schedule/Intermittent Leave

In a limited circumstance as described below, an employee who is eligible for Family and Medical Leave may request and be permitted to work on a reduced schedule or receive periodic time off from work. Employees taking reduced work schedules or intermittent leave, the Town reserves the right to temporarily transfer the employee to a comparable position that better accommodates the employee's recurring periods of leave. The Town may review the individual circumstances involved in considering a reduced schedule or intermittent leave requests. The Town may take into account the needs of the employee's department, the employee's length of service, and the employee's duties, workload and job performance in making such decisions. Any time off permitted, based on a reduced work schedule or intermittent leave, will be treated in the same manner as other absences under the family and medical leave policy and such absences will be applied against the leave permitted under this policy.

410 MILITARY LEAVE

Effective Date: ##/##/####

Revision Date:

Full-time employees who are members of the National Guard or reserve forces are entitled to military leave without loss of pay, benefits or status for no more than fifteen (15) working days each calendar year while they are engaged in training or other service under orders. Any employee who is required to continue in military service beyond the time allowed for military leave shall be afforded leave without pay for the duration of his or her service and shall be reinstated to full employment rights upon separation from military service as required by law, provided he or she reports to the Town for work within ninety (90) days from such separation.

Employees on military leave are paid the difference between their regular straight time pay and the pay received for military service for up to ten (10) working days per calendar year. To receive such pay, an employee must provide a military pay statement verifying the amount received by him or her for military service. Accrued PTO may be used for any unpaid portion of an employee's military leave.

When circumstances permit, employees taking military leave shall submit a written request for leave at least thirty (30) days in advance of the time they are scheduled for active duty or training.

Continuation of health insurance benefits is available as required by the Uniformed Services Employment and Reemployment Rights Act (USERRA) based on the length of the leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is otherwise eligible. Benefit accruals, such as vacation, sick leave, or holiday benefits, will be suspended during the leave and will resume upon the employee's return to active employment.

Employees on military leave for up to 30 days are required to return to work for the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable one depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for purposes of determining benefits based on length of service.

Contact the Human Resources Office for more information or questions about military leave.

411 JURY DUTY/COURT TIME

Effective Date: ##/##/####

Revision Date:

A regular full-time employee who is summoned for jury duty or subpoenaed in connection with his/her employment during a regularly scheduled work time shall be compensated for the scheduled hours. A copy of the subpoena or order requiring such duty must be submitted with a leave request in order for such compensation to be paid. As a condition of the receipt of such pay, any stipend paid to the employee for jury service or as a witness fee must be paid to the Town or an equivalent amount deducted from the employee's pay.

412 VOTING

Effective Date: ##/##/####

Revision Date:

Any employee whose work schedule effectively prevents voting before or after work hours shall be permitted paid leave not exceeding two hours for the purpose of voting. No such paid leave shall apply to any employee whose work schedule is such that there are three or more hours between time of opening and the time of closing of the polling site during which the employee is not required to be on the job.

413 NURSING MOTHERS

Effective Date: ##/##/####

Revision Date:

The Town will provide a private space and time will be permitted for nursing mothers to express milk during the workday. The time permitted typically will not exceed the normal time allowed for lunch and breaks. If additional time is needed above and beyond normal breaks/meal time, the supervisor and employee will agree upon a plan which might include the employee using PTO, arriving at work earlier, or leaving later. Employees requiring this accommodation should contact Human Resources.

SECTION 5: TIMEKEEPING/PAYROLL/WORK HOURS

501 TIMEKEEPING

Effective Date: ##/##/####

Revision Date:

Accurately recording time worked is the responsibility of every nonexempt employee. Federal and state laws require the Town to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties. Overtime work must always be approved before it is performed.

The Town uses online timekeeping software for employees to report their time worked and manage the time approval process. It is the employees' responsibility to enter their time and certify the accuracy of the time recorded. The employee's supervisor will review and approve the time record prior to submitting it to payroll for processing. An employee "electronically signs" and certifies that the time report is accurate when they electronically submit their time record to their supervisor.

Employees should submit their time record by no later than 10:00 am on the Monday prior to a scheduled payday in order to allow department heads time to review and approve them for submission to Payroll by close of business.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

502 OVERTIME

Effective Date: ##/##/####

Revision Date:

When operating requirements or other needs cannot be met during regular working hours, employees will be given the opportunity to volunteer for overtime work assignments, or the Town may require employees to work overtime. All overtime work must receive the supervisor's prior authorization. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work.

Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked. Time off on sick leave, PTO, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

For all non-exempt employees, overtime is defined as authorized hours worked in excess of:

- a) Forty (40) hours in a seven (7) day week; or
- b) 86 hours within a 14-day work period for sworn law enforcement officers.

Regular full-time and regular part-time employees receive Compensatory Time (Comp Time) in lieu of pay for overtime earned at a rate of one and one-half times their hourly rate. Seasonal employees are paid out overtime at a rate of one and one-half times their hourly rate.

By mutual agreement between the employee and supervisor, an employee may work beyond his or her regularly scheduled shift without incurring overtime, provided however, that the employee shall be compensated for authorized overtime hours worked when required by FLSA.

Employees who work overtime without receiving prior authorization from the supervisor may be subject to disciplinary action, up to and including possible termination of employment.

503 COMPENSATORY TIME

Effective Date: ##/##/####

Revision Date:

It is understood that in agreeing to work for the Town, regular full-time and regular part-time employees agree to accept compensatory time of one and one-half (1.5) hours for each hour of overtime worked.

Compensatory Time – Non-exempt Full-time Employees

Employees are expected to work necessary overtime when requested to do so, and non-exempt full-time employees will receive time and one-half compensatory time for time worked exceeding 40 hours in any given work week or 80 hours in a two-week work period for sworn law enforcement officers.

Compensatory time off must be requested by the employee and authorized by the appropriate supervisor. If time off is not practical, the supervisor can deny a compensatory time request and opt for payment of compensatory time with Town Manager approval.

Exempt Employees

An employee in an exempt position is being paid to perform work which may not necessarily be completed in his or her normal work week and is therefore not entitled to overtime compensation or compensatory time. For exempt employees, work hours include attendance at regularly scheduled meetings or events related to an employee's position as determined by the Town Manager.

When an exempt employee is engaged in a project which specifically requires overtime work to accommodate a number of meetings outside of normal working hours, or to meet unavoidable deadlines, scheduling constraints imposed upon the Town, or other compelling cause, the Department Head may authorize a flexible work schedule for that employee, when possible, to reduce the number of extra hours required.

Accumulated Compensatory Time

Non-exempt employees shall be allowed to accumulate no more than 180 hours of unused compensatory time. Any non-exempt employee may be directed to use accrued but unused compensatory time where he or she has accumulated the maximum permissible number of hours or, in the alternative, the employee may be precluded from earning additional compensatory time until hours are used (and will be paid at 1.5 times regular wages for any additional hours of overtime). The Town Manager may, depending on available revenues, reimburse employees for accrued but unused compensatory time over 40 hours at the overtime rate in effect when earned. Non-exempt employees shall use compensatory time accrued within ninety (90) days of earning it whenever possible.

Upon separation from employment or retirement, unused compensatory time will be paid for accrued but unused compensatory time at the higher of the employee's final regular rate of pay or the average regular rate during his or her last three years of employment.

Employees promoted from a non-exempt position to an exempt position will be paid out accumulated compensatory time prior to the effective date of promotion.

504 PAYDAYS

Effective Date: ##/##/####

Revision Date:

All employees are paid biweekly on every other Friday. Each paycheck will include earnings for all work performed through the end of the previous payroll period. In the event a regularly scheduled payday falls on a day off such as a weekend or holiday, employees will receive pay on the last day of work before the regularly scheduled payday.

Employees may have pay directly deposited into their bank accounts if they provide advance written authorization to the Town. Employees will receive an itemized statement of wages when the Town makes direct deposits.

Scheduled paydays are posted conspicuously in each Town building. Copies of the payday schedule can be obtained by contacting the Human Resources Office.

505 SEPARATION FROM EMPLOYMENT

Effective Date: ##/##/####

Revision Date:

Separation of employment is an inevitable part of personnel activity within any organization, and many of the reasons for separation are routine. Below are examples of some of the most common circumstances under which employment is ended:

Resignation

Resignation is a voluntary act of separation from employment initiated by the employee. When an employee leaves Town employment for personal reasons it is requested, in the spirit of good faith, to provide, in writing, as much notice as possible to the direct supervisor and the Department Head, the anticipated separation date. An employee wishing to leave employment with the Town should submit a written resignation to his/her immediate supervisor. As a professional courtesy to the Town, the notice should be provided at least two (2) weeks in advance of the effective date of separation. The adequate notice period should not include holiday hours or scheduled Paid Time Off (PTO). The last day of employment must actually be a work day and not a PTO or paid holiday.

An employee, who, without authorization, fails to report for work for three (3) consecutive working days, may be considered to have resigned voluntarily as of the end of the third consecutive day. The Department Head shall provide written notice to the employee that the resignation has been accepted and the position has been declared vacant.

Reduction in Force

When warranted by changes in Town operations or by fiscal circumstances, the Town budget may be amended to impose a reduction in force in one or more departments. The Town Manager shall then notify the affected employee or employees, if reasonably possible, at least two weeks in advance of such reductions.

A reduction of the number of employees in any department shall be made in the following order:

- a) Temporary or seasonal employees; then
- b) Introductory period employees; then
- c) Regular full-time and part-time employees.

If an eligible list exists for a position in which a reduction in force has occurred, the name of each employee to whom the reduction applies shall be placed at the highest ranking on the eligible list for a period not to exceed one year.

Discharge

Employment with the Town is terminable at-will. Any employee may be discharged with or without cause, at the sole discretion of and without prior notice from the Town Manager.

Human Resources will provide separating employees with an exit questionnaire and overview outlining the separation process and requirements, including the return of Town issued property. Unless the separation is involuntary, final pay checks (including PTO, required premiums, etc.) will be processed on the next regularly scheduled payroll date. An employee who fails to return Town property upon separation may have the estimated cost of the property reduced from his or her final check and may be subject to criminal charges.

506 ADMINISTRATIVE PAY CORRECTIONS

Effective Date: ##/##/####

Revision Date:

The Town takes all reasonable steps to ensure employees receive the correct amount of pay in each paycheck and employees are paid promptly on the scheduled payday. In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of the Human Resources Office so corrections can be made as quickly as possible.

507 PAY DEDUCTIONS AND SETOFFS

Effective Date: ##/##/####

Revision Date:

The law requires the Town make certain deductions from every employee's compensation. Among these are applicable federal, state, and local income taxes. The Town also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base". The Town matches the amount of Social Security taxes paid by each employee.

The Town offers programs and benefits beyond those required by law. Eligible employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in these programs. Pay setoffs are pay deductions taken by the Town, usually to help pay off a debt or obligation to the Town or others.

If you have questions concerning why deductions were made from your paycheck or how they were calculated, contact the Human Resources Office.

In addition, it is the policy of the Town to comply with the salary basis requirements of the FLSA for exempt employees. The Town prohibits all managers from making any improper deduction from the salary of an exempt employee in violation of the FLSA. That means that deductions may be made from an exempt employee's pay (leave without pay) when an exempt employee is absent from work for personal reasons, including sickness or disability, and does not have any remaining accrued PTO, or for unpaid disciplinary suspensions imposed by the Town in good faith for workplace conduct rule infractions. If an exempt employee believes an improper deduction has been made to his or her salary, this information should be reported to the Town Manager. Reports of improper deductions will be promptly investigated and if it is determined an improper deduction has occurred, the employee will be promptly reimbursed.

508 SEVERANCE PAY

Effective Date: ##/##/####

Revision Date:

The Town may provide severance pay to long-term employees who leave employment with the Town in good standing, as determined by the Town in its sole discretion, and who have worked for the Town as regular full-time employees in excess of ten (10) years, as follows:

- a) Over ten (10) years of service and less than fifteen (15) years of service – one (1) month's pay at rate as of date of separation.
- b) Over fifteen (15) years of service and less than twenty (20) years of service - two (2) month's pay at rate as of date of separation.
- c) Over twenty (20) years of service - three (3) month's pay at rate as of date of separation.

Specifically excluded from benefits under this provision are employees who: were hired as temporary employees for a specified period of time, and employees who were offered but refused to accept another suitable position with the Town.

SECTION 6: WORK CONDITIONS

601 SAFETY

Effective Date: ##/##/####

Revision Date:

To assist in providing a safe and healthful work environment for employees, customers, and visitors, the Town has established a workplace safety program. This program is a top priority for the Town. The Human Resources Office has responsibility for implementing, administering, monitoring, and evaluating the safety program. Its success depends on the alertness and personal commitment of all.

The Town provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings, bulletin board postings, memos, or other written communications.

Employees and supervisors receive periodic workplace safety training. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards. A labor-management safety committee, composed of representatives from throughout the Town, has been established to help monitor the Town's safety program and to facilitate effective communication between employees and management about workplace safety and health issues.

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with their supervisor, or with another supervisor or manager, or bring them to the attention of the Human Resources Office. Reports and concerns about workplace safety issues may be made anonymously if the employee wishes. All reports can be made without fear of reprisal.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify the Human Resources Office or the appropriate supervisor. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

602 WORK SCHEDULES

Effective Date: ##/##/####

Revision Date:

The normal work schedule for all general employees is 8 hours a day, 5 days a week, Monday thru Friday from 8:00 am to 5:00 pm. Supervisors will advise employees of the times their schedules will normally begin and end. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Flexible scheduling, or flextime, is available in some cases to allow employees to vary their starting and ending times each day within established limits. Flextime may be possible if a mutually workable schedule can be negotiated with the supervisor involved. However, such issues as staffing needs, the employee's performance, and the nature of the job will be considered before approval of flextime. Employees should consult their supervisor to request participation in the flextime program.

603 SMOKING

Effective Date: ##/##/####

Revision Date:

In keeping with Town's intent to provide a safe and healthful work environment, smoking is prohibited throughout the workplace. This policy applies equally to all employees, customers, and visitors.

604 REST AND MEAL PERIODS

Effective Date: ##/##/####

Revision Date:

Each workday, full-time nonexempt employees are provided with 2 rest periods of 15 minutes in length. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their workstations beyond the allotted rest period time.

All full-time regular employees are provided with one meal period of 60 minutes in length each workday. Supervisors will schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time.

605 USE OF EQUIPMENT AND VEHICLES

Effective Date: ##/##/####

Revision Date:

Town vehicles may be used only for the purposes and in the manner authorized by the Town Manager. Only authorized, qualified, and licensed employees may operate Town vehicles. Only authorized Town employees and other persons on Town-related business may ride as passengers in Town vehicles. All vehicles shall be operated in accordance with all applicable traffic laws, and vehicle operators shall be responsible for the condition and proper use of the vehicles. When using equipment, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Employees shall notify the supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, up to and including termination of employment.

There shall be no tobacco or marijuana use at **any** time in Town vehicles. ***Seat belts must be used at all times while operating a Town vehicle.***

606 EMERGENCY CLOSINGS

Effective Date: ##/##/####

Revision Date:

At times, emergencies such as severe weather, fires, floods, or power failures, can disrupt company operations. In extreme cases, these circumstances may require the closing of a work facility. In the event that such an emergency occurs during nonworking hours, local radio and/or television stations will be asked to broadcast notification of the closing.

In cases where an emergency closing is not authorized, employees who fail to report for work will not be paid for the time off. Employees may request available paid leave time such as PTO or compensatory time.

607 BUSINESS TRAVEL EXPENSES

Effective Date: ##/##/####

Revision Date:

The Town will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance by the employee's supervisor.

Employees whose travel plans have been approved are responsible for making their own travel arrangements. When approved, the actual costs of travel, meals, lodging, and other expenses directly related to accomplishing business travel objectives will be reimbursed by the Town. Employees are expected to limit expenses to reasonable amounts. Per diem may be requested and granted in the Police Department for travel that will be reimbursed through POST scholarships according to their policy.

Expenses reimbursed may include the following:

- a) Airfare or train fare for travel in coach or economy class or the lowest available fare.
- b) Car rental fees, only for compact or mid-sized cars.
- c) Fares for shuttle or airport bus service, where available; costs of public transportation for other ground travel.
- d) Taxi fares, only when there is no less expensive alternative.
- e) Mileage costs for use of personal cars, only when less expensive transportation is not available, based upon GSA mileage reimbursement amount.
- f) Cost of standard accommodations in low to mid-priced hotels, motels, or similar lodgings.
- g) Cost of meals, no more lavish than would be eaten at the employee's own expense.
- h) Tips not exceeding 20% of the total cost of a meal or 15% of a taxi fare.
- i) Charges for telephone calls, fax, and similar services required for business purposes.

Employees who are involved in an accident while traveling on business must promptly report the incident to their immediate supervisor.

Cash advances to cover reasonable anticipated expenses may be made to employees, after travel has been approved. Employees should submit a written request to their department head when travel advances are needed.

With prior approval, employees on business travel may be accompanied by a family member or friend, when the presence of a companion will not interfere with successful completion of business objectives. Generally, employees are also permitted to combine personal travel with business travel, as long as time away from work is approved. Additional expenses arising from such nonbusiness travel are the responsibility of the employee. Vehicles owned, leased, or rented by the Town may not be used for personal use without prior approval.

When travel is completed, employees should submit receipts for all individual expenses. Employees should contact their supervisor for guidance and assistance on procedures related to travel arrangements, travel advances, reimbursement for specific expenses, or any other business travel issues.

Abuse of this business travel expenses policy, including falsifying expense reports to reflect costs not incurred by the employee, can be grounds for disciplinary action, up to and including termination of employment.

608 CELLULAR TELEPHONES

Effective Date: ##/##/####

Revision Date:

The Town may require some employees, based on the employee's job requirements, to carry cellular telephones. Upon the recommendation of the department head and approval of the Town Manager, employees determined to have a business need for a cellular telephone will be provided the following options:

- a) A monthly allowance, in an amount to be determined by the Town, if the employee chooses to use the employee's personal cellular telephone phone ("Employee-owned"); or

- b) A cellular telephone paid for and provided by the Town (“Town-owned”).

The business need for a cellular telephone may be withdrawn at any time at the discretion of the Town Manager, Department Head, or his/her designee.

Town-owned Cellular Telephones

A Town-owned cellular telephone must be secured and its whereabouts known at all times by the employee. All Town-owned cellular telephones are the property of the Town of Pagosa Springs. Upon leaving a Town position, all Town-owned cellular phones and related equipment must be returned to the Town. Failure to return such telephone and equipment to the Town may result in the cost of the telephone and the equipment being charged against the final monies due to the employee or other collection action by the Town.

Town-owned cellular telephones are the responsibility of the employee. Employees must notify their supervisor immediately of any problems with their assigned cellular telephone or related equipment, including loss, theft, or damage. A copy of the Town Incident report must accompany a replacement request due to loss. A copy of the police report must accompany a replacement request due to theft. Employees may be financially responsible for the assigned cellular telephone if:

- a) It is lost or damaged while in the care of employee, as a result of the employee's negligence.
- b) It is not returned by an employee within the specified period of time or is damaged upon its return.
- c) It is damaged due to failure to adhere to maintenance or operational policies.

Town-owned cellular phones may not be used at any time in violation of state or federal laws, or Town and Departmental policies, procedures, work rules, etc. The use of Town-owned cellular telephones to transmit or receive inappropriate communication is strictly prohibited and may result in disciplinary action. Inappropriate communication includes, but is not limited to: discriminatory, hostile, suggestive, obscene, harassing, or otherwise unsuitable language and content.

Town-owned cellular telephones are intended for business-related calls only and personal calls are not permitted. Cellular telephone invoices may be regularly monitored. Personal calls that create an added expense for the Town shall be fully reimbursed to the Town. Users may be requested to justify any or all calls on a Town-owned cellular telephone.

Employees are hereby notified that their communications via Town-owned cellular telephones are not private. Bills, text messages, photographs, call logs, and other communications on Town-owned cellular telephones are subject to potential disclosure pursuant to the Colorado Open Records Act, Colorado Revised Statutes §§24-6-101 *et seq.* (“CORA”)

Employee-owned Cellular Telephones

Employee-owned cellular telephones are the sole responsibility of the employee. Employees must notify their supervisor immediately of any problems with their personal cellular equipment and the timing of when replacement cellular telephone will be obtained. Employees are responsible for promptly obtaining replacement equipment. The Town will not reimburse the employee for loss, theft or damage to the Employee-owned cellular telephone or related equipment.

Employees are solely responsible for Employee-owned cellular telephone plans with cellular telephone service providers. The Town will not reimburse or otherwise pay for costs incurred by an employee for use of the Employee-owned cellular telephone that exceeds the terms of the employee’s cellular telephone plan.

Employees are hereby notified that their Town communications via Employee-owned cellular telephones may not be private. Bills and other communications regarding Employee-owned cellular telephones may be subject to potential disclosure pursuant to CORA. If the Town receives a CORA request that concerns an Employee-owned cellular telephone, the Town will request the employee to provide such information to the Town. The employee is solely responsible for any expenses related to producing those records including the cost of any attorney fees to defend or otherwise prevent release of the records.

Using Cellular Telephones/Handheld Devices While Driving

Except in emergency situations, employees are prohibited from using handheld cellular telephones or other handheld devices to conduct business while driving a motor vehicle or operating motorized equipment. The employee should safely pull off the road and come to a complete stop before texting, dialing or talking on the cellular telephone or another handheld device. Employees may utilize a hands-free device to use a cellular telephone so long as such use does not interfere with the safe operation of a motor vehicle or motorized equipment.

609 COMPUTER AND EMAIL USAGE

Effective Date: ##/##/####

Revision Date:

Computers, computer files, the email system, and software furnished to employees are Town property intended for business use. Employees should not use a password, access a file, or retrieve any stored communication without authorization. To ensure compliance with this policy, computer and email usage may be monitored.

The Town strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Users of Town computers and e-mail systems are responsible for their appropriate use. All illegal and improper uses of the e-mail system, including but not limited to pornography, obscenity, harassment, solicitation, gambling and violating copyright or intellectual property rights are prohibited. In addition, use of computers and the email system in ways that are disruptive, offensive to others, or harmful to morale is prohibited. For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others. Use of the computers and e-mail system for which the Town will incur an expense without express permission of a supervisor is prohibited.

Email may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other nonbusiness matters.

The Town purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the Town does not have the right to reproduce such software for use on more than one computer.

Employees may only use software on local area networks or on multiple machines according to the software license agreement. The Town prohibits the illegal duplication of software and its related documentation.

Electronic messages are not for private or confidential matters. Because there is no guarantee of privacy or confidentiality, other avenues of communication should be used for such matters.

In order to keep Town e-mail and computer systems secure, users shall not leave the terminal signed on when unattended and shall not leave their password available in an obvious place near the terminal or share their password with anyone except the e-mail system administrator.

Electronic messages are not private. The Town retains the right to monitor, review, store and disclose all information sent over the Town e-mail system at any time for any reason, without notice to the employee.

Except as provided herein, Town employees are prohibited from accessing another employee's e-mail without the express consent of the employee. All Town employees are advised that e-mail messages can be retrieved even if they have been deleted and that statements made in e-mail communications can form the basis of various legal claims against the individual author or the Town.

E-mail sent or received by the Town or the Town Council and employees may be considered a public record subject to public disclosure or inspection under CORA.

Town employees shall be subject to disciplinary action, including termination, for violation of this guideline and regulation.

Employees should notify their department head, the Human Resources Office or the Town Manager upon learning of violations of this policy. Employees who violate this policy will be subject to disciplinary action, up to and including termination of employment.

610 INTERNET USAGE

Effective Date: ##/##/####

Revision Date:

Internet access to global electronic information resources on the World Wide Web is provided by the Town to assist employees in obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and

productive Internet usage. While Internet usage is intended for job-related activities, incidental and occasional brief personal use is permitted within reasonable limits.

All Internet data that is composed, transmitted, or received via our computer communications systems is considered to be part of the official records of the Town and, as such, is subject to disclosure under CORA. Consequently, employees should always ensure that the business information contained in Internet email messages and other transmissions is accurate, appropriate, ethical, and lawful.

The equipment, services, and technology provided to access the Internet remain at all times the property of the Town. As such, the Town reserves the right to monitor Internet traffic, and retrieve and read any data composed, sent, or received through our online connections and stored in our computer systems.

Data that is composed, transmitted, accessed, or received via the Internet must not contain content that could be considered discriminatory, offensive, obscene, threatening, harassing, intimidating, or disruptive to any employee or another person. Examples of unacceptable content may include, but are not limited to, sexual comments or images, racial slurs, gender-specific comments, or any other comments or images that could reasonably offend someone on the basis of race, age, sex, religious or political beliefs, national origin, disability, sexual orientation, or any other characteristic protected by law.

The unauthorized use, installation, copying, or distribution of copyrighted, trademarked, or patented material on the Internet is expressly prohibited. As a general rule, if an employee did not create material, does not own the rights to it, or has not gotten authorization for its use, it should not be put on the Internet. Employees are also responsible for ensuring that the person sending any material over the Internet has the appropriate distribution rights.

Internet users should take the necessary anti-virus precautions before downloading or copying any file from the Internet. All downloaded files are to be checked for viruses; all compressed files are to be checked before and after decompression.

Abuse of the Internet access provided by the Town in violation of law or Town policies will result in disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. The following behaviors are examples of previously stated or additional actions and activities that are prohibited and can result in disciplinary action:

- a) Sending or posting discriminatory, harassing, or threatening messages or images
- b) Using the organization's time and resources for personal gain
- c) Stealing, using, or disclosing someone else's code or password without authorization
- d) Copying, pirating, or downloading software and electronic files without permission
- e) Violating copyright law
- f) Failing to observe licensing agreements
- g) Engaging in unauthorized transactions that may incur a cost to the Town or initiate unwanted Internet services and transmissions
- h) Sending or posting messages or material that could damage the Town's image or reputation
- i) Participating in the viewing or exchange of pornography or obscene materials
- j) Sending or posting messages that defame or slander other individuals
- k) Attempting to break into the computer system of another organization or person
- l) Refusing to cooperate with a security investigation
- m) Sending or posting chain letters, solicitations, or advertisements not related to business purposes or activities
- n) Using the Internet for political causes or activities, religious activities, or any sort of gambling
- o) Jeopardizing the security of the organization's electronic communications systems
- p) Sending or posting messages that disparage another organization's products or services
- q) Passing off personal views as representing those of the organization
- r) Sending anonymous email messages
- s) Engaging in any other illegal activities

611 WORKPLACE MONITORING

Effective Date: ##/##/####

Revision Date:

Workplace monitoring may be conducted by the Town to ensure quality control, employee safety, security, and customer satisfaction. Computers furnished to employees are the property of the Town. As such, computer usage and files may be monitored or accessed.

Employees can request access to information gathered through workplace monitoring that may impact employment decisions. Access will be granted unless there is a legitimate business reason to protect confidentiality or an ongoing investigation.

Because the Town is sensitive to the legitimate privacy rights of employees, every effort will be made to guarantee that workplace monitoring is done in an ethical and respectful manner.

612 TELECOMMUTING

Effective Date: ##/##/####

Revision Date:

Telecommuting is the practice of working at home or at a site near the home instead of physically traveling to a central workplace. It is a work alternative that the Town may offer to some employees when it would benefit both the Town and the employee.

Employees who believe telecommuting can enhance their ability to get the job done should submit a written request to their managers proposing how it will benefit Town and themselves. The request should explain how they will be accountable and responsible, what equipment is necessary, and how communication barriers will be overcome. The decision to approve a telecommuting arrangement will be based on factors such as position and job duties, performance history, related work skills, and the impact on the Town.

The employee's compensation, benefits, work status, work responsibilities, and the amount of time the employee is expected to work per day or per pay period will not change due to participation in the telecommuting program (unless otherwise agreed upon in writing). The employee's at-home work hours will conform to a schedule agreed upon by the employee and his or her supervisor. If such a schedule has not been agreed upon, the employee's work hours will be assumed to be the same as they were before the employee began telecommuting. Changes to this schedule must be reviewed and approved in advance by the employee's supervisor.

During working hours, the employee's at-home workspace will be considered an extension of Town's workspace. Therefore, workers' compensation benefits may be available for job-related accidents that occur in the employee's at-home workspace during working hours. All job-related accidents will be investigated immediately.

The Town assumes no responsibility for injuries occurring in the employee's at-home workspace outside the agreed-upon work hours. The employee agrees to maintain safe conditions in the at-home workspace and to practice the same safety habits as those followed on the Town's premises. In the case of an injury while working at home, the employee will immediately report the injury to the Human Resources Office to get instructions for obtaining medical treatment.

Telecommuting is an alternative method of meeting the needs of the Town and is not a universal employee benefit. As such, the Town has the right to refuse to make telecommuting available to an employee and to terminate a telecommuting arrangement at any time.

613 WORKPLACE VIOLENCE PREVENTION

Effective Date: ##/##/####

Revision Date:

The Town is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, the Town has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of Town without proper authorization.

Conduct that threatens, intimidates, or coerces another employee, a customer, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening.

The Town will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, the Town may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

The Town encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the Human Resources Office before the situation escalates into potential violence. The Town is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

SECTION 7: DRUG AND ALCOHOL USE

701 DRUG-FREE WORKPLACE

Effective Date: ##/##/####

Revision Date:

The Town is a drug-free workplace as required by the Drug-Free Workplace Act. The Town strictly prohibits the use or possession on Town premises of alcoholic beverages of any kind and drugs other than those prescribed by a physician or obtained from a legal over-the-counter source. For purposes of this policy, marijuana is considered an illegal drug, regardless of whether it is used for medical or recreational purposes in accordance with Colorado law.

No employee is permitted to report for duty while impaired by or under the influence of alcohol or drugs to the slightest degree. Any employee who reports to work impaired by or under the influence of drugs (including marijuana) or alcohol shall be relieved of his or her duties immediately and without pay, and may be subject to additional disciplinary action.

Employees are expected to use prescription or legal over-the-counter drugs in an appropriate manner and dosage and are expected to know whether the appropriate use of such drugs may impair their ability to perform their jobs safely and competently. If an employee becomes aware that a prescription or legal over-the-counter drug is impairing his or her job performance, the employee should notify his or her supervisor. An employee may be required to use accrued paid time off in order to address and remedy any situation where job performance is impaired.

An employee's violation of this prohibition, or any other drug abuse violation, may result in disciplinary action up to and including discharge. While the Town does not have a formal employee assistance program, the use of other available resources, including any health insurance coverage, is encouraged for any employee desiring drug counseling or rehabilitation.

As required by the Drug-Free Workplace Act, each employee engaged in the performance of any federal grant, as a condition of employment, must:

- a) Abide by the terms of this policy; and
- b) Notify the Town in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction. Upon notification of any such conviction, the Town shall take action in compliance with the Drug-Free Workplace Act and Regulations.

702 DEFINITIONS

For the purposes of these policies, the following definitions apply.

- a) **CDL Employee.** An employee whose job description requires him or her to hold a commercial driver's license under Colorado law.
- b) **Safety Sensitive Employee.** A safety sensitive employee is one that holds a position identified by the job descriptions as safety sensitive, ordinarily, but not limited to, those employment positions where drug and alcohol use presents a direct threat to the public at large.
- c) **Illicit Use of Drugs.** The *Illicit Use of Drugs* means the on-the-job or off-the-job unauthorized use by an employee of a controlled substance, as defined by federal law or the misuse of prescription drugs, over-the-counter drugs or other substances known to affect a person's ability to safely or efficiently perform job duties.
- d) **Marijuana or Marijuana Product.** *Marijuana or Marijuana Product* means any product that contains Tetrahydrocannabinol or THC.
- e) **Impaired by Alcohol.** CDL and Safety Sensitive employees are *Impaired by Alcohol* if alcohol testing under this policy indicates an alcohol concentration of 0.04 or more grams of alcohol per 210 liters of breath or per 100 milliliters of blood. All other employees are *Impaired by Alcohol* if alcohol testing under this policy indicates an alcohol concentration of 0.05 or more grams of alcohol per 210 liters of breath or per 100 milliliters of blood.

703 DRUG AND ALCOHOL TESTING

All Town employees required to hold commercial drivers' licenses shall be subject to a drug and alcohol testing program that fulfills the requirements of Code of Federal Regulations Title 49, Part 382. Tests shall be conducted under the following circumstances:

- a. Each such employee shall be tested before the first time they perform any safety-sensitive function for the Town. Such functions including driving; waiting to be dispatched; inspecting and servicing equipment; supervising, performing or assisting in loading or unloading; repairing or obtaining and waiting for help with a disabled vehicle; performing driver requirements related to accidents; and performing any other work related to vehicle maintenance or operation. Pre-employment tests shall be required only after an applicant is offered a position.
- b. Alcohol and controlled substance tests shall be conducted after any accident involving any safety-sensitive function. Such tests shall be conducted as soon as is practicable following an accident if the accident involved personal injury, property damage, or a citation for a moving traffic violation. Employees involved in accidents shall make themselves available for testing unless they need immediate medical attention, and shall not use alcohol for eight hours after any accident or until after a post-accident alcohol test, whichever occurs first.
- c. Tests shall be conducted on a random basis at unannounced times throughout the year. Such random tests shall be conducted just before, during, or just after the performance of safety-sensitive functions.
- d. Tests shall be conducted when a supervisor or Town official trained in accordance with law has reasonable suspicion that an employee has violated the Town's alcohol or drug prohibitions. Reasonable suspicion must be based on specific, contemporaneous observations concerning the employee's appearance, behavior, speech or body odors. Such observations may include indications of the chronic and withdrawal effects of controlled substances.
- e. A drug or alcohol test shall be conducted if and when an employee who has violated the Town's drug or alcohol prohibition returns to performing safety-sensitive duties. No employee may be assigned to a safety-sensitive position until a return-to-duty drug test is administered with a negative result.
- f. An employee who violates the Town's drug or alcohol prohibition and is subsequently identified by a substance abuse professional as needing assistance in resolving a drug or alcohol problem shall be subject to unannounced follow-up testing as directed by the substance abuse professional in accordance with law. Such follow-up testing shall be conducted just before, during, or just after the performance of safety-sensitive functions.

Testing procedures and facilities used for tests shall conform with the Code of Federal Regulations, Title 49, Section 40, et seq.

Any driver who refuses to submit to a drug or alcohol test required by this guideline shall not perform or continue to perform safety-sensitive duties and will be subject to discipline up to and including dismissal. An employee will be deemed to have refused to submit to testing if he or she is unavailable or fails to provide samples sufficient for testing absent any medical necessity. Verified positive tests for alcohol or drugs (including marijuana) shall subject employees to disciplinary action up to and including dismissal.

In addition, any employee may be subject to reasonable suspicion or post-accident drug testing as described in this Section.

704 EMPLOYMENT-RELATED TESTING.

Safety-Sensitive Positions

The Town may require drug testing, finger printing, and/or Federal or state background checks of employees engaged in safety or security sensitive functions, including positions that involve operation of Town vehicles not requiring a CDL. Tests shall be conducted in accordance with the law and in a manner that ensures accuracy and limits access to the test results.

Reasonable Suspicion Testing

An employee must submit to immediate drug and alcohol testing if reasonable suspicion exists to believe that the employee may be using drugs and alcohol in violation of this policy. Reasonable suspicion may be based on visual or other evidence that an employee is under the influence of, or using or possessing drugs or alcohol at the workplace. Indications of drug and alcohol use include, but are not limited to: slurred speech; lack of balance; excessive aggressiveness; docility or drowsiness; the detection or smell of drugs

or alcohol; an employee's unusual demeanor, appearance or conduct; irrational, threatening or violent behavior. Reasonable suspicion testing requires prior approval by the Town Manager.

Post-Accident and Post-Incident Testing

An employee may be subject to immediate drug and alcohol testing after an on-the-job accident or incident involving a Town vehicle, equipment, property or personnel, or involving the employee's personal vehicle while on Town business, under the circumstances described below.

- a) Unless unable to do so because of a serious injury, an employee involved in an on-the-job accident or incident must immediately report it to the employee's supervisor, who will notify the Department Head.
- b) The Department Head will determine whether an employee must submit to post-accident or post-incident drug and alcohol testing. Post-accident and post-incident testing is permissible under the following circumstances:
 - 1) There is reasonable suspicion that the employee is under the influence of drugs or alcohol; or
 - 2) The employee receives a citation (or there is other reasonable indication of the employee's fault) and there is bodily injury or fatality; or
 - 3) The employee receives a citation (or there is other reasonable indication of the employee's fault) and there is property damage or direct incident costs reasonably ascertained to exceed \$1500.00; or
 - 4) The employee suffers an on-the-job injury requiring a visit to a medical provider and there is other reasonable indication of the employee's fault; or
 - 5) The employee failed to follow operational or safety protocol, causing or potentially causing a serious operational incident.
- c) An employee subject to drug and alcohol testing after an accident or incident will be escorted to an approved testing facility for immediate testing, and shall not use alcohol until the alcohol test is performed, or until eight hours after the accident or incident, whichever is first.
- d) If seriously injured as a result of an accident or incident and unable to provide a sufficient breath or urine sample as required by this policy, the employee must authorize the release of medical records to determine if alcohol or drugs were detected. An employee who fails to immediately report any accident or an incident resulting in a serious injury, or who refuses to release medical records of drug and alcohol tests under these circumstances will be subject to corrective action up to and including termination.

Timing and Location of Drug and Alcohol Testing

Drug and alcohol tests should be performed *as soon as possible* after the determination that ***reasonable suspicion or post-accident or post-incident*** testing is appropriate.

- a) If alcohol testing is not performed within two hours of a reasonable suspicion determination, the reason for the delay must be documented by the persons involved in the determination. The documentation will be kept by the Human Resources Office. Contribution to the delay by the employee is cause for disciplinary action, up to and including termination.
- b) Drug and alcohol testing of employees will be performed by a testing facility approved by the Town.
- c) If testing is delayed more than eight hours after the determination of reasonable suspicion, drug testing, but not alcohol testing, will still be performed.

Return to Work After Drug and Alcohol Testing

An employee's return to work after being required to submit to drug and alcohol testing is dependent on such factors as the employee's job description, the results of the testing, and the reason for the testing.

- a) An employee referred for drug and alcohol testing based on reasonable suspicion or an accident may not return to work until released to return to work by the employee's supervisor. Time off work under this section will be paid.
- b) An employee referred for random or biennial alcohol testing may return to work immediately after alcohol test results are obtained except under the following circumstances:

- 1) Any employee *Impaired by Alcohol* will be suspended with pay pending correction action;
 - 2) CDL and Safety Sensitive employees and any employee whose job description requires driving whose alcohol test results indicate the Use of Alcohol, will be required to take personal leave until a breath alcohol test indicates an alcohol concentration below 0.02 grams of alcohol per 210 liters of breath or per 100 milliliters of blood; or
 - 3) Substantial safety concerns are at stake.
- c) An employee may return to work pending the Town's receipt of negative test results.

705 PRE-EMPLOYMENT DRUG TESTING

Effective Date: ##/##/####

Revision Date:

As a condition of employment, the Town requires all employees to submit to a pre-employment drug test. Employee drug and alcohol test results will be kept confidential to the extent required by law. The Human Resources Office is the custodian of records related to drug and alcohol tests.

706 CORRECTION ACTION FOR VIOLATIONS OF DRUG AND ALCOHOL POLICY

Employees are subject to corrective action for any violation of the Town's drug and alcohol policies, up to and including termination. Corrective action may be based on the results of drug and alcohol tests conducted by the Town or by any federal, state, or local officials having independent authority to test the employee for drug and alcohol use.

Termination Mandatory

An employee will be terminated if any one of the following conditions is met:

- a) A drug or alcohol test required by this policy determines the employee engaged in the *Illicit Use of Drugs* or was *Impaired by Alcohol* or used any *Marijuana* or *Marijuana Product*, and the employee holds a job description that requires a CDL or a driver's license or is identified as Safety Sensitive;
- b) A drug or alcohol test required by this policy determines the employee engaged in the *Illicit Use of Drugs* or was *Impaired* while operating a Town vehicle or equipment or the employee's personal vehicle on Town business;
- c) When referred for drug and alcohol testing, the employee refuses to submit the required urine or breath specimen;
- d) The employee refuses to authorize the release of drug or alcohol testing results performed by a health care provider after an accident for which the employee may be at-fault, and testing is warranted under this policy; or
- e) The employee tampers with or attempts to tamper with a urine or breath specimen collected for testing.

SECTION 8: EMPLOYEE CONDUCT & DISCIPLINARY ACTION

801 EMPLOYEE CONDUCT AND WORK RULES

Effective Date: ##/##/####

Revision Date:

The Town expects all employees to conduct themselves pursuant to the highest professional, business, and ethical standards and will not tolerate misconduct. The Town, through its Board, management and supervisors, retains the right to take such disciplinary action as it deems appropriate in any given circumstance. Whether an employee's performance, conduct, or behavior warrants disciplinary action is within the Town discretion. The Town does not intend by these policies to create any expectation that any employee will be assured of any particular form of disciplinary action, such as warnings, notice, or any form of progressive discipline, prior to discharge. To ensure orderly operations and provide the best possible work environment, the Town expects employees to follow rules of conduct that will protect the interests and safety of all employees and the Town.

It is not possible to list all the forms of behavior that are considered unacceptable in the workplace. The following are examples of infractions of rules of conduct that may result in disciplinary action, up to and including termination of employment:

- a) Theft or inappropriate removal or possession of property
- b) Falsification of timekeeping records
- c) Working under the influence of alcohol or illegal drugs
- d) Possession, distribution, sale, transfer, or use of alcohol or illegal drugs in the workplace, while on duty, or while operating employer-owned vehicles or equipment
- e) Fighting or threatening violence in the workplace
- f) Boisterous or disruptive activity in the workplace
- g) Negligence or improper conduct leading to damage of employer-owned or customer-owned property
- h) Insubordination or other disrespectful conduct
- i) Violation of safety or health rules
- j) Smoking in prohibited areas
- k) Sexual or other unlawful or unwelcome harassment
- l) Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- m) Excessive absenteeism or any absence without notice
- n) Unauthorized absence from work station during the workday
- o) Unauthorized use of telephones, mail system, or other employer-owned equipment
- p) Unauthorized disclosure of confidential information
- q) Violation of personnel policies
- r) Unsatisfactory performance or conduct

Employment with the Town is at the mutual consent of the Town and the employee, and either party may terminate that relationship at any time, with or without cause, and with or without advance notice.

802 SEXUAL AND OTHER UNLAWFUL HARASSMENT

Effective Date: ##/##/####

Revision Date:

The Town is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, sexual orientation, or any other legally protected characteristic will not be tolerated. The Town provides ongoing sexual harassment training to ensure you the opportunity to work in an environment free of sexual and other unlawful harassment.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- a) Unwanted sexual advances.
- b) Offering employment benefits in exchange for sexual favors.
- c) Making or threatening reprisals after a negative response to sexual advances.
- d) Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.
- e) Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
- f) Verbal sexual advances or propositions.
- g) Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- h) Physical conduct that includes touching, assaulting, or impeding or blocking movements.

Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making employment decisions; or, (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

If you experience or witness sexual or other unlawful harassment in the workplace, report it immediately to your supervisor. If the supervisor is unavailable or you believe it would be inappropriate to contact that person, you should immediately contact the Human Resources Office or any other member of management. You can raise concerns and make reports without fear of reprisal or retaliation.

All allegations of sexual harassment will be quickly and discreetly investigated. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment must immediately advise the Human Resources Office or any member of management so it can be investigated in a timely and confidential manner. Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

803 ATTENDANCE AND PUNCTUALITY

Effective Date: ##/##/####

Revision Date:

To maintain a safe and productive work environment, the Town expects employees to be reliable and to be punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the Town. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.

804 PERSONAL APPEARANCE

Effective Date: ##/##/####

Revision Date:

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the business image the Town presents to customers and visitors.

During business hours or when representing the Town, you are expected to present a clean, neat, and tasteful appearance. You should dress and groom yourself according to the requirements of your position. This is particularly true if your job involves dealing with customers or visitors in person.

Your supervisor or department head is responsible for establishing a reasonable dress code appropriate to the job you perform. If your supervisor feels your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstance, you will not be compensated for the time away from work. Consult your supervisor if you have questions as to what constitutes appropriate appearance. Where necessary, reasonable accommodation may be made to a person with a disability.

Without unduly restricting individual tastes, the following personal appearance guidelines should be considered:

- a) Shoes must provide safe, secure footing, and offer protection against hazards as appropriate for your work environment.
- b) Shorts should not be worn in the office setting but are permissible dependent upon job function and safety guidelines.
- c) Mustaches and beards must be clean, well-trimmed, and neat.
- d) Offensive body odor and poor personal hygiene is not professionally acceptable.
- e) Jewelry should not be functionally restrictive, dangerous to job performance, or excessive.
- f) Facial jewelry, such as eyebrow, nose, lip, and tongue piercings, is not professionally appropriate and must not be worn during business hours.
- g) Visible offensive tattoos and similar body art must be covered during business hours.

805 DISCIPLINE

Effective Date: ##/##/####

Revision Date:

It is the responsibility of all employees to observe all the regulations, policies and procedures adopted to ensure the efficient, effective and safe operation of the Town. A violation of these regulations, policies and procedures will result in appropriate disciplinary action including the possible dismissal of employment.

Employees shall be informed of any performance problems and/or work rule violations subsequent to the incident. Employees will be given the opportunity to read and respond to any written disciplinary actions. An employee's signature on such records signifies only that the record has been received and examined by the employee.

The Town favors progressive disciplinary action; however, the level of discipline to be imposed for infractions shall be that which the Town, through its Town Manager, deems appropriate under the circumstances. Use of progressive discipline shall in no way limit or restrict the Town's employment at-will powers. Town management retains the right to determine in its discretion, that any of the following disciplinary actions is appropriate without using lower levels of discipline:

Oral Warning or Reprimand

The employee is orally counseled as to the unsatisfactory areas of work, and methods of improvement. A notation of the date and reason for reprimand may be made to the employee's personnel file.

Written Reprimand

The employee is issued a written reprimand which includes a statement of the problem and a notation to the effect that the problem was discussed with the employee. A copy of the reprimand may also place the employee back in an introductory period for a specified time.

Suspension with or without Pay

An employee is suspended from employment for any number of days which shall be accompanied by a written statement, signed by the employee and his or her supervisor, setting forth the fact of the suspension, the reason for the suspension and the duration of the suspension. Depending on the seriousness of the problem, the suspension can be without pay.

Disciplinary Demotion

The employee is placed into a position with a lower compensation rate for disciplinary reasons which must be reflected by a written statement placed in the demoted employee's personnel file stating that the demotion was for disciplinary purposes and setting forth the reason for the discipline.

Discharge

The employee is discharged from employment.

806 GRIEVANCES

The grievance procedure is available to any employee for the resolution of complaints, disputes, or concerns regarding the interpretation or application of Town policies regarding discipline. Any such dispute, complaint, or concern may be raised as a grievance pursuant to the grievance procedure. The grievance procedure shall not apply to disciplinary suspensions without pay, demotions or discharge decisions. The availability of the grievance procedure shall in no way limit or restrict the Town's employment at-will powers.

The grievance procedure is intended to provide a formal process for the resolution of grievances. It is not, however, intended to be a substitute for healthy and appropriate communication between employees and supervisors, nor is it intended that the grievance procedure be used to harass supervisors or interfere with the operations of the Town. Before the grievance procedure is started, employees should attempt to resolve disputes, complaints, and concerns with their immediate supervisors by discussing such matters informally.

The grievance procedure shall consist of the following steps:

Step 1

An employee may present a written complaint to his or her immediate supervisor setting forth the subject of the grievance, identifying the policy or policies at issue, and requesting consideration pursuant to this procedure. The employee and the supervisor shall confer on the matter and the supervisor shall respond to the complaint, orally or in writing, within two (2) working days. All supervisors shall immediately advise the Town Manager of the filing of any grievance.

Step 2

If the grievance is not resolved at Step 1, the employee may, within five (5) working days of the supervisor's response, request in writing that a meeting be held between the employee and the next higher level supervisor. Such request shall also specify the nature of the grievance and the policy or policies at issue. The employee and the next higher level supervisor shall meet as soon as is practicable thereafter and the next higher level supervisor shall respond to the grievance in writing within two (2) working days of that meeting, circumstances permitting.

Step 3

If the grievance is not resolved at Step 2, the employee may, within five (5) working days after receiving the Step 2 response, request in writing that a meeting be held between the employee and the Town Manager. The employee and the Town Manager shall meet as soon as is practicable and the Town Manager shall respond to the grievance within two (2) working days, circumstances permitting. The decision of the Town Manager shall be final.

Any grievance not pursued to the next step within the time specified shall be considered resolved. The time limits for taking any action under this policy may be extended by agreement. The failure of any Town supervisor to respond to a grievance within the time limits specified in the policy or agreed upon should be reported to the next higher level supervisor. An employee filing a grievance shall have the sole right to determine whether to pursue a grievance from one step to the next. An employee supervised by the Town Manager shall be able to utilize Step 1 of this grievance procedure only.

807 RETURN OF PROPERTY

Effective Date: ##/##/####

Revision Date:

Employees are responsible for all Town property, materials, or written information issued to them or in their possession or control.

Employees must return all Town property immediately upon request or upon termination of employment. Where permitted by applicable laws, The Town may withhold from the employee's check or final paycheck the cost of any items that are not returned when required. The Town may also take all action deemed appropriate to recover or protect its property.

808 POLITICAL ACTIVITIES

Town employees may participate in political or partisan activities of their choosing provided that Town resources and property are not utilized, and the activity does not adversely affect the responsibilities of the employees in their positions. Employees may not campaign on Town time or in a Town uniform or while representing the Town in any way. Employees may not allow others to use Town facilities or funds for political activities.

Any Town employee who meets with or may be observed by the public or otherwise represents the Town to the public, while performing his/her regular duties, may not wear or display any button, badge or sticker relevant to any candidate or ballot issue during working hours. Employees shall not solicit, on Town property or Town time, for a contribution for a partisan political cause.

Except as noted in this policy, Town employees are otherwise free to fully exercise their Constitutional First Amendment rights.



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**PAGOSA SPRINGS SANITATION GENERAL
IMPROVEMENT DISTRICT MEETING AGENDA
TUESDAY, DECEMBER 6, 2016
Town Hall Council Chambers
551 Hot Springs Blvd
5:00 P.M.**

- I. **CALL MEETING TO ORDER**
- II. **PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE**
- III. **PUBLIC COMMENT** – *Please sign in to make public comment*
- IV. **CONSENT AGENDA**
 1. **Approval of November 17, 2016 Meeting Minutes**
- V. **NEW BUSINESS**
 1. **Public Hearing on 2017 Budget**
 2. **Resolution 2016-04, Approve 2017 Budget, Set Mill Levies, Appropriate Funds**
- VI. **NEXT BOARD MEETING DECEMBER 22, 2016 AT 5:00PM**
- VII. **ADJOURNMENT**



AGENDA DOCUMENTATION

NEW BUSINESS:V.2

PAGOSA SPRINGS SANITATION BOARD

DECEMBER 6, 2016

FROM: GREGORY J SCHULTE, TOWN MANAGER

PROJECT: RESOLUTION 2016-04, ADOPTING 2017 BUDGET, SETTING MILL LEVY, AND APPROPRIATE FUNDS

ACTION: REVIEW, PUBLIC COMMENT AND POSSIBLE ACTION

PURPOSE/BACKGROUND

The Pagosa Springs Sanitation General Improvement District Fund (the District) reserves are estimated to be \$1,444,176 at the end of 2016. Based on the completion of the pipeline project and decommissioning of the lagoons, the District is budgeting to spend into reserves during 2017. The mill levies includes .9 mills for general operating expenses for a total revenue of \$33,580. The County Assessors assessed value is \$238,489 over the 2016 values.

The District made the first payment of \$163,000 to Pagosa Area Water and Sanitation District for the \$2.8 million dollar loan for pump station and force main 2. The GID agreed to amortize the debt over 20 years at an annual interest rate of 2.190%, the payment will be \$174,940 per year.

A final payment to CWRPA for the Hwy 160 capital bond was made this year. This reduces the mill levy by approximately 1.5 mills or \$55,000 per year for the District property owners.

ATTACHMENT(s):

2017 Proposed Budget
Resolution 2016-04
Assessed valuation and mill levies

RECOMMENDATION

It is the recommendation of the Town Manager that the Sanitation Board,

Approve Resolution 2016-04, approve and adopt the 2017 budget, set the mill levies for 2017, and appropriate funds for the 2017 budget

PAGOSA SPRINGS SANITATION GENERAL IMPROVEMENT DISTRICT ENTERPRISE

REVENUES

Account	Description	2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
TAXES AND ASSESSMENTS						
53-38-100	Monthly Collections	650,000	651,031	654,500	654,500	660,000
53-38-310	Property Tax	87,444	87,674	55,942	55,943	33,580
53-38-320	Special Ownership/MVL	6,500	8,207	7,500	7,500	7,500
	subtotal	743,944	746,913	717,942	717,943	701,080
CHARGES FOR SERVICES						
53-38-200	Plant Investment Fees	27,000	21,133	44,000	62,233	63,000
53-38-600	Misc. Interest	1,800	3,004	2,500	2,500	2,500
53-38-610	Misc. Receipts	50	2,322	50	4,045	300
53-38-900	Penalty	7,500	10,142	7,500	9,185	7,500
	subtotal	36,350	36,601	54,050	77,963	73,300
	Total for Taxes/Charges for Service	780,294	783,514	771,992	795,906	774,380
INTERGOVERNMENTAL/DEPARTMENT REVENUE						
53-38-500	DOLA Pipeline Grants	650,000	577,357	180,322	150,506	0
53-38-510	Small Communities Pipeline Grant	363,000	363,000	442,765	17,500	425,265
53-38-550	CWRPA Pipeline Loan	935,000	472,574	460,000	451,862	10,000
53-38-620	PAWSD Pipeline Loan Phase 2	0	357,358	0	124,342	0
	subtotal	1,948,000	1,770,290	1,083,087	744,210	435,265
	Total Annual Revenue	2,728,294	2,553,804	1,855,079	1,540,116	1,209,645
	Prior Year End Cash Reserve	1,380,533	1,945,563	1,159,808	882,251	1,444,176
	Total Revenues	4,108,827	4,499,367	3,014,887	2,422,367	2,653,821

PAGOSA SPRINGS SANITATION GENERAL IMPROVEMENT DISTRICT ENTERPRISE

EXPENDITURES

Account	Description	2015 Budget	2015 Actual	2016 Budget	2016 Estimate	2017 Budget
PERSONNEL						
53-40-110	Collection System Supervisor	49,325	49,433	50,695	50,695	51,291
53-40-111	Training/Travel	2,500	727	2,500	837	1,000
53-40-131	FICA	3,773	3,473	3,878	3,878	3,924
53-40-132	Health Insurance	15,164	14,089	15,593	15,875	16,038
53-40-134	Pension	2,466	2,466	2,535	2,535	2,565
53-40-204	Employee Merit Increase Fund	987	493	1,014	507	1,026
	Subtotal	74,216	70,681	76,215	74,327	75,843
CONTRACTUAL						
53-40-221	Bookkeeping	25,000	25,000	25,000	25,000	25,000
53-40-224	Audit	3,500	3,750	4,000	4,500	3,000
53-40-226	Attorney/Legal	5,000	9,366	5,000	45,000	5,000
53-40-228	Contractual Maint/Repair Services	50,000	41,189	50,000	34,300	40,000
53-40-438	Engineering	1,000	1,000	1,000	500	500
53-40-227	Sub-Contracted Licensed Operations	1,000	0	1,000	4,000	6,500
53-40-460	Project Bonding and Insurance	17,500	17,500	17,500	17,500	17,500
53-40-300	PAWSD Sewage Treatment	70,000	0	204,360	65,000	143,536
53-40-230	Utility Billing and Hosting	9,750	9,611	9,750	9,750	9,750
	Subtotal	182,750	107,415	317,610	205,550	250,786
COMMODITIES						
53-40-202	Office Supplies	250	293	250	150	250
53-40-220	Vehicle/Equipment Maintenance & Fuel	24,000	12,408	5,000	1,000	5,000
53-40-222	CDPHE State Permits	1,325	0	1,325	1,305	0
53-40-219	County Treasurer Abatement Fees	0	172	0	5	0
53-40-223	County Treasurer Fees	1,820	1,709	1,903	1,678	1,007
53-40-281	Technology	2,600	2,289	3,500	100	350
53-40-404	Telephone	650	422	2,150	2,150	2,150
53-40-402	Postage	5,500	2,964	5,500	3,000	3,500
53-40-403	PAWSD Sewer Treatment Costs	60,850	0	0	0	0
53-40-408	Maintenance Lift Stations	6,000	1,204	20,000	4,800	2,000
53-40-409	Maintenance Collections System	10,000	17,176	15,500	14,400	20,000
53-40-410	Maintenance Treatment System	13,100	18,213	2,000	2,000	0
53-40-434	Utilities, Electricity	64,800	37,573	78,000	79,000	78,000
53-40-436	Uniforms	800	922	1,000	800	1,000
53-40-439	Laboratory Analysis	1,500	3,593	1,200	1,484	0
	Subtotal	193,195	98,937	137,328	111,872	113,257
CAPITAL IMPROVEMENTS						
53-40-450	Capital Improvement Loan	50,470	50,467	50,467	50,468	0
53-40-451	SCADA / Storage Facility (Small Comm Gr)	0	0	632,521	25,000	607,521
	Subtotal	50,470	50,467	682,988	75,468	607,521
TREATMENT PLANT UPGRADE						
53-40-490	CWRPA Direct Loan Repayment (\$2 mil)	9,215	9,215	112,717	112,717	112,717
53-40-497	PAWSD Pipeline Loan	155,966	0	163,055	163,056	174,940
53-40-500	Sewer Pipeline	3,009,948	2,634,894	350,000	235,200	0
	Subtotal	3,175,129	2,644,109	625,772	510,973	287,657
	TOTAL EXPENDITURES	3,675,759	2,971,609	1,839,914	978,190	1,335,065

a 160 annually with average rate \$40 per hour from PAWSD

b based on updated anticipated flows and cost for 1000 gallon increase (MTR = \$1.21 x 325,000 gal/day)

c first aid kits, fire extinguisher, CDOT certification

d rehab of old blower building, shelves, etc. excavation and cell #3 liner removal

e clean, televise, point repair



**PAGOSA SPRINGS SANITATION GENERAL IMPROVEMENT DISTRICT
PAGOSA SPRINGS, COLORADO**

PSSGID RESOLUTION NO. 2016-04

RESOLUTION TO ADOPT 2017 BUDGET

WHEREAS, the Town Council, acting as the ex officio Board of Directors for the Pagosa Springs Sanitation General Improvement District (Sanitation GID Board), has appointed a budget committee to prepare and submit a proposed 2017 budget to the Sanitation District at the proper time; and

WHEREAS, such budget committee has submitted the proposed budget to the Sanitation GID Board on or before October 15, 2016 for its consideration; and

WHEREAS, upon due and proper notice, published in accordance with law, the budget was open for inspection by the public at a designated place, and a public hearing was held on December 6, 2016, and interested electors were given the opportunity to file or register any objections to the budget; and

WHEREAS, the budget has been prepared to comply with all terms, limitations and exemptions, including, but not limited to, enterprise, reserve transfer and expenditure exemptions, under Article X, Section 20 of the Colorado Constitution ("TABOR") and other laws or obligations which are applicable to or binding upon the District; and

WHEREAS, whatever decreases may have been made in the revenues, like decreases were made to the expenditures so that the budget remains in balance, as required by law.

NOW, THEREFORE, BE IT RESOLVED by the District Board of the Pagosa Springs Sanitation General Improvement District:

1. That estimated expenditures for the Sanitation GID Fund is:

Sanitation Fund:	\$ 1,335,065
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2. That estimated revenues are as follows:

Sanitation Fund:

From unappropriated surpluses	\$1,444,176
From sources other than general property tax	\$1,176,065
From general property tax	\$33,580
Total	\$2,653,821

3. That the budget, as submitted, amended and herein summarized by fund, be, and the same hereby is, approved and adopted as the budget of the District for the 2017 fiscal year.

4. That the budget, as hereby approved and adopted, shall be certified by the Town Clerk, as Acting Secretary to the Sanitation GID, to all appropriate agencies and is made a part of the public records of the Sanitation District.

TO SET MILL LEVIES

WHEREAS, the Town of Pagosa Springs (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Town’s home rule charter; and

WHEREAS, the Town of Pagosa Springs Sanitation General Improvement District (“Sanitation GID”) was organized to provide sanitary sewer service; and

WHEREAS, on behalf of the Sanitation GID, the Town Council, acting as the ex officio Board of Directors, has the power to manage, control and supervise all the business and affairs of the Sanitation GID, and pursuant to Sections 31-25-612 and 31-25-613, C.R.S., to levy and collect ad valorem taxes on taxable property within the Sanitation GID; and

WHEREAS, the amount of money from property taxes necessary to balance the budget for general operating expenses is \$33,580; and

WHEREAS, the 2016 valuation for assessment of the Town, as certified by the County Assessor, is \$37,310,828.

NOW, THEREFORE, BE IT RESOLVED by the Town Council, acting as the ex officio Board of Directors for the Sanitation GID:

1. That for the purpose of meeting all general operating expenses of the Sanitation GID during the 2017 budget year, there is hereby levied a property tax of .9 mills, upon each dollar of the total valuation for assessment of all taxable property within the Sanitation GID to raise \$33,580

2. That the Town Clerk, as Acting Secretary to the Sanitation GID Board, is hereby authorized and directed to immediately certify to the County Commissioners of



Pagosa Springs Sanitation General Improvement District
P.O. Box 1859
Pagosa Springs, CO 81147
Phone 970.264.4151
Fax 970.264.4634

ASSESSED VALUATION AND MILL LEVIES

YEAR	2015	2016	2017
ASSESSED VALUATION	35,274,195	37,072,339	37,310,828
MILL LEVY	2.479 Mills	1.509 Mills	.9 Mills
TOTAL REVENUES	\$87,444	\$55,942	\$33,580

I, Donald Volger, the duly qualified President, in and for the Pagosa Springs Sanitation General Improvement District, do hereby certify that the above and foregoing is a true, complete and accurate copy of the adopted budget for the year 2017, regularly introduced, read and adopted at the Regular Meeting of the Board of Directors of said District, held therein on the 6th day of December 2016 A.D.

ATTEST:

BY:

April Hessman, Secretary

Donald Volger, President
Pagosa Springs Sanitation General
Improvement District

CERTIFICATION OF TAX LEVIES for NON-SCHOOL Governments

TO: County Commissioners¹ of Archuleta County, Colorado.

On behalf of the Pagosa Springs Sanitation General Improvement District,
(taxing entity)^A

the Board of Directors
(governing body)^B

of the Town of Pagosa Springs
(local government)^C

Hereby officially certifies the following mills to be levied against the taxing entity's GROSS \$ 37,310,828 assessed valuation of: (GROSS^D assessed valuation, Line 2 of the Certification of Valuation Form DLG 57^E)

Note: If the assessor certified a NET assessed valuation (AV) different than the GROSS AV due to a Tax Increment Financing (TIF) Area^F the tax levies must be calculated using the NET AV. The taxing entity's total property tax revenue will be derived from the mill levy multiplied against the NET assessed valuation of: \$ _____ (NET^G assessed valuation, Line 4 of the Certification of Valuation Form DLG 57)

Submitted: 12/06/2016 for budget/fiscal year 2017.
(not later than Dec. 15) (mm/dd/yyyy) (yyyy)

PURPOSE (see end notes for definitions and examples)	LEVY ²	REVENUE ²
1. General Operating Expenses ^H	.9 mills	\$ 33,580
2. <Minus> Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction ^I	< > mills	\$ < >
SUBTOTAL FOR GENERAL OPERATING:	.9 mills	\$ 33,580
3. General Obligation Bonds and Interest ^J	_____ mills	\$ _____
4. Contractual Obligations ^K	_____ mills	\$ _____
5. Capital Expenditures ^L	_____ mills	\$ _____
6. Refunds/Abatements ^M	_____ mills	\$ _____
7. Other ^N (specify): _____	_____ mills	\$ _____
	_____ mills	\$ _____
TOTAL: [Sum of General Operating Subtotal and Lines 3 to 7]	.9 mills	\$ 33,580

Contact person: April Hessman Daytime phone: (970) 264-4151 ext 237
(print)

Signed: _____ Title: Secretary

Include one copy of this tax entity's completed form when filing the local government's budget by January 31st, per 29-1-113 C.R.S., with the Division of Local Government (DLG), Room 521, 1313 Sherman Street, Denver, CO 80203. Questions? Call DLG at (303) 866-2156.

¹ If the taxing entity's boundaries include more than one county, you must certify the levies to each county. Use a separate form for each county and certify the same levies uniformly to each county per Article X, Section 3 of the Colorado Constitution.
² Levies must be rounded to three decimal places and revenue must be calculated from the total NET assessed valuation (Line 4 of Form DLG57 on the County Assessor's final certification of valuation).

CERTIFICATION OF TAX LEVIES, continued

THIS SECTION APPLIES TO TITLE 32, ARTICLE 1 SPECIAL DISTRICTS THAT LEVY TAXES FOR PAYMENT OF GENERAL OBLIGATION DEBT (32-1-1603 C.R.S.). Taxing entities that are

Special Districts or Subdistricts of Special Districts must certify separate mill levies and revenues to the Board of County Commissioners, one each for the funding requirements of each debt (32-1-1603, C.R.S.) Use additional pages as necessary. The Special District's or Subdistrict's total levies for general obligation bonds and total levies for contractual obligations should be recorded on Page 1, Lines 3 and 4 respectively.

CERTIFY A SEPARATE MILL LEVY FOR EACH BOND OR CONTRACT:

BONDS^J:

1. Purpose of Issue: _____
Series: _____
Date of Issue: _____
Coupon Rate: _____
Maturity Date: _____
Levy: _____
Revenue: _____

2. Purpose of Issue: _____
Series: _____
Date of Issue: _____
Coupon Rate: _____
Maturity Date: _____
Levy: _____
Revenue: _____

CONTRACTS^K:

3. Purpose of Contract: _____
Title: _____
Date: _____
Principal Amount: _____
Maturity Date: _____
Levy: _____
Revenue: _____

4. Purpose of Contract: _____
Title: _____
Date: _____
Principal Amount: _____
Maturity Date: _____
Levy: _____
Revenue: _____

Use multiple copies of this page as necessary to separately report all bond and contractual obligations per 32-1-1603, C.R.S.

AMENDED CERTIFICATION OF VALUES
TOWN OF PAGOSA SPRINGS GEN IMP DIST

Name of Jurisdiction:

New District:

USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATIONS (5.5% LIMIT) ONLY

In accordance with 39-5-121(2)(a) and 39-5-128(1), C.R.S. The total Assessed Valuations for taxable year	2016
In Archuleta County, CO	On 11/14/2016 Are:
Previous Year's Net Total Assessed Valuation:	\$37,072,339
Current Year's Gross Total Assessed Valuation:	\$37,310,828
(-) Less TIF district increment, if any:	\$0
Current Year's Net Total Assessed Valuation:	\$37,310,828
New Construction*:	\$285,040
Increased Production of Producing Mines**:	\$0
ANNEXATIONS/INCLUSIONS:	\$0
Previously Exempt Federal Property**:	\$0
New Primary Oil or Gas production from any Oil and Gas leasehold or land (29-1-301(1)(b) C.R.S.)***:	\$0
Taxes collected last year on omitted property as of August 1 (29-1-301(1)(a) C.R.S.) Includes all revenue collected on valuation not previously certified.	\$146.62
Taxes Abated or Refunded as of August 1 (39-10-114(1)(a)(I)(B) C.R.S.):	\$14.90

This value reflects personal property exemptions IF enacted by the jurisdiction as authorized by Art. X, Sec. 20(8)(b), Colo. Constitution
 * New Construction is defined as: Taxable real property structures and the personal property connected with the structure.
 ** Jurisdiction must submit a certification to the Division of Local Government in order for a value to be accrued (DLG52 & 52A)
 *** Jurisdiction must submit an application to the Division of Local Government in order for a value to be accrued. (DLG 52B)

USE FOR 'TABOR' LOCAL GROWTH CALCULATIONS ONLY

In accordance with the Art. X, Sec. 20, Colorado Constitution and 39-5-121(2)(b), C.R.S. The Actual Valuations for the taxable year	2016
In Archuleta County, CO	On 11/14/2016 Are:
Current Year's Total Actual Value of All Real Property*:	\$218,841,942
ADDITIONS TO TAXABLE REAL PROPERTY:	
Construction of taxable real property improvements**:	\$3,566,042
ANNEXATIONS/INCLUSIONS:	\$0
Increased Mining Production***:	\$0
Previously exempt property:	\$0
Oil or Gas production from a new well:	\$0
Taxable real property omitted from the previous year's tax warrant. (Only the most current year value can be reported):	\$0
DELETIONS FROM TAXABLE REAL PROPERTY IMPROVEMENTS:	(\$64,160)
Destruction of taxable property improvements.	
Disconnections/Exclusions:	\$0
Previously Taxable Property:	\$18,340

* This includes the actual value of all taxable real property plus the actual value of religious, private schools, and charitable real property.
 ** Construction is defined as newly constructed taxable real property structures.
 *** Includes production from a new mine and increase in production of a producing mine.

NOTE: All levies must be certified to the Board of County Commissioners no later than December 15, 2016