

ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS

Timothy V. Corrigan
District I

Timothy Redmond
District II

M. Elizabeth Melton
District III

Work Session

June 27, 2022

Times listed on the agenda are approximations and may be longer or shorter, or being earlier than scheduled, with no notice. Agendas are subject to change 24 hours before the meeting start time. To ensure you have the most up-to-date information, please check the agenda after 24 hours of its start time.

If you are joining the meeting for a specific item, please join 10 minutes before the item to ensure you are present for the beginning of the item.

All regular meetings are open to the public unless otherwise noted. All meetings will be held in the Routt County Historic Courthouse - 522 Lincoln Avenue, Hearing Room, Steamboat Springs - or otherwise noted.

Join the meeting via our [Zoom Link](#) .

To join by telephone dial 1-346-248-7799

Webinar ID: 851 5180 1592 Password: 44052

1. 9:30 A.M. COUNTY MANAGER/ LEGAL/ COMMISSIONERS' COMMITTEES UPDATE

Jay Harrington, County Manager
Erick Knaus, County Attorney

2. 11:00 A.M. HUMAN RESOURCES

Kathy Nelson, Director

A. PAID FAMILY AND MEDICAL LEAVE AMENDMENT DISCUSSION

Documents:

[BCC AGENDA FORM - DISCUSSION PFML AMMENDMENT
06.21.2022.PDF](#)
[PFML POLICY - DEFINITION OF PAY AMENDMENT FINAL
06.21.2022DOCX.PDF](#)

3. 11:15 A.M. HUMAN SERVICES

Kelly Keith, Human Services Director

A. CW & AP AFTERHOURS DUTIES AND COMPENSATION

Discussion regarding Child Welfare and Adult Protection Afterhour Duties and Compensation Policy.

Documents:

[CHILD WELFARE ADULT PROTECTION ON-CALL POLICY - 6-21-2022.PDF](#)
[BCC AGENDA COMMUNICATION FORM AFTERHOURS.PDF](#)

4. **11:30 A.M. LUNCH BREAK**
5. **1:00 P.M. ENVIRONMENTAL HEALTH**
Scott Cowman, Director

A. ENVIRONMENTAL HEALTH & CLIMATE ACTION UPDATES

Documents:

[BCC MONTHLYUPDATE JUNE 2022.PDF](#)

6. **2:00 P.M. MEETING ADJOURNED**

All programs, services and activities of Routt County are operated in compliance with the Americans with Disabilities Act. If you need a special accommodation as a result of a disability, please call the Commissioners Office at (970) 879-0108 to assure that we can meet your needs. Please notify us of your request as soon as possible prior to the scheduled event. Routt County uses the Relay Colorado service. Dial 711 or TDD (970) 870-5444.

ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS

AGENDA COMMUNICATION FORM

ITEM DATE: June 27, 2022	ITEM TIME:

FROM:	Stephanie Pearce, Human Resources Generalist
TODAY'S DATE:	June 27, 2022
AGENDA TITLE:	Paid Family and Medical Leave (PFML) Policy Amendment Discussion

CHECK ONE THAT APPLIES TO YOUR ITEM:	
<input type="checkbox"/> ACTION ITEM	
<input checked="" type="checkbox"/> DIRECTION	
<input checked="" type="checkbox"/> INFORMATION	

I. DESCRIBE THE REQUEST OR ISSUE:
Amendment to the PFML Policy Discussion

II. RECOMMENDED ACTION:
Recommend discussion and direction on the Amendments to the PFML Policy

III. DESCRIBE FISCAL IMPACTS (VARIATION TO BUDGET):
PROPOSED REVENUE: None Known.
PROPOSED EXPENDITURE: Unknown. Policy allows for up to 12 weeks of paid family and medical leave to eligible employees within a rolling 12 month period to be paid at 90% of their base hourly wage.
FUNDING SOURCE: Individual departments.

IV. IMPACTS OF A REGIONAL NATURE OR ON OTHER JURISDICTIONS (IDENTIFY ANY COMMUNICATIONS ON THIS ITEM):

V. BACKGROUND INFORMATION:
<p>On May 31, 2022, Routt County Commissioners voted to implement a Paid Family and Medical Leave program for eligible staff. The PFML policy will be effective July 1, 2022 and compensate eligible staff with PFML at 90% of their hourly wage.</p> <p>The proposed amendment includes language to clarify the methodology that will be used to calculate an employee's "average" pay and hourly rate equivalent. It also clarifies the Measuring Period in which the employee is eligible for this benefit by adding the phrase "also known as a rolling twelve month period." The Attorneys have reviewed this amendment to the policy and their edits are included in the document before you today.</p>

VI. LEGAL ISSUES:
None known.

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AGENDA COMMUNICATION FORM

VII. CONFLICTS OR ENVIRONMENTAL ISSUES:

None known.

VIII. SUMMARY AND OTHER OPTIONS:

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PAID FAMILY AND MEDICAL LEAVE POLICY

It is the policy of Routt County to grant up to twelve (12) weeks of paid family and medical leave during the twelve month measuring period (as further defined below) to eligible employees (PFML). PFML provides the paid leave at 90% of the employee's pay (as further defined below).

Eligibility

Employees are eligible for PFML if they meet the following eligibility requirements:

- Have been employed with Routt County for at least four (4) months; and
- Are a Full-Time or Part-Time Employee (temporary and seasonal employees are not eligible for this benefit).

Additional information on eligibility:

- If both spouses are employed by the County and are eligible for PFML benefits, they will each be separately eligible for the full twelve (12) weeks;
- If required, employees may take PFML intermittently, which means taking leave in separate blocks of time, or on a reduced schedule basis by reducing the employee's normal weekly or daily work schedule;
- All hours must be tracked in ESS and coded as PFML.

Types of Leave Covered

In order to qualify as PFML leave, the employee must be taking the leave for one of the reasons listed below:

- The serious health condition of the employee which makes the employee unable to perform the functions of the employee's position;
- Care for a Family Member of the employee with a serious health condition;
- Bond with the employee's child under the age of 18 during the first 3 months following the child's birth, adoption or foster care placement ("Parental Leave");
- Attend to a Qualifying Exigency, as defined under C.R.S. § 8-13.3-503.
- Has a need for Safe Leave as defined under C.R.S. § 8-13.3-503.

An employee is not entitled to PFML benefits for:

- Absences caused by the employee's willful intent to bring about injury to or sickness to the employee or another;
- Absences resulting from an injury or sickness sustained in the employee's perpetration of an illegal act;
- Any family or medical leave beginning before the employee is eligible for such benefits;
- A period during which the employee is on suspension from employment;
- Any period of time during which the employee is receiving workers compensation benefits; or
- Any period of time during which the employee works for pay or profit.

Waiting Period

When taking PFML for reasons other than Parental Leave, Safe Leave, or a Qualifying Exigency, payment of wage replacement benefits is subject to a waiting period of 14 calendar days. Employees may use accrued Sick Leave, Vacation Leave, Compensatory Time, or Personal Leave during the waiting period.

PAID FAMILY AND MEDICAL LEAVE POLICY

Definition of Family Member

For the purpose of PFML, Family Member means:

1. Regardless of age, a biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, a child to whom the employee stands in loco parentis, or a person to whom the employee stood in loco parentis when the person was a minor;
2. A biological, adoptive or foster parent, stepparent or legal guardian of an employee or an employee's spouse or domestic partner or person who stood in loco parentis when the employee or employee's spouse or domestic partner was a minor child;
3. A person to whom the covered individual is legally married under the laws of any state, or a domestic partner of an employee as defined in C.R.S. § 24-50-603(6.5);
4. A grandparent, grandchild or sibling (whether a biological, foster, adoptive or step relationship) of the employee or employee's spouse or domestic partner; or
5. As shown by the employee, any other individual with whom the employee has a significant personal bond that is or is like a family relationship, regardless of biological or legal relationship.

Requesting Leave

- The employee must provide their supervisor 30 days' notice of the requested leave (or as much notice as practicable if the leave is not foreseeable) and submit the required leave request forms to the Human Resources department for approval.
- If the employee is unable to provide notice personally, written notice may be given by another responsible party.
- Failure to provide timely notice may result in the denial of PFML. If the dates of a scheduled PFML change or are extended, it is up to the employee to update their supervisor and Human Resources as soon as possible to ensure continuation and approval of the leave.
- Employees must make a reasonable effort to schedule treatment in a manner that does not unduly disrupt the Company's operations, subject to the approval of the employee or Family Member's health care provider.
- All requests are subject to certification in the same manner as under the Family and Medical Leave Act (FMLA) and the County's FMLA policy.
- Whenever an employee who may be qualified for PFML is absent from work for a period of more than seven consecutive days, the County will provide the employee with a written statement of the employee's rights. The notice will be provided to the employee within five business days after the employee's seventh consecutive day of absence or after the County has received notice that the employee's absence is for PFML eligible reasons, whichever is later.

Conditions for Taking Paid Family and Medical Leave

- Leave will be paid at 90% of the employee's hourly rate, or hourly rate equivalent if an exempt employee. The PFML hourly rate shall not include overtime, on-call time, or other similar compensation. The hourly rate shall be determined on the first day that PFML leave is taken. An employee normally scheduled to work less than forty hours per week shall be allowed PFML hours

PAID FAMILY AND MEDICAL LEAVE POLICY

calculated on a pro-rata basis. The hourly rate will be adjusted for any step increase the employee is eligible for during the time PFML leave is taken. The employee may not use accrued time to make up for the additional 10% of wages. Either the employee is using Sick Leave (or other accrued leave) or is using PFML on any given day and cannot use both in the same day.

- Measuring Period. An eligible employee can take up to twelve weeks of leave under this policy during the applicable twelve month measuring period. The measuring period shall be the twelve month period ending with the day for which leave is requested or taken also known as a rolling twelve month period.
- When applicable, PFML will run concurrently with FMLA and the Colorado Family Care Act.
- PFML is in addition to any Sick Leave.
- After the PFML is exhausted, the balance of FMLA leave, if applicable, will be compensated through the employees' accrued Vacation Leave, Sick Leave, Compensatory Time, and Personal Leave. Upon exhaustion of accrued leave, any remaining leave will be unpaid. Please refer to the Family and Medical Leave Policy for further guidance on the FMLA.

Conditions Specific to PFML taken for Parental Leave

Employees must take paid Parental Leave in one continuous period of leave and must use all paid Parental Leave during the 12-week time frame following the birth, adoption, or placement unless given written permission by the County Manager to take it intermittently.

Eligible employees will receive a maximum of 12 weeks of paid Parental Leave per birth, adoption, or placement of a child/children. The fact that a multiple birth, adoption, or placement occurs (e.g., the birth of twins or adoption of siblings) does not increase the 12-week total amount of paid Parental Leave granted for that event. In addition, in no case will an employee receive more than 12 weeks of paid Parental Leave in a rolling 12-month period, regardless of whether more than one birth, adoption, or foster care placement event occurs within that 12-month period.

Employee Benefits While on Leave

- While an employee is on PFML, the County will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work. The employee must continue to pay their portion and this will continue through a payroll deduction.
If the employee contributes to a County sponsored retirement plan or cafeteria plan, the County will continue making payroll deductions and contributions while the employee is on paid leave pursuant to any applicable plan documents.
- During PFML, the employee will continue to accrue vacation and sick leave.
- An employee who takes PFML that does not qualify for FMLA leave will be afforded the same level of job protection for the period of time that the employee is on PFML as if the employee was on FMLA qualifying leave.
- If a County holiday occurs while the employee is on PFML, such day will be charged to holiday pay; however, such holiday pay will not extend the total PFML entitlement.
- PFML will be paid on regularly scheduled pay days.

PAID FAMILY AND MEDICAL LEAVE POLICY

- Upon termination of the employee's employment they will not be paid for any unused PFML for which they may have been eligible.
- Employees are reminded that the County has a long term disability plan if their needs exceed the benefits offered by this policy.

Child Welfare & Adult Protection On-call Duties and Compensation Policy

TITLE Child Welfare & Adult Protection On-call Duties and Compensation	Date of First Approval DRAFT
RESPONSIBLE DEPARTMENT Routt County Department of Human Services	Date Last Revised DRAFT

Policy Statement:

The Department's Child Welfare & Adult Protection On-call Duties and Compensation Policy has been developed to set expectations of duties and outline compensation. The duties align with Colorado Children's Code and Adult Protection requirements. The compensation was developed with consideration of statewide market data.

On-call Duties and Expectations:

- All certified child and adult protection workers are required to participate in the on-call rotation. The on-call worker is required to provide emergency child and adult protection services during non-office hours (after 5 p.m. weekdays and 24 hours a day on holidays and weekends) in addition to assignments (e.g., immediate calls that are made after 4 p.m. during workdays that require a response).
- After-hours calls/reports may be received by the child welfare hotline call center or local dispatch and then referred to the on-call worker for review and response evaluation. Per rule, response evaluation must occur and be completed by two certified case managers. Typically, this will involve the on-call case manager consulting with the supervisor. The consultation must be documented in the statewide automated information system.
- The on-call worker must respond by phone to any calls within 15 minutes of receiving the call.
- The on-call worker must respond in person if needed within an hour of receiving the call (depending on location and weather conditions at the time of the call). The on-call worker must remain in this response range throughout the period of being on-call.
- Many on-call situations can be handled over the phone, and workers are encouraged to handle calls over the phone when appropriate to do so. If law enforcement requests an in-person response, that request is respected when feasible and when the call meets the criteria for intervention per state guidelines. All in-person responses must be approved by a supervisor.

- The on-call schedule will be completed at least a month in advance and on a monthly schedule so as to allow time for staff to plan. The trading of on-call duty can be done between staff, but at no time can there be a gap in on-call coverage. It will be the staff's responsibility initially scheduled to ensure coverage during any given time. If a change has been made after a schedule has been given out, you must notify the supervisor and dispatch of the change.
- The on-call worker shall abstain from using any alcoholic beverages and/or illegal/controlled substances and/or marijuana while they are on-call. Excluded are prescribed and over-the-counter drugs when used in the manner, combination, and quantity intended unless job performance could be affected. Any staff scheduled to work on-call who must use an over-the-counter or prescription drug that may affect their ability to perform their work safely must provide their supervisor with advance notice of this to allow time for the scheduling of another on-call worker to cover the shift.
- The County reserves the right to validate the availability of an on-call worker. If the on-call worker cannot be contacted or is unavailable, the worker will not receive on-call pay. Disciplinary action may also be taken up to and including termination.

On-call Compensation:

Starting **March XX, 2022** on-call compensation shall be as follows:

- Weeknights (M-F).....\$75.00 per night
- Weekend (Sa-Sun).....\$100.00 per day
- Holiday.....\$200.00 per day

If an in-person response is required and approved by a supervisor, the response compensation will be based on the amount of time spent responding, including travel time, and shall be as follows:

- 0 to 4 hours.....\$100 per response
- 4+ hours.....\$25/per hour

When onboarding a newly certified caseworker, the Child Welfare & Adult Protection supervisor shall be compensated for after-hours as follows:

- First three rotations.....Full on-call compensation
- Next three rotations.....\$150 per week

. The goal is that each worker has one on-call rotation each month. In general, the on-call rotation is a fixed week from Wednesday at 5:00 p.m. through the following Wednesday at 8:00 a.m. On-call status begins after completing the regular workday and continues until the start of the next workday.

If a County observed holiday falls during the staff's on-call duties, they will receive the flat holiday rate of \$200 per day and can bank the Holiday Leave to be used at another date or can elect to be paid for the holiday as outlined in Section 8: Holidays and Leave of the employee handbook. This Holiday Leave must be used within the calendar year and cannot roll into a new year. If an in-person response is required, the on-call staff is not eligible for time and a half as an exempt status employee. The in-person response rate will be the regular flat rate.



ROUTT COUNTY BOARD OF COUNTY COMMISSIONERS
AGENDA COMMUNICATION FORM

ITEM DATE: 6/27/2022	ITEM TIME: 11:15 AM

FROM:	Julie Hulslander DHS
TODAY'S DATE:	6/21/2022
AGENDA TITLE:	Child Welfare & Adult Protection Afterhours Duties and Compensation

CHECK ONE THAT APPLIES TO YOUR ITEM:
<input type="checkbox"/> ACTION ITEM
<input type="checkbox"/> DIRECTION
<input checked="" type="checkbox"/> INFORMATION

I. DESCRIBE THE REQUEST OR ISSUE:

The Department's Child Welfare & Adult Protection Afterhours Duties and Compensation Policy has been developed to set expectations of duties and outline compensation. The duties align with Colorado Children's Code and Adult Protection requirements. The compensation was developed with consideration of statewide market data.

There is not currently a policy for these duties, and the compensation for this work was evaluated to ensure adequacy.

II. RECOMMENDED ACTION (*motion*):

Motion to approve the Child Welfare & Adult Protection Afterhours Duties and Compensation Policy on Tuesday, June 28th.

III. DESCRIBE FISCAL IMPACTS (VARIATION TO BUDGET):

PROPOSED REVENUE (*if applicable*): \$0
CURRENT BUDGETED AMOUNT: \$
PROPOSED EXPENDITURE: \$
FUNDING SOURCE: State Allocation 80/20
SUPPLEMENTAL BUDGET NEEDED: YES NO

*Current Budget: \$16,520
 Child Welfare Allocation: Child Welfare is a 80/20 split. The 20% cost to the county is \$3,304 yearly. This request is to increase the overall afterhours budget to \$25,448. This would be another \$9,612, which comes out of the CW block (State funded). The 20% cost to the county is an additional \$1,932.*

IV. IMPACTS OF A REGIONAL NATURE OR ON OTHER JURISDICTIONS (IDENTIFY ANY COMMUNICATIONS ON THIS ITEM):

No regional impact



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V. BACKGROUND INFORMATION:

Current Structure:

- We pay \$3/hr. (\$369/wk.), no additional pay for a response, no increase in pay for weekends. An increase to \$6/hr. for holidays.
- The supervisor takes a week of on-call with pay. When Child Welfare is fully staffed with a four-person team, each employee in Child Welfare has one week per month.
- The supervisor provides support to caseworkers with no additional compensation 24/7 and 365 unless annual leave coverage is requested and approved.

Reasoning:

- On-call for Child Welfare is a challenging part of the job. An increase in compensation could increase staff retention. The request is in alignment with other Child Welfare pay structures in Colorado.
- Routt County doesn't have a large on-call workload. Being a small rural county, you can go a week without the phone ringing, and others will ring frequently. However, being married to your phone for one week is stressful, especially since cell service is limited, requiring caseworkers to stay put.

VI. LEGAL ISSUES:

None

VII. CONFLICTS OR ENVIRONMENTAL ISSUES:

No conflicts

VIII. SUMMARY AND OTHER OPTIONS:

No other information to provide.

Updates & Background for Request for a Letter of Support:

June 27, 2022

1. Milner/Pburg project status
 - a. Engineering Report in process (36% complete as of end of May)
 - i. Site Application/Preliminary Engineering Report/Capital Improvement Plan/Project Needs Assessment
 1. Site Applications (fees and state review)
 - a. Milner Survey (determination of site application fee)
 - b. Solar study ongoing
 - c. Application for general discharge permits (100:1 dilution)
 - i. Waiting on CDPHE Permitting Unit to issue the General Discharge Permits for the system
 - d. Grants and loans
 - i. SRF Prequalification forms and prequalification meetings (6/28)
 1. Rate Study and Disadvantaged Community determination
 - e. Denali PO in place to measure sludge (help determine remediation costs)
2. Pburg Augmentation Plan
 - a. Cost estimate from LRE - \$20K
 - b. Funding assistance (grant) from Colorado River District (approximately 50% or \$8K to \$10K)
 - c. Matching funds – ARPA/General Fund or Pburg reserves
 - d. BCC support letter (consent agenda item for 6/28)**
3. New limitations for nutrients (phosphorus and nitrogen)
 - a. Rulemaking in fall of 2022
 - b. Implications for Yampa, Pburg, and Morrison Ck.
 - c. Water quality credit trading
 - i. Water quality trading is an innovative program that allows facilities that discharge wastewater to a stream or river to meet regulatory obligations by:
 1. Purchasing equivalent or larger pollution reductions from another source; or
 2. Taking action to protect or restore riparian areas, wetlands, floodplains, and aquatic habitat to reduce the impact of pollutants.
 - ii. Trading is based on the fact that sources in a watershed can face very different costs to control the same pollutant. Trading programs allow facilities facing higher pollution control costs to meet their regulatory obligations by purchasing environmentally equivalent (or superior) pollution reductions from another source at lower cost, thus achieving the same water quality improvement at lower overall cost.
4. OWTS Variance procedures status
 - a. CDPHE final review of local regulations complete
 - b. 30 day public notice then public hearing
5. Lead testing program
6. Wildfire Smoke Research
 - a. Opportunity to participate in study

7. House Bill 22-1355: Producer Responsibility Program for Recycling
 - a. Waiting to see what additional funding might become available in support of waste diversion
8. Rainbow Gathering (peace, love, and personal hygiene)
9. Climate Action Plan and Internal Climate Action Efforts (refer to tracking sheet)
 - a. CAP Collaborative: Next CAP Collaborative meeting on June 24th. Big ticket items for initial meetings (building capacity): mission/vision, elect officers, bylaws/charter, RFP for management entity, sector group structure, Communication Plan, budget. Google Drive set up to contain key documents, reference information, and agendas/minutes. Plan for standing up Sector Groups presented to Board. YVSC contracted as management entity.
 - b. Conduct Energy Audits/de-carbonization/Electrification Study: Three proposals received and under review (J. Stepan). Select vendor by mid-July.
 - c. Solar United Neighbors Coop: Coop officially launched. Weekly Strategic Planning Team meetings. Events (see attached flyer) planned in Hayden, Meeker, Oak Creek, and Steamboat (Storm Peak Brewery) to assist with outreach to help meet goal of 100 subscribers (41 so far mostly from Steamboat area). Yard signs to be deployed next week.
 - d. Fleet analysis and transition to EV's: Public Works looking at replacing older vehicles with EV's (Lightening) if available. Add EV charging equipment to fall grant request (along with HHS Building). Compile list of equipment needs and costs. Rebates from YVEA to install level 2 home chargers up to \$250 (available for about \$400 at Home Depot).
 - e. Organics Recovery Study: Lori and Peter (LBA) site visit (May 19 and 20th) met with stakeholders (tree service companies, State Forest Service, City and County reps, horse boarding facilities, large food waste generators such as SOROCO, Steamboat Ski and Resort, and local composting operations). Next meeting 6/27. Draft report by mid-July. Final report by mid-August.
 - f. Master Plan: Joint meeting scheduled next Thursday with Planning Commission and BCC to review first draft (Work Session). Integration of CAP into draft plan - reference to CAP and strategies/actions/tactics. TAC has reviewed and provided comments. Adoption schedule includes public comment period throughout July and into August for adoption.
 - g. Re-Tree Program: \$10K match for grant funding budgeted in 2022 for next three years of tree planting. Pending invoice from YVSC for program.
 - h. Internal waste diversion efforts: Reviewing local hauling services and planning for potential future changes. Composting program ongoing. EH developing internal waste diversion and reduction guide.
 - i. Recycle Depot and Traditional Recyclables Drop-Off: Tentative plan for a pilot program to incorporate traditional recyclables into Recycle Depot. YVSC working on finding a better location with more space.