

Town of Sedgwick Meeting Agenda

Monday, May 9, 2022, 6:00PM

Public Comments Information

If you wish to address the Board of Trustees, there is a “Comment from the Public” scheduled time.

Comments on Agenda items will be allowed following the presentation or Board deliberation. Your comments will be **limited to three (3) minutes** and can only speak once on any motion or agenda item.

Monthly staff reports to the board are not open for comments.

- I. Call to Order**
- II. Pledge Allegiance**
- III. Approve Agenda**
- IV. Approve of Minutes from last Meeting(s)**
- V. Approve of Bills**
- VI. Comments from the public**
- VII. Monthly Reports**
 - Mayor
 - GMS Update
 - Maintenance – Richard Kehm
 - Town Clerk – Heather Moore
 - Start Planning for Harvest Festival?
 - Need to Designate Mayor Pro-Temp
 - Need to Designate Zoning Administrator
 - Board of Trustees
- VIII. New Business**
 - Vacant Board of Trustee Seat Appointment.
 - Megan Wagner – Special Events Permit for Blue Skies Therapeutic Riding
 - Karla Young – Northeast Colorado Health Department.
 - Resolution 22-03 - A Resolution repealing resolution #02-2007 concerning donations
- IX. Old Business**
 - Reintroduction of Ordinance 01-2021 – Adoption of Code Book First Reading Continued.
- X. Executive Session (If needed)**
- XI. Call to Adjourn**



11:22 AM
05/06/22
Accrual Basis

Town of Sedgwick
Trial Balance
As of April 30, 2022

	Apr 30, 22	
	<u>Debit</u>	<u>Credit</u>
1021 · Cash on Hand	195.09	
1022 · Points West Bank Checking	284,994.90	
1022 · Points West Bank Checking:1022.1 · Harvest Festival	4,032.00	
1022 · Points West Bank Checking:1022.1 · Harvest Festival:1022.2 · Demolition Derby	6,792.86	
1029 · Savings:1030 · Points West:1031 · 9240	26,782.84	
1029 · Savings:1034 · Cash in Savings - Lottery	6,291.18	
1029 · Savings:1040 · Points West Bank:1043 · Water Surcharge Account	131,962.13	
1029 · Savings:1050 · Equitable Savings:1051 · 05-4505160	39,003.74	
1070 · COLOTRUST:1071 · Water Plus	986,718.28	
1070 · COLOTRUST:1072 · General Plus	237,874.85	
1070 · COLOTRUST:1073 · CIP Plus	1,272,534.62	
1081 · Cash - County Treasurer	238.20	
TOTAL	<u>2,997,420.69</u>	<u>0.00</u>

Town of Sedgwick
 Profit & Loss
 April 2022

	<u>Apr 22</u>
Ordinary Income/Expense	
Income	
4122 · Current Property Taxes	784.64
4142 · Specific Ownership Taxes	170.76
4152 · Interest on Taxes	0.39
4172 · Sales Tax	19,367.90
4222 · Road and Bridge	200.10
4232 · Motor Vehicle	101.88
4242 · Mineral leasing	0.32
4300 · Utilities Clearing	1,130.64
4323 · Water Sales	5,091.67
4333 · Sewer Sales	2,900.45
4386 · Trash Collections	2,408.00
4392 · Other Income	
4392.1 · Occupation Tax	72,976.71
4392.2 · Excise Tax	516.27
4392.3 · State of Colorado	14,372.40
4392 · Other Income - Other	200.00
Total 4392 · Other Income	<u>88,065.38</u>
4412 · Highway Use Tax	1,199.63
4422 · License Fees	300.00
4802 · Interest Income	74.05
4803 · Interest Income	822.64
Total Income	<u>122,618.45</u>
Expense	
6002 · County Treasurer's Fees	21.20
6032 · Office Expense - GG	460.08
6042 · Professional Services - GG	2,234.50
6052 · Insurance and Bonds - GG	956.60
6062 · Supplies and Maintenance - GG	75.20
6072 · Telephone - GG	433.92
6092 · Miscellaneous - GG	
692.2 · Charitable Contributions	500.00
6092 · Miscellaneous - GG - Other	1,230.19
Total 6092 · Miscellaneous - GG	<u>1,730.19</u>
6102 · Utilities - TH - GG	820.48
6142 · Street Lighting	477.48
6162 · Street Maintenance	346.40
6462 · Supplies and Maintenance Park	2,775.00
7063 · Supplies & Maintenance - Water	3,581.14
7073 · Utilities - Water	745.61
7093 · Miscellaneous - Water	249.16
7163 · Supplies and Maintenance - Sewe	0.00
7173 · Utilities - Sewer	123.60
7346 · Landfill - Trash	194.76
7406 · Miscellaneous-Trash	0.00
7800 · Salaries Clearing	
7809 · Salary-Richard M Kehm	7,203.26
7815 · Salary-Heather Moore	4,387.75
7820 · Salary - Kim E Quayle	2,806.72
7822 · - William Townsend	817.86
Total 7800 · Salaries Clearing	<u>15,215.59</u>
7990 · Supplies and Maint. - Clearing	417.62
7994 · Utilities - Clearing	412.58
7995 · Payroll Taxes - Clearing	-211.42
Total Expense	<u>31,059.69</u>
Net Ordinary Income	91,558.76
Other Income/Expense	
Other Expense	
7896 · Insurance Clearing	3,581.54
8343 · Grant Expense - Local	0.00
Total Other Expense	<u>3,581.54</u>
Net Other Income	<u>-3,581.54</u>
Net Income	<u><u>87,977.22</u></u>

11:23 AM
05/06/22

Town of Sedgwick
Check Detail
April 12 through May 9, 2022

Num	Name	Memo	Account	Paid Amount
12524	Colorado State Treasurer		1022 · Points West Bank Ch...	
		1st Qtr payroll	7995 · Payroll Taxes - Clearing	-44.62
TOTAL				-44.62
12525	Colorado Dep of Revenue	W2 wage withholdings	1022 · Points West Bank Ch...	
		1st Quarter	7995 · Payroll Taxes - Clearing	-617.00
TOTAL				-617.00
12526	Richard M. Kehm	Payroll	1022 · Points West Bank Ch...	
		Payroll	7809 · Salary-Richard M Kehm	-3,601.63
		Social Security	7995 · Payroll Taxes - Clearing	
		Medicare	7995 · Payroll Taxes - Clearing	
		Federal	7995 · Payroll Taxes - Clearing	
		Colorado W/H	7995 · Payroll Taxes - Clearing	
TOTAL				-2,936.11
12527	Heather M. Moore	Payroll	1022 · Points West Bank Ch...	
		Payroll	7815 · Salary-Heather Moore	-2,155.66
		Social Security	7995 · Payroll Taxes - Clearing	
		Medicare	7995 · Payroll Taxes - Clearing	
		Federal	7995 · Payroll Taxes - Clearing	
		Colorado	7995 · Payroll Taxes - Clearing	
TOTAL				-1,880.75
12528	Kim E. Quayle	Payroll	1022 · Points West Bank Ch...	
		Payroll	7820 · Salary - Kim E Quayle	-1,387.96
		Social Security	7995 · Payroll Taxes - Clearing	
		Medicare	7995 · Payroll Taxes - Clearing	
		Federal	7995 · Payroll Taxes - Clearing	
		Colorado	7995 · Payroll Taxes - Clearing	
TOTAL				-1,126.78
12529	William Townsend	Payroll	1022 · Points West Bank Ch...	
		Gross Paryroll	7822 · - William Townsend	-513.54
		Social Security	7995 · Payroll Taxes - Clearing	
		Medicaid	7995 · Payroll Taxes - Clearing	
TOTAL				-474.25
12530	AC-DC Water Works LLC	ORC Services	1022 · Points West Bank Ch...	
		ORC Monthly Contract Services	7063 · Supples & Maintenanc...	-400.00
		Misc - Water Tower Inspection, New Tank set up Hypochlorite and DCOT	7093 · Miscellaneous - Water	-249.16
TOTAL				-649.16
12531	CEBT		1022 · Points West Bank Ch...	
		Employee Health Insurance	6052 · Insurance and Bonds -...	-956.60
TOTAL				-956.60
12532	CenturyLink	Phone and Fax line	1022 · Points West Bank Ch...	
		Phone lines and Fax line	6072 · Telephone - GG	-218.75
TOTAL				-218.75

11:23 AM
05/06/22

Town of Sedgwick
Check Detail
April 12 through May 9, 2022

Num	Name	Memo	Account	Paid Amount
12533	Highline Electric Ass'n		1022 · Points West Bank Ch...	
		Water Pump -66552	7073 · Utilities - Water	-253.25
		New Shop - 8280879	7994 · Utilities - Clearing	-89.06
		New Town - 822186	6102 · Utilities - TH - GG	-95.84
		Museum - 8426371	6102 · Utilities - TH - GG	-112.93
		Pump #2 - 40915	7073 · Utilities - Water	-125.58
		Street Lights -41680	6142 · Street Lighting	-241.19
		Sewer - 62657	7173 · Utilities - Sewer	-63.42
		Rodeo Grounds	6102 · Utilities - TH - GG	-34.66
		Community Center	6102 · Utilities - TH - GG	-51.46
TOTAL				-1,067.39
12534	Kelly, P.C.		1022 · Points West Bank Ch...	
		Legal Fees - Regular	6042 · Professional Services ...	-820.00
TOTAL				-820.00
12535	Liittjohann Kauffman & P...		1022 · Points West Bank Ch...	
		1st qtr payroll taxes	6042 · Professional Services ...	-325.00
TOTAL				-325.00
12536	Marick's Waste Disposal		1022 · Points West Bank Ch...	
		Spring Clean up \$475each @ 2 pick ups 4/11/22, 1 pick up 4/15/22, 2 pi...	6462 · Supplies and Mainten...	-2,375.00
		Potty Cleaning	6462 · Supplies and Mainten...	-80.00
TOTAL				-2,455.00
12537	Northeast colorado health...	Bacteria Test	1022 · Points West Bank Ch...	
		Water Bacteria Test	7063 · Supplies & Maintenan...	-20.00
TOTAL				-20.00
12538	Points West Cardmember...		1022 · Points West Bank Ch...	
		Postage, office supplies	6032 · Office Expense - GG	-214.03
		Home Depot, Kuskies	6162 · Street Maintenance	-346.40
TOTAL				-560.43
12539	S & W Auto Supply		1022 · Points West Bank Ch...	
		nozzle	7990 · Supplies and Maint. - ...	-148.49
		Oil, filters for oil change and tune up.	7990 · Supplies and Maint. - ...	-149.78
		Hydro Oil	7990 · Supplies and Maint. - ...	-90.99
		Fuel Filter	7990 · Supplies and Maint. - ...	-28.36
TOTAL				-417.62
12540	Sapp Bros. Petroleum		1022 · Points West Bank Ch...	
		Propane shop	6102 · Utilities - TH - GG	-152.84
		Propane Well Water	7063 · Supplies & Maintenan...	-152.49
		Propane Town Hall	7994 · Utilities - Clearing	-242.41
		Community Center Expense	6092 · Miscellaneous - GG	-216.00
TOTAL				-763.54
12541	Sedgwick County Lumber		1022 · Points West Bank Ch...	
		2x4's and saw blade	6062 · Supplies and Mainten...	-102.74
TOTAL				-102.74
12542	Sedgwick County Sales	Landfill Fees	1022 · Points West Bank Ch...	
		Landfill Fees	7346 · Landfill - Trash	-194.76
TOTAL				-194.76

11:23 AM
05/06/22

Town of Sedgwick
Check Detail
April 12 through May 9, 2022

<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Account</u>	<u>Paid Amount</u>
12543	UNCC (CO811)	Tickets Issued Fees	1022 · Points West Bank Ch...	
		UNCC Tickets Issued Fees.	6092 · Miscellaneous - GG	-5.20
TOTAL				-5.20
12544	Usa Blue Book		1022 · Points West Bank Ch...	
		Chlorine pump	7063 · Supples & Mainten...	-188.65
TOTAL				-188.65

**Town of Sedgwick
Record of Proceedings
April 11th, 2022**

Members Present: Peggy Owens, Danny Smith, Dora Devie, Bill Boler (By Phone), Dale Jones,

Employees Present: Heather Moore, Richard Kehm

Call to Order: The Town Board met in regular session. A quorum was verified, and the meeting was called to order at 6:00 pm by the Mayor Wayne Price

Roll Call Mayor Wayne Price Here

Danny Smith	Here	Teddy Morgan	Resigned
Peggy Owens	Here	Bill Boler	Here/By Phone
Dale Jones	Here	Dora Devie	Here

Approval of Agenda

Motion: Approval of Agenda

Danny Smith made a motion to approve the agenda, Dale Jones seconded, all in favor; none opposed, motion carried.

Approval of Minutes

Motion: Approve the minutes

Peggy Owens made a motion to approve of the minutes, Dora Devie seconded, all in favor; none opposed, motion carried.

Bills (Published in Julesburg Advocate)

Motion: Bills Roll Call Vote

Dora Devie made a motion to transfer to ColorTrust Sewer CIP account in the amount of \$57,700 and the Water Plus \$20,000. Danny Smith seconded. (Roll Call: All Voted for, None Against) motion carried.

Motion: Bills Roll Call Vote

Danny Smith made a motion to pay the bills, Dale Jones seconded. (Roll Call: All Voted for, None Against) motion carried.

Public Comments – reminded they will have 3mins.

- **Traci Colbeck – FFA and 4H for Harvest Festival**
 - The FFA will be hosting the Oyster Fry this year, we just wanted to make sure that is ok, and the fee to use the Community Center could be waved.
 - 4H is intending on conducting the exhibits

- **Rhonda Graham – SCORE**
 - Was wondering if the Town had any current plans for improvements to the parks, play equipment etc..
 - At this time the Board doesn't have anything but will let them know if that changes. One idea is a possible basketball court.

Mayors Report

- I apologies I have missed a couple months due to my health. But I have seen everything is running well. And the new part time worker Bill has been doing well.

Maintenance – Richard Kehm

- Stop Signs are in from McKinstry to West Ave.
- Will start cleaning out the gutters.
- Started pulling the old fencing at the Arena.
- Working on the Small potholes on Main.
- Got an Estimate to patch two areas of Main Ave. for the big dip across Main, and then the large holes by the Post office will total \$6515.00

Motion: Bills Roll Call Vote

Danny Smith made a motion to transfer \$6600.00 from Capital Improvements from General Funds to the Street Maintenance. Dale Jones seconded. (Roll Call: All Voted for, None Against) motion carried.

Motion:

Dora Devie made a motion to have D&J Paving repair the asphalt on Main Ave. Danny Smith seconded. (Roll Call: All Voted for, None Against) motion carried.

- **Alan Coyne:**

- Water Tower is completely repaired, since the repairs we are no longer receiving fault warnings.
- CDOT is about 85% with their engineering, waiting to see the design on it. We just need to visit with them and figure out where to tap into the Towns Water and Sewer system. Will need to get an estimate from Dickerson Surveyors for the Easement language. We should have better idea as to the cost associated with this project that CDOT will be paying to tap into towns water and sewer system.
 - Town Clerk requested that Alan retrieve minutes from the Fire Board when they approved the Water line to go through their land.

Motion:

Dora Devie made a motion to give Alan Coyne authority to negotiate with CDOT to get them set up on the Towns Water and Sewer System, Peggy Owens seconded. (All Voted for, None Against) motion carried.

Clerk's Office

- This last month has been full of election stuff. We are not final at this time, will be final by Friday of this week. We had 9 ballots returned undeliverable, and received 81 ballots, with 1 ballot signature un-verifiable.
- GMS is working on the PER's and land acquisition. All needed forms and contracts, due by us, have been completed.
- There is a resolution in old records that indicate a \$25 limit. Due to the fact that we look at donations on a case by case, this resolution needs to be repealed.

Motion:

Danny Smith made a motion to have a resolution made to repeal resolution regarding the limit on Donations, Peggy Owens seconded. (All Voted for, None Against) motion carried

Board of Trustees

- **Bill Boler**
 - Thank you to the citizens for allowing him to serve on the Board and thank you to my fellow Trustees.

New Business

- **Dan Pedersen– Resolution 04-2009 Board Member Water Compensation.**
 - With the new IRS descriptions for municipalities the Board would be considered employees if they are receiving compensation even in the form of water. And we have checked with the auditors on this.
 - With that said, this would need to run through payroll. Would prefer if you keep this idea of compensation, set a rate that would run through payroll, so taxes can be taken out, then you can apply that to the water bill if you like.
 - This will increase the cost of accounting services.
 - The board directed the Town Attorney to draft a Resolution Repealing this 04-2009 ordinance. The majority of the Board decided they don't need to be compensation at all. (Traci Colbeck soon to be Trustee spoke on this matter and agrees that she doesn't want the compensation.)
 - *Legal council agreed to write a new resolution, also reminded the board that a special meeting will be needed to vote on before the new board is sworn in.*

Motion:

Dora Devie made a motion to have a resolution made to repeal resolution 04-2009, Peggy Owens seconded. (Four Voted for, Dale Jones Against) motion carried

- **Mega Music – Sound System**
 - The old system stopped working during Harvest Festival last year, we took the system to Mega Music. After an evaluation he determined the system was done. He sent a recommendation that is \$795.99.
 - Board decided in the future if anyone uses, they system they need to be responsible for returning it that day/night, not to leave it out in the rain! Additionally, we will start storing the system in Town Hall.

Motion:

Danny Smith made a motion to purchase the Sound Mixer from Mega Music., Dale Jones seconded. (All Voted for, None Against) motion carried

- **Colorado Rural Scholarship Fund**
 - Discussion on this by the Board.
 - We don't show we have donated to this before. And they didn't send anyone to talk to us about this program. This also looks like it is a statewide not a local supported program.
 - Considering the lack of knowledge, and it doesn't look like it is for our community specific, the Board decided not to donate to this one at this time.
- **Sedgwick County Extension Office – Awards.**
 - Rhonda Graham spoke on this.
 - This program oversees and purchases the Awards that the kids win. The Trophies, Hoodies, Buckles, items like that.

Motion:

Danny Smith made a motion to Donate \$500 for the Awards program, Peggy Owens seconded. (All Voted for, None Against) motion carried

Old Business

• **Ordinance 01-2021 – Code Book Continues.**

- Dora Devie: We were ready to present tonight, so we do not have anything ready for tonight.
 - Danny Smith asked a question to the committee: “How long will this take? It sure seems to be drawn out longer than expected and is costing money the longer it takes.”
 - *Lupe Casias explained the detail they are working in to make sure they are confident when they are done all the needed edits will be done, and it fits our town. There is a building code that says you can't build a new residence out of combustible materials. These are the kind of things that don't fit and will need to be removed.*
 - Discussion to be continued

Motion:

Dora Devie made a motion to Table this until next Month, Peggy Owens seconded. (All Voted for, None Against) motion carried.

Meeting Adjourned:

Motion:

At 7:09pm, Danny Smith made a motion to adjourn, Peggy Owens seconded, all were in favor, motion carried.

Mayor

Attest: Town Clerk

SEAL

**Town of Sedgwick
Record of Proceedings
Special Meeting
April 18th, 2021**

Members Present: Dora Devie, Peggy Owens, Dale Jones, and Danny Smith,
Employees Present: Heather Moore

Call to Order: The Town Board met in special session. A quorum was verified, and the meeting was called to order at 5:30pm by the Mayor Pro-Tem Danny Smith

Roll Call

Bill Boler	Absent	Teddy Morgan	Resigned
Peggy Owens	Here	Danny Smith	Here
Dora Devie	Here	Dale Jones	Here

Public Comments – reminded they will have 3mins.

- None

New Business

- **Resolution 22-02 – A Resolution Repealing Resolution04-2009.**
 - This is concerning the water service discount for elected/appointed officials and Employees of the Town of Sedgwick. At the last meeting the board decided this needed to be done.

Motion:

Danny Smith made a motion to Adopt Resolution 22-02 a resolution appealing resolution 04-2009, Dora Devie seconded, Three Voted For, and Dale Jones Voted Against, Motion Carried.

- **New Board Members Sworn in.**
 - The Tie breaker drawing revealed that Roger Munson will hold the 4-years seat and Tracie Colbeck the 2-year seat.
 - As his last duty, Mayor Wayne Price swore in the new board members.
 - New Board directed Town Clerk to follow the Standard Procedures that was adopted by resolution to invite all residents of Town to come and speak to the Board at the next meeting.

Meeting Adjourned:

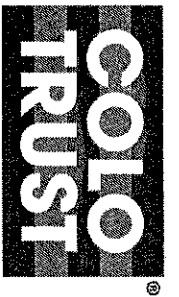
Motion:

At 6:00PM, Danny Smith made a motion to adjourn, Dale Jones seconded, all were in favor, motion carried.

Mayor

Attest: Town Clerk

SEAL



Town of Sedgwick
 PO Box 27
 Sedgwick, CO 80749

Summary Statement

April 30, 2022

Page 1 of 5

Investor ID:

COLOTRUST

PLUS+

Average Monthly Yield: 0.4492%

	Beginning Balance	Contributions	Withdrawals	Income Earned	Income Earned YTD	Average Daily Balance	Month End Balance
Water PLUS	942,361.98	44,000.00	0.00	356.30	687.19	966,011.71	986,718.28
General Use PLUS	180,106.00	57,700.00	0.00	68.85	132.20	187,633.86	237,874.85
CIP PLUS	1,196,068.28	76,000.00	0.00	466.34	885.84	1,264,707.55	1,272,534.62
TOTAL	2,318,536.26	177,700.00	0.00	891.49	1,705.23	2,418,553.12	2,497,127.75

CLOSE PAYROLL PERIOD

This PRELIMINARY Payroll Report has not been saved yet! Save the report to append or close the payroll period.

Friday Apr, 01 2022 - Saturday Apr, 30 2022

Employees Processed:	4	Total Fixed Pay:	\$7,658.79
Standard Hours:	269.68	Total Variable Pay:	\$0.00
Overtime 1.5x Hours:	0.00	Total Payroll:	\$7,658.79
Overtime 2.0x Hours:	0.00		
PTO Hours:	0.00	Total of All Hours:	438.73
Vacation Hours:	0.00	Total Hours Deducted:	0.00
Sick Hours:	7.00	Total Payable Hours:	438.73
Holiday Hours:	0.00		
Other1 Hours:	0.00	Rounding Interval Applied:	-
Other2 Hours:	0.00	Total Records Processed:	69
Unpayable/Salaried Hours:	162.05	Records Crossing Dateline:	-
		Records Qualified for Shift Differential:	-
		Records Exceeding Hours Threshold:	-

Employee	Total Hours	Deduct	1.0x	1.5x	2.0x	SIC	VAC	HOL	UnP/SAL	Signed	Aprvd	Fixed Pay
Kehm, Richard	162.05								162.05	N/A	YES	\$3,601.63
Moore, Heather	137.04		130.04			7.00				N/A	YES	\$2,155.66
Quayle, Kim	99.14		99.14							NO	YES	\$1,387.96
Townsend, William	40.50		40.50							NO	YES	\$513.54

RESOLUTION NO. 22-03

A RESOLUTION REPEALING RESOLUTION #02-2007 CONCERNING DONATIONS

WHEREAS, the Board of Trustees previously adopted Resolution #02-2007, which placed a \$25.00 cap on donation requests made to the Town; and

WHEREAS, at the time Resolution #02-2007 was adopted, the Town was experiencing decreasing revenue available for such expenditures; and

WHEREAS, the Board of Trustees has determined that it is no longer necessary to place a cap on donation requests; and

WHEREAS, the Board of Trustees desires to repeal Resolution #02-2007.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF SEDGWICK, COLORADO:

Section 1. Resolution #02-2007 is hereby repealed in its entirety.

Section 2. All actions heretofore taken by the Board of Trustees relating to donations are hereby ratified, approved, and confirmed.

INTRODUCED, READ, and ADOPTED this 9th day of May, 2022.

TOWN OF SEDGWICK, COLORADO

Danny Smith, Mayor

ATTEST:

Heather Moore, Town Clerk

From: Melissa Mata <mmata@cml.org>
Sent: Friday, March 4, 2022 1:06 PM
To: Melissa Mata
Subject: CML inquiry: FAMLI program participation
Attachments: FAMLI program - Legal Corner.pdf

Good afternoon.

This email is being sent to HR Directors and clerks in municipalities for which our database does not have an HR director listed.

I am writing to inquire if your municipality has made a decision concerning **participation in the Paid Family Medical Leave Insurance (FAMLI) program**, which goes into effect January 2023.

All municipalities are included in FAMLI by default, but a municipality may opt out and avoid the employer portion of premiums by a vote of a governing body.

A vote to opt out starting in 2023 should occur by July 1, 2022, to ensure compliance with the timing requirements.

I have attached a recent CML newsletter Legal Corner describing the program in more detail.

CML has received inquiries on this topic from members, so I will create a spreadsheet of the responses I receive by end of day next **Friday, March 11**. I will share the responses with you all to assist in your future discussions and will continue to update the results as municipalities make their decisions.

Please reply to let me know if your municipality will be opting in or out, or any other information you might have about where you are in your decision-making process.

Thank you for your participation in this survey,
Melissa

Melissa Mata
Municipal Research Analyst
Colorado Municipal League
1144 Sherman Street
Denver, CO 80203
(303) 831-6411 | (866) 578-0936
mmata@cml.org | www.cml.org

Empowered cities and towns, united for a strong Colorado

CML LEGAL CORNER



What municipalities need to know about FAMLI

By Megan Decker, CML law clerk

In November 2020, Colorado voters approved Proposition 118, which paved the way for a state-run Paid Family Medical Leave Insurance (FAMLI) program. Although the program is not effective until January 2023, now is the time to start making decisions regarding your municipality and FAMLI participation and compliance. Local decisions can impact budgets, employee compensation, and human resources issues.

Overview of FAMLI

FAMLI provides workers 12 weeks of paid leave to take care of themselves or a family member during life events like injury, serious illness, or pregnancy. Participating employers and employees will contribute to premiums for FAMLI. Employers start collecting and remitting premiums Jan. 1, 2023, and benefits will be available starting Jan. 1, 2024.

Premiums are calculated under new administrative rules. A participating municipality must contribute 50% of the premium and the employee contributes the remainder. If a municipality does not participate, the employee is responsible for 50% of the premium and the municipality can, but need not, deduct the employee portion from payroll and remit it to the state. A municipality that miscalculates premiums is responsible for the difference and cannot collect that amount from the employee.

Opting out

All municipalities are included in FAMLI by default, but a municipality may opt out and avoid the employer portion of premiums by a vote of a governing body. The municipality must give prior notice of the vote in the same manner it notices other public business, must provide special notice to employees, and must take testimony before voting. Declination takes effect in 180 days so employees can

individually opt in to the FAMLI program at their own cost. Within 30 days of the vote, a municipality must provide various notices that include:

- An explanation of differences between the FAMLI plan and any municipal private plan
- Employee eligibility for job protection under the federal Family and Medical Leave Act
- Information on opt in to FAMLI
- Contact information

All notices, whether for opting out or back in, must be posted in conspicuous and accessible places where employees work. If the municipality does not maintain a physical workspace or has employees who telecommute, the notice must be posted in a conspicuous place through a web-based or app-based platform. Notices must be posted in English and any language representing the first language spoken by at least five percent of the local government's workforce.

Administrative rules require that a municipality renew its decision to opt out of FAMLI every eight years. Otherwise, the local government will, by default, be opted back into the FAMLI program. **A vote to opt out starting in 2023 should occur by July 1, 2022, to ensure compliance with the timing requirements.**

Opting back in

A municipality that previously opted out of FAMLI may opt back in if the governing body elects FAMLI program coverage at the beginning of the annual local budgeting cycle. After the vote, the municipality must register as an employer with the FAMLI Division before collecting employer premiums. Coverage would begin no later than the first quarter after the municipality's notice to the FAMLI Division of the vote and submission of at least one quarter's premium amount on

behalf of the employer and its employees. Municipalities who opt into FAMLI must stay in the program for at least three fiscal years. The first year begins on the first day of employee coverage — not the first day a municipality collects premiums.

No more than 90 days after the vote, individual employees who opted in must be personally notified in writing that the municipality has opted back into FAMLI. The notice must include that date for the municipality's first submittal of quarterly premiums and any potential lapses or changes in benefits eligibility.

The local government must publicly post a notice of the date the employer will begin paying FAMLI premiums and when coverage is expected to start.

Employees who did not opt in must also be notified in writing both publicly and personally no later than 180 days after the vote to opt back into FAMLI. The notice must contain a detailed explanation of employee rights under the FAMLI program, including program requirements, benefits, claims processes, payroll deductions, premiums, and employee protections like the right to job protection and benefit continuation and protection against retaliatory or discriminatory information, among other things.

Additional resources

The Colorado Supreme Court recently agreed to hear an immediate challenge to FAMLI premiums brought under TABOR. The Denver District Court upheld the FAMLI premium requirement in 2021. Additional Information regarding FAMLI can be found at famli.colorado.gov.

Correction: The Feb. 11 Legal Corner should have been attributed to Rachel Bender, CML associate counsel.

This column is not intended and should not be taken as legal advice. Municipal officials are always encouraged to consult with their own attorney.

**Town of Sedgwick
P. O. Box 27
Sedgwick, Colorado 80749**

Colorado Department of Transportation Maintenance Shed

Water and Waste Water Tap Fees

Water Tap Fee for The Town of Sedgwick	\$3,500.00
2 inch Water Main with Valves, Meter pit and Meter (740 ft.)	\$12,000.00
Easements and filing Cost	\$1,000.00
Valves for Sedgwick Rural Fire Department for Easement	\$600.00
Sedgwick ORC, AC-DC Water Works LLC. Project Oversight	\$400.00
Total Water Cost Estimate	\$17,500.00

Waste Water Tap Fee for The Town of Sedgwick Total Cost \$3,500.00

CDOT is required to have a Colorado Certified Plumber tap main and provide tapping sleeve. Colorado Certified Plumber for Project

AC-DC Water Works will oversee all Taps. (Estimated 3- 4 days)

Total Cost \$21,000.00