



**Planning Commission Agenda  
Wednesday September 27, 2023 – 6:30 PM  
Minturn Town Hall / Council Chambers  
302 Pine St Minturn, CO**

The agenda is subject to change, including the addition of items 24 hours in advance or the deletion of items at any time. The order and times of agenda items listed are approximate. This agenda and meetings can be viewed at [www.minturn.org](http://www.minturn.org).

**MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION**

This will be an in-person meeting with access for the public to attend in person or via the Zoom link included. Zoom Link: <https://us02web.zoom.us/j/81868106511>

Zoom Call-In Information: **1 651 372 8299 or 1 301 715 8592 Webinar ID: 818 6810 6511**

Please note: all virtual participants are muted. In order to be called upon and be unmuted, you will need to use the “raise hand” feature in the Zoom platform. When it’s your turn to speak, the moderator will unmute your line and you will have five (5) minutes for public comment.

**PUBLIC COMMENTS:** If you are unable to attend, public comments regarding any items on the agenda can be submitted to Madison Harris, Planner I, prior to the meeting and will be included as part of the record.

- 1. CALL TO ORDER – 6:30 PM**
- 2. ROLL CALL & PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF MINUTES**  
3.1 September 13, 2023
- 4. APPROVAL OF AGENDA** *Opportunity for amendment or deletions to the agenda.*
- 5. DECLARATION OF CONFLICTS OF INTEREST**
- 6. PUBLIC COMMENT** *Citizens are invited to comment on any item not on the regular Agenda subject to a public hearing. Please limit your comments to five (5) minutes per person unless arrangements have been made for a presentation with the Town Planner. Those who are speaking are requested to state their name and address for the record.*
- 7. SPECIAL PRESENTATIONS**

**8. DESIGN REVIEW AND LAND USE PUBLIC HEARINGS**

**9. DISCUSSION / DIRECTION**

9.1 Chapter 16 Update: Minturn Forward

9.2 Planning Commission Dates

**10. STAFF REPORTS**

10.1 Manager's Report

**11. PLANNING COMMISSION COMMENTS**

**12. FUTURE MEETINGS**

12.1 October 11, 2023

12.2 October 25, 2023

**13. ADJOURN**



**Planning Commission Official Minutes  
Wednesday September 13, 2023 – 6:30 PM  
Minturn Town Hall / Council Chambers  
302 Pine St Minturn, CO**

The agenda is subject to change, including the addition of items 24 hours in advance or the deletion of items at any time. The order and times of agenda items listed are approximate. This agenda and meetings can be viewed at [www.minturn.org](http://www.minturn.org).

**MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION**

This will be an in-person meeting with access for the public to attend in person or via the Zoom link included. Zoom Link: <https://us02web.zoom.us/j/88536225396>

Zoom Call-In Information: **1 651 372 8299 or 1 301 715 8592 Webinar ID: 885 3622 5396**

Please note: all virtual participants are muted. In order to be called upon and be unmuted, you will need to use the “raise hand” feature in the Zoom platform. When it’s your turn to speak, the moderator will unmute your line and you will have five (5) minutes for public comment.

**PUBLIC COMMENTS:** If you are unable to attend, public comments regarding any items on the agenda can be submitted to Madison Harris, Planner I, prior to the meeting and will be included as part of the record.

**1. CALL TO ORDER – 6:30 PM**

Lynn Teach called the meeting to order at 6:30 p.m.

**2. ROLL CALL & PLEDGE OF ALLEGIANCE**

Those present at roll call: Planning Commission Chair Lynn Teach and Planning Commission Members Amanda Mire, Michael Boyd, Tom Priest, and Jeff Armistead.  
Staff Members Present: Town Manger Michelle Metteer, Planning Director Scot Hunn, Town Engineer Jeff Spanel, and Planner I Madison Harris.

*Note: Sage Pierson is excused absent.*

**3. APPROVAL OF MINUTES**

**3.1 August 9, 2023**

Lynn T. requested the following be changed: on page 4 under Amanda M. “asked if any of the questions “have” been answered”, on page 4 after Tony Wheeler “The easement covers the towns right “to” dig up”, and “will “be” left to native”, and on page 5 “Lynn T. would like to understand the impacts “of” purifying the water.”

Motion by Michael B., second by Tom P., to approve the minutes of August 9, 2023 as amended. Motion passed 5-0.

*Note: Sage P. is excused absent.*

4. **APPROVAL OF AGENDA** *Opportunity for amendment or deletions to the agenda.*  
Motion by Amanda M., second by Jeff A., to approve the agenda as presented. Motion passed 5-0.

*Note: Sage P. is excused absent.*

5. **DECLARATION OF CONFLICTS OF INTEREST**

Jeff A. needs to recuse himself for agenda item 8.1: 759 Main Street – Bianchi Driveway as he is the Applicant’s Representative.

6. **PUBLIC COMMENT** *Citizens are invited to comment on any item not on the regular Agenda subject to a public hearing. Please limit your comments to five (5) minutes per person unless arrangements have been made for a presentation with the Town Planner. Those who are speaking are requested to state their name and address for the record.*  
No public comment.

7. **SPECIAL PRESENTATIONS**

8. **DESIGN REVIEW AND LAND USE PUBLIC HEARINGS**

8.1 759 Main Street – Bianchi Driveway

*Note: Jeff A. has recused himself.*

Scot H. introduced the agenda item. This proposal was reviewed at the August 9, 2023 meeting. There were quite a few questions and comments that came from that meeting. There are existing easements that cover access across Lot 1 as well as Lot 2. Staff has consulted with the Town Attorney Mike Sawyer. He agrees that the requisite easements are in place, however they are mostly helpful for the current alignment of the road rather than the new alignment. There are conditions attached to the staff memo that cover vacating and reapplying easements.

Jeff Armistead, 1632 Main St, Representative.

Nothing has changed plan-wise. Would like to clarify on condition 6 in the staff report that the referred triangle of land is not just an easement for the Town, but was deeded to the Town. There is no issue for legal access to the property.

Amanda M. asked about the conditions for the easement. There is a portion of the old road that should be maintained, so will that be added to the conditions?

- Scot H. said that it could be that that portion of the road might not be vacated.

Amanda M. pointed out that the ERFPD said that there might be delay of service in wet or icy conditions, so wanted to know if Mr. Armistead had followed up on that comment.

- Mr. Armistead said that he has walked the property with Mick Woodworth and he is fine with it.

Tom P. asked about the grade.

- Mr. Armistead said the steepest part of the road is the initial turn in which will not be touched due to creek impacts.

Tom P. asked if the results of the conditions are sequential steps or one package.

- Scot H. said that it would be multiple steps including a couple of resolutions.

Michael B. does not have any questions at this point.

Public comment opened.

Rod Cordova, 701 Main Street.

Would like to know the impacts to Lot 1 with the vacations of the easements and what can they expect. Would like to know the size of the road: 15' vs. 20'. Would like an explanation of what the storm water plan entails. The location of the creek is critical. What are the setbacks to this creek? When will the snowmelt talked about be included in the plans? There are engineering questions that are needing to be answered. Need some assurance that any survey monuments will be replaced if disturbed.

- Scot H. said that the easements across Lot 1 are not proposed to change. The 15' vs. 20' is a utility easement vs. an access easement.
- Jeff S. said that the current drainage plan is in a preliminary stage right now, but it will have no impact on Lot 1.
- Mr. Armistead said that he is a very big advocate for stream health and is aware that creek health is very important. They will do their best to ensure that there is no impact to the creek. There are quite stringent rules for the storm water permit. Concerning the retaining wall, all of that has been designed by a structural engineer. If there is any blasting required then Mr. Cordova will be alerted first. They will be diligent about maintaining the survey monuments.
- Scot H. said that the 30' setback applies to any manmade structure or improvement, there are exceptions for utilities and roof overhangs. There are existing utilities under the existing access road that are likely within 30-40' of the stream. The current proposed alignment keeps the existing width so we would most likely look at the pre-existing non-conformities section as well as a plat note from 1999 that says that any improvements to the road will mean that the road is brought up to Town standards so does this plat note trump the stream setback regulations?
- Mr. Armistead said that the road is in the 30' setback so anything they do will be affected.
- Scot H. said that there is another code provision that requires reasonable use of property.

Tom P. asked what the potential mitigation efforts would be.

- Mr. Armistead said that one thing would be a curb and gutter that would direct all of the water onto Hwy 24 to the storm drain.
- Jeff S. said that there might need to be a storm water quality device at the first bend of the road.

Mr. Armistead said that concerning the snowmelt system, they are still working out how much of the initial road portion is snowmelted.

Rosa Cordova, 701 Main St

Would like to clarify if the easement is vacated on Lot 1.

- Mr. Armistead said that they are not proposing to change the easement on Lot 1
- Ms. Cordova is concerned about run-off towards the house closest to the road as well as safety impacts to the houses below while building.
- Mr. Armistead said that he would do everything he could to mitigate any affects to the houses during and after the construction process.
- Scot H. reminded everyone that before projects break ground, a pre-construction meeting is required with the contractors, the applicant, staff, Public Works, so maybe the Cordova's should be invited to that meeting.
- Jeff S. pointed out that the plans will need to change to add the curb and gutter.
- Mr. Armistead said that he will be talking to his civil engineer about mitigation practices.

Mike Medina, 950 Main Street.

Still wondering about the access that his parents have on that road. What kind of maintenance will be done on the road.

Mr. Armistead said that they aren't proposing any changes to the Medina's easement, the property owner will maintain the road that is on their property, everything else

Tony Wheeler, 751/761 Main St

Would like to reiterate the concern of the deterioration of Lot 1. His wife and him have plans for future development of Lot 1. Did ask about the retaining wall and whether that can be extended to protect both houses below. Erosion is a concern. Concerned about boulders coming down and crashing into the dwellings. Would like to know who is responsible for paying any damages to Lot 1.

- Mr. Armistead said that he isn't going to let boulders fall on peoples houses. The plans are designed to protect and not cause problems for adjacent properties. If the retaining wall is to be extended then the entire plan would have to change. He isn't going to make the conditions any worse.

Mr. Cordova would like contractor parking to be planned.

Public comment closed.

Motion by Michael B., second by Tom P., to approve the proposed driveway at 759 Main Street with the following conditions. Motion passed 4-0.

1. The Applicant shall vacate the existing 20' wide "Access and Utility Easement" as depicted on the 1999 Final Plat for South Minturn Estates, filed at Reception Number 702733.
2. The Applicant shall seek approval from the Minturn Town Council to vacate the existing 15' wide "Town of Minturn Utility Easement" filed at Book 673, Page 959, and as depicted on the 1999 Final Plat for South Minturn Estates, filed at Reception Number 702733.

3. The Applicant shall provide the Town new easement documents, to be approved by the Minturn Town Council, and which will be provided for the purpose to recreate access and utility easements in new locations and with new alignments in accordance with approved plans for the driveway project on Lot 2; and to allow for construction of the driveway and all appurtenances, lines and structures necessary to meet Town standards and requirements.
4. The Applicant shall seek approval from the Minturn Town Council to relocate and reconstruct the Town of Minturn 12” water main line consistent with 100% construction drawings approved by the Town as part of the Town of Minturn grading permit application and approval process. The applicant will provide security for the improvement to the Town in the amount of 110% of the construction cost estimate.
5. The Applicant shall provide cost estimates for the driveway project based on 100% construction drawings as part of the Town of Minturn Grading Permit application and approval process, and shall subsequently work with the Town to provide financial guarantees (Letter of Credit, bond, or other acceptable surety) prior to commencement of construction activities for the driveway project.
6. The Applicant shall seek approval from the Minturn Town Council to obtain an easement or encroachment license for that portion of the driveway project located on Town property between Lot 2 and King Ranch Road, otherwise referred to on the 1999 Final Plat for the South Minturn Estates Minor Subdivision as the “McFarlane to Town” parcel.
7. The Applicant will pay the costs of surveying the easements, reimburse the Town’s expenses, and provide the Town with as-built surveys of all relocated infrastructure.
8. The Eagle Fire Protection District letter be reviewed by Council
9. The Applicant shall work with staff to address Inter-Mountain Engineering’s comments.
10. Staff shall clarify what specific mitigation measures shall be taken in regards to the creek, Lot 1, and soil run-off.

Scot H. would like to work on additional wording for conditions 1 and 2 to make it clear that they only apply to Lot 2 rather than Lot 1.

*Note: Sage P. was excused absent.*

*Note: Jeff A. unrecused himself.*

## 8.2 Ordinance TBD – Series 2023 Amending Chapter 16, Article 16 of the Minturn Municipal Code

Madison H. introduced the ordinance. Briefly, the following amendments are proposed: Adding “for all zone districts except for the 100 Block Commercial Zones” to the section titles of Sec. 16-16-20, 16-16-30, and 16-16-40. After the 100 Block Design Guidelines and the associated code sections were passed and/or updated, the MMC has a new section that deals exclusively with the parking standards within the 100 Block. These standards were meant to be in place of the parking standards that apply to everywhere else in Town. These sections above were not amended to make clear that they do not apply to the 100 Block Commercial Zones, and thus, if you read Article 16 now the parking standards for the 100 Block and the parking standards for the rest of Town appear to be in conflict with

each other. Staff is proposing this amendment to fix the section titles only, not touch the parking standards themselves, so that these sections are not in conflict with each other anymore.

Public comment was opened.

No public comment.

Public comment was closed.

Motion by Tom P., second by Amanda M., to forward a recommendation of approval of Ordinance TBD – Series 2023 Amending Chapter 16, Article 16 of the Minturn Municipal Code to the Minturn Town Council. Motion passed 5-0.

*Note: Sage P. was excused absent.*

## **9. DISCUSSION / DIRECTION**

### **10. STAFF REPORTS**

10.1 Scot H. gave an update on the Chapter 16 update.

10.2 Manager's Report

#### **Main Street/HWY 24 Safety Improvements (Bulb-Outs)**

It is no easy task to pull out from a side street onto Main Street in Minturn. Line of sight is nearly impossible and although the Minturn Municipal code requires no parking within 80' of intersections, almost every Main Street intersection ignores this requirement, some require as little as 15'.

Main Street is classified as a "Collector Road." Here is the table in Chapter 4 of Appendix C, Table 2.01 of the Minturn Municipal Code requiring 80' distance of no parking on Main Street intersections:

[https://library.municode.com/co/minturn/codes/charter\\_and\\_municipal\\_code?nodeId=MUNICIPAL\\_CODE\\_APXC\\_CH4RODETECR\\_2.01MIDRPADIIN](https://library.municode.com/co/minturn/codes/charter_and_municipal_code?nodeId=MUNICIPAL_CODE_APXC_CH4RODETECR_2.01MIDRPADIIN)

Although many scenarios we work with in the town provide for a give and take and looking for some level of balance, safety is rarely one of those situations. The staff recognizes the need to accommodate on-street parking as many residences and businesses do not support adequate on-site parking. For that reason, Jeff Spanel at Inter-Mountain Engineering ("IME") has conducted a study to determine if the town can find adequate line of sight at Main Street intersections that are less than 80'.

In IME's study, the greatest no-parking distance is limited to 60' at the intersection of Meek Ave and Main Street (see page 4 of attached IME Design analysis). Additionally, this analysis is only for temporary bulb outs in the summer months. Staff would like to present these safety improvements, which are also recommended in the newly approved Minturn Community Plan, to CDOT for approval and implementation next summer (spring/summer 2024). Extensive outreach to the community would be required in advance of this work.

#### **Main Street/HWY 24 Safety Improvements Phase II Sidewalks**

I met with the expanded CDOT team on Monday, August 28th to discuss the Main Street/HWY 24 Phase II Sidewalk Improvement Project. Once again, temporary easements will be a large part of the preliminary work to be done for the project. As a



reminder, temporary easements are what the town uses to have room to walk on resident's private property and tie back into driveways. This is NOT a taking and the land remains in the ownership of the resident. When property owners fight the temporary easement process it can cost the town significant additional funds. The grant currently has \$208k set aside for the purchasing of temporary easements. If residents are not agreeable, it will cost much more than this estimate. Former Council members such as the Scherr family have been kind enough to not charge the town for the use of the temporary easement, however this has proven to be a rarity.

Because the town did not receive our full asking amount for the grant (we asked for \$2.2M and received \$1.7M with matching funds) CDOT has recommended the Town pay for the temporary easements out of pocket to allow the project to extend further down Main Street and avoid significant levels of paperwork that come with addressing temporary easements as part of state and federal funding. If the Council is interested, the \$208,000 would come from the capital projects reserve line in the budget and would allow the project to extend approximately 235 feet further down Main Street (on both sides).

#### **11. PLANNING COMMISSION COMMENTS**

Jeff A. said that the Hometown Throwdown is September 30<sup>th</sup>, and the annual Halloween party might be at the Saloon.

#### **12. FUTURE MEETINGS**

12.1 September 27, 2023

12.2 October 11, 2023

12.2.1 Amanda M. and Jeff A. might attend via zoom

12.2.2 Scot H. and Michael B. won't be here

12.2.3 Tom P. leaving Oct 15 for four weeks

#### **13. ADJOURN**

Motion by Jeff A., second by Amanda M., to adjourn the regular meeting of September 13, 2023 at 7:53 p.m. Motion passed 5-0.

*Note: Sage P. is excused absent.*

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Lynn Teach, Commission Chair

ATTEST:

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Scot Hunn, Planning Director

Minturn Planning Department  
Minturn Town Center  
302 Pine Street  
Minturn, Colorado 81645



Minturn Planning Commission  
Chair – Lynn Teach  
Jeff Armistead  
Michael Boyd  
Amanda Mire  
Sage Pierson  
Tom Priest

**To:** Planning Commission  
**From:** Madison Harris, Planner 1  
**Date:** September 22, 2023  
**Re:** Chapter 16 Update: Minturn Forward

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This agenda item is for Planning Commission members to have a discussion with staff and Matt Farrar, Western Slope Consulting about the Chapter 16 update process prior to staff and Mr. Farrar taking a deep dive into a code assessment. Where staff would primarily like input from the Planning Commission is which parts of Chapter 16 you feel are most critical to focus on and most concerning to review.

Staff will be having meetings with stakeholders on September 28. These stakeholders consist of professionals who use the code such as architects and builders.

As a reminder of what this process looks like as approved by Council:

**Phase 1: Community Outreach & Engagement (March 2023-August 2023)**

Phase I will kick off the project with various community outreach activities and opportunities aimed at gathering community input before performing a more technical review of the existing code or drafting any new code language or rules. Phase I will include the following tasks:

- Formation of stakeholder groups - professionals who use the existing zoning and subdivision codes and who can provide critical feedback on what works, what doesn't work, and ideas for change.
- Formation of focus groups - other user groups such as homeowners, business owners, or impacted property owners who may have a different perspective on existing rules or proposed changes to the Town's land use regulations.
- Information campaign - using the Town's website and newsletter, as well as direct mailings, the Town will work to keep the public informed about project timelines, milestones and opportunities to participate.

Importantly, prior to the adoption of any new land use or subdivision regulations affecting private property rights, public notice will be provided to all affected property owners, and staff will present proposed code revisions to the Planning Commission and the Town Council in public meetings and/or work sessions.

**Phase II: Code Assessment (August 2023-October 2023)**

During Phase II, Town staff will be squarely focused on technical review of the existing code to document previously identified issues, as well as new areas of concern. This step will be completed by the Town's Planning Department as well as consultants hired by the Town with expertise in evaluating code language and policies, and recommending revisions.

The code assessment will be informed by public input gathered during the first phase of the project. The result of the code assessment will be a report providing recommendations for code amendments, a road map for making those changes and suggested prioritization - which parts of the code need to be addressed first.

**Phase III: Drafting (November 2023-March 2024)**

Drafting of new code language will logically follow the completion of a code assessment and the presentation of a report to the Town of Minturn Planning Commission and Town Council. Given direction from the commission and council, staff will move forward with drafting new sections of the Town’s land use and development regulations. This phase will also be an opportunity for staff to report back to stakeholder and focus group participants on proposed draft changes, and to verify that public input gathered during Phase I was listened to and incorporated into our new code language where and when appropriate.

**Phase IV: Public Review and Adoption (March 2024-June 2024)**

The last phase of the project will include presentation of updated sections of the Town’s land use and development code to the Planning Commission and Town Council for review, comment, and approval.

**Minturn Planning Department**  
Minturn Town Center  
302 Pine Street  
Minturn, Colorado 81645



**Minturn Planning Commission**  
Chair – Lynn Teach  
Jeff Armistead  
Michael Boyd  
Amanda Mire  
Sage Pierson  
Tom Priest

**To:** Planning Commission  
**From:** Madison Harris, Planner 1  
**Date:** September 22, 2023  
**Re:** Future Dates

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This agenda item is for Planning Commission members to have a discussion with staff about upcoming Planning Commission dates as follows:

- November 22, 2023 - Day before Thanksgiving
- December 27, 2023 - Two days after Christmas

To: Minturn Town Council  
From: Michelle Metteer  
Date: August 2, 2023  
RE: Town Manager Update

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### **Minturn/Battle Settlement Diligence Meeting**

Minturn and Battle Mountain held our first diligence meeting this week. Full representation from both parties were present and work is underway to execute the action steps outlined in the Settlement Agreement. Monthly meetings will be held moving forward to provide each party with an update on progress.

### **HR Roadmap – Employers Council**

The council recently approved the contract with Employers, a human resources training and support firm specializing in the HR needs of municipalities. I held an initial discovery meeting with a representative and have been provided with a customized roadmap for addressing the town's needs moving forward. The Employers Council will be a resource as I move through the creation of documents outlined in the roadmap and setting up policies to better address workplace needs. A copy of Minturn's roadmap has been included for reference.

### **Council Packet Process Overhaul**

Cindy Krieg has been helping me with the upgrading/updating of the Council, Commission and HPC packets. The town currently puts the packets together through an antiquated system using Adobe Acrobat. We will be moving to the online CivicPlus packet platform which integrates directly with the town's website. We expect to find increased efficiency through this process, along with a better public interface and save on labor hours. We will go live with the new platform (hopefully) by the end of the year.

### **Payroll Processing Upgrades**

Jay Brunvand and I have been reviewing options for a more efficient payroll processing system. Currently, for hourly team members they turn in a piece of paper with their handwritten hours. We are finding this is not the most efficient, transparent, or data-centric manner for handling this process and will be upgrading to a new system in the coming months.

### **Proposition HH – CML Position**

The Colorado Municipal League has come out in opposition to Proposition HH. Proposition HH proposes to lower property taxes however after a deeper dive, there is much more to this proposed legislation. CML has provided a detailed summary and analysis explaining the legislation and what it would mean for municipalities. Additionally, Jay Brunvand attended a county-wide meeting discussing HH and can answer questions as needed. A copy of CML's analysis is included for reference.

# HR Roadmap Report

## Town of Minturn

Prepared: September 2023

- Handbook
- Job Descriptions
- Performance Management
- Compensation Planning
- Employee Training and Development

Brandy Walker  
(303) 223 5471  
[bwalker@EmployersCouncil.org](mailto:bwalker@EmployersCouncil.org)



*Important Notice:*

*The information provided herein is general in nature and designed to serve as a guide to understanding. These materials are not to be construed as the rendering of legal or management advice. If the reader has a specific need or problem, the services of a competent professional should be sought to address the situation.*

## Summary

On August 30, 2023, Brandy Walker SPHR, Human Resources Consultant from Employers Council, Inc. (EC) Integrated Human Capital Services, met with Michelle Metteer. The objective of the meeting was to gain a deeper understanding of your HR concerns and goals, so Employers Council can assist by providing guidance, resources, and solutions to help meet those goals.

During this meeting, we discussed several HR items in your purview, including the need to create an employee handbook. The need to identify roles and responsibilities also came up in our meeting to help ensure appropriate performance management strategies, compensation planning, and training and development opportunities. The recommendations include utilizing our member resources such as whitepapers, checklists, sample policies, sample forms, classes, and for fee services. Please see more specifically the recommended resources below under each topic area. Out of all the HR items we discussed, we identified five HR areas you want to focus on: Employee Handbook Review, Job Descriptions, Performance Management, Compensation Planning, and Employee Training and Development.

As a result of the meeting, the HR Roadmap report below includes information on the five key areas (identified above) as priorities for your organization. In the report, you will find links to our reference materials, suggested training classes, for-fee services, and information to help in each area. If you would like to learn more about the for-fee service recommended, please contact me directly and I will be happy to make introductions to the appropriate resources. I will also reach out in a few weeks to check on how your action items are progressing.

## ACTION PLAN

- 1) Employee Handbook – Utilize Employers Council handbook resources and sample handbook to understand the legal and administrative considerations of handbook policies and update your handbook. Ensure the employee handbook is reflective of current policies and guidelines. Or leave your handbook as is, understanding there may be more work on the back end following the Employers Council review. Submit Employee Handbook to Employers Council for review. After reviewing feedback, prepare a final version of the handbook and publish it to employees.
- 2) Job Descriptions – Create and maintain current job descriptions. Develop new descriptions as needed to meet organizational growth goals and ensure compliance.
- 3) Performance Management - Develop performance criteria and expectations, monitor performance on an ongoing basis, and evaluate performance.
- 4) Compensation Planning - Create a compensation philosophy. Utilize survey data to job match and develop salary ranges. Consider if other forms of compensation such as bonus or commission plans are appropriate. Conduct a compensation audit and make appropriate adjustments.
- 5) Training and Development – Assess employee competencies and create Individual Development Plans (IDP) that align employee development with organizational goals, individual career goals, and compliance.

The results anticipated from efforts in these key areas include:

- The ability to communicate effectively with employees, by providing a general framework for administering policies and guidelines consistently, promoting organizational philosophy and culture, while reducing time spent answering commonly asked questions.
- Create and maintain consistently formatted job descriptions that clearly and concisely define the role, essential functions, and qualifications of each position.
- Increased productivity by aligning employee performance and behavior with the mission, vision, and values of the organization to meet the objectives of the organizational goals.
- Develop employees to become equipped with the tools and skills needed to be high performers.
- Develop a compensation plan that enables the organization to attract, retain, and reward top talent and performance. Promote compliance with pay equity laws.
- Develop employees to become equipped with the tools and skills needed to be high performers.

After reviewing the contents of this report, we ask that you contact us with any questions or to discuss any aspect of the HR Roadmap Report. Thank you for the opportunity to meet with you, we look forward to assisting and serving you with all your HR, employment law, and training needs.

We at Employers Council look forward to working with you during the coming year on these areas and assisting in other areas as needed. Our goal is to partner with you as you work to make your organization an exceptional workplace.

Best Regards,  
Brandy Walker  
(303) 223 5471  
[bwalker@EmployersCouncil.org](mailto:bwalker@EmployersCouncil.org)



## Employee Handbook

Employee Handbook resources can be used to develop, revise, or create a new handbook. We have sample handbooks for Colorado. There are individual policy samples with clauses for numerous areas that might potentially be covered in a handbook.

### MEMBER RESOURCES

- [Employee Handbook Planning Guide](#) - These samples include the most common legal and administrative considerations an employer needs to keep in mind when developing a handbook policy. If you want to learn more about the use or implementation of handbooks at your workplace, we recommend that you start with Initial Design Considerations.
- [Handbooks Checklist](#) – This resource is a list of subject areas that may be included in an employee handbook. From the subjects listed below, employers should decide what is most important and applicable to their particular organization and business culture.
- [CO Small Employers Sample Handbook](#) - This sample employee handbook has been developed for Employers Council members. It serves as a guide for employers when developing or revising their handbooks. This sample is written based on federal and Colorado law for private employers with fewer than 15 employees. Please note once you exceed 15 employees there are additional compliance requirements.
- Handbook review, once you complete your employee handbook you can submit your handbook to the following email address for review:

[HandbookReview@EmployersCouncil.org](mailto:HandbookReview@EmployersCouncil.org)

### TRAINING OPTIONS

The following link will take you to the [Employers Council Training Catalog](#) – please look for the recommended offerings under the title(s) listed below.

- Crafting Impactful Employee Handbooks

## Job Descriptions

A written job description outlines the job purpose, essential functions, qualifications (knowledge, skills and abilities: “KSAs”) and working conditions of the role. In addition to helping figure out how to pay for the job, formal job descriptions serve other important functions like setting common performance standards, providing a basis for training needs; setting specifications for recruiting; identifying learning opportunities for advancement, and providing a basis for consistent treatment and expectations.

### MEMBER RESOURCES

[CCH Job Description & Performance Review Builder](#) – Instructions for how to access the Job Description builder and a library of sample Job Descriptions.

[Job Descriptions – Overview and Samples](#) - This material discusses the uses and major elements of job descriptions; and includes two sample formats and a guideline for writing duty statements.

[Job Description Terms](#) - When writing job descriptions these terms can be used so that the duty statements and job function qualifications are concisely stated. The list is also intended to help you avoid the use of indefinite or ambiguous expressions. While it may not be possible that two people would agree fully as to the correct definitions of these terms, it is necessary for the purpose of comparison that job description writers and job analysts define their terms in the same way. Knowledge, skills, and abilities (KSAs) are the qualifications an individual needs to perform a job or the essential functions of the job. This material provides general information and instruction on writing KSA statements, as they are an important element of job descriptions.

[Job Description Knowledge, Skills and Abilities](#) - When writing job descriptions, the following terms can be used so that the duty statements and job function qualifications are concisely stated. The list is also intended to help you avoid the use of indefinite or ambiguous expressions. While it may not be possible that two people would agree fully as to the correct definitions of these terms, it is necessary for the purpose of comparison that job description writers and job analysts define their terms in the same way. Knowledge, skills, and abilities (KSAs) are the qualifications an individual needs in order to perform a job or the essential functions of the job. This material provides general information and instruction on writing KSA statements as they are an important element of job descriptions

[Job Analysis Questionnaire – Physical Demands and Environmental Conditions](#) - Job analysis refers to the process of gathering, recording, and analyzing relevant information about jobs. Many methods exist to gather data about jobs. These include diaries/logs, direct observation, interviews, and written questionnaires. When using a questionnaire, the incumbent typically completes the questionnaire and then gives it to a supervisor for review. The sample job analysis questionnaire that assesses in detail physical requirements and environmental conditions of a job is available separately in our document library. While not every job requires this degree of analysis, for some jobs that have extraordinary physical or environmental demands, this format will be useful in defining the requirements. Definitions

of both physical demands and environmental conditions from the *Dictionary of Occupational Titles* are included in this document.

[Job Analysis Questionnaire – Description Format 1](#) - Job analysis refers to the process of gathering, recording, and analyzing all relevant information about a job. Many methods exist to gather data about jobs. These include diaries/logs, direct observation, interviews, and written questionnaires. When using a questionnaire, the incumbent typically completes the questionnaire and then gives it to the supervisor for review and approval. Two sample job analysis questionnaires are available from Employers Council. This document is the first sample representing the “open-ended” questionnaire which uses a standardized set of questions that requires job incumbents to prepare a narrative response (similar to an essay question). The second sample questionnaire is a structured questionnaire. One example of a job description format is included in this first sample open-ended questionnaire. Information from the questionnaire can be condensed and summarized in the job description.

[Job Analysis Questionnaire – Description Format 2](#) - Job analysis refers to the process of gathering, recording, and analyzing all relevant information about jobs. Many methods exist to gather data about jobs. These include diaries/logs, direct observation, interviews, and written questionnaires. When using a questionnaire, the incumbent typically completes the questionnaire and then gives it to the supervisor for review. Two sample job analysis questionnaires are available. This document is the second sample representing the structured questionnaire which primarily uses a standardized set of questions that limits job incumbents to a predetermined set of responses. The first sample questionnaire is the open-ended “questionnaire. This second questionnaire has been developed with headings that match the second job description format sample. Information from the questionnaire can be summarized and transferred directly to the job description headings.

[Job Description Checklist](#) - This checklist presents considerations for creating a job description.

Job Description Reviews can also be conducted by an Employers Council HR Consultant. Please contact our Member Experience Team, at 1 (800) 884-1328 or [info@employerscouncil.org](mailto:info@employerscouncil.org), if you would like to utilize your consulting hours to have job descriptions reviewed.

## **TRAINING OPTIONS**

The following link will take you to the [Employers Council Training Catalog](#) – please look for the recommended offerings under the title(s) listed below.

- Writing Effective Job Descriptions

## **FOR-FEE PROFESSIONAL SERVICES**

[Outsources HR Support Services](#) – Our HR Professional staff can conduct job analysis and create job descriptions for your organization if you prefer this to doing so internally.

## Performance Management

Performance Management is an ongoing process, not an event, which begins on the employee's first day of employment. It emphasizes front-end planning and ongoing dialogue. Performance expectations are mutually decided at the beginning of the measurement period and serve as the basis for performance and development discussions throughout the year.

Performance management is a continuous process of identifying, encouraging, measuring, assessing, improving, and rewarding employee performance and of aligning performance with the strategic goals of the organization.

### MEMBER RESOURCES

[Performance Appraisal Form - Overview](#) - This document contains an overview and checklist for developing or revising a performance appraisal form, which is one part of the overall performance management system.

#### [Performance Appraisal Sample Forms](#)

[Performance Levels Samples](#) - This document contains sample performance level descriptions, which are one component of a traditional performance appraisal form. These need to be tailored to your organization.

[Performance Documentation: Documenting Performance/Behavior](#) - Documentation is a written description of an employee's performance or job-related behavior, positive and negative. An essential element of the performance management process is daily documentation and, if necessary, disciplinary documentation. This document includes: (1) the purpose of daily and disciplinary documentation; (2) an example of a performance log; (3) the primary elements of disciplinary performance documentation with an example of a written warning; and (4) documentation guidelines with specific examples of actual behavior.

[Corrective Feedback Discussions](#) - This document concentrates on ways to plan and conduct a corrective feedback discussion.

[Setting Expectations – Performance Standards and Goals - Objectives](#) - This document focuses on performance standards and goals as measures of employee performance, including Comparison of performance standards and performance goals (objectives), Advantages and disadvantages of use, Writing effective standards and goals and Examples

#### [Handbook: CO Performance Appraisals](#)

## TRAINING OPTIONS

The following link will take you to the [Employers Council Training Catalog](#) – please look for the recommended offerings under the title(s) listed below.

- Creating a High-Performance Culture One Employee at a Time
- Coaching to Build Skills, Improve Performance & Develop Others
- Enhancing Performance through Documentation
- Performance Management Setting the Stage for Success

## FOR-FEE PROFESSIONAL SERVICES

- [Outsources HR Support Services](#) - Employers Council has HR professionals on staff that can come work at your organization for short- or long-term needs to help with your HR projects. This could include helping your organization build out a performance management system or process.
- [Organizational Development Services](#) - Employers Council has professionals that offer Executive & Leadership Coaching designed to maximize leadership potential.

## Compensation Planning

Compensation plans are strategies designed to attract, retain, and reward employees. Thoughtful design goes into the measurements used, eligibility requirements and how the plans support goals from the individual to the organization. Flexibility is important too, sometimes, adjustments will be needed to compensation components due to disruptions (e.g., business interruptions, economic activity, and markets).

Colorado's Equal Pay for Equal Work Act (EPEWA) covers all public and private employers and prohibits employers from paying different wages to employees who perform "substantially similar" work on the basis of sex or sex plus another protected status. Employers may pay different wages to employees performing substantially similar work if the disparity is entirely justified by certain factors. Job posting requirements also apply.

### MEMBER RESOURCES

[Developing a Total Rewards Philosophy](#)- This document provides the rationale, purpose, and process for developing a Total Rewards philosophy.

[Compensation Plan Development Checklist](#)- If you want to control payroll costs and ensure a competitive position in acquiring and retaining the best employees, you need a well-developed compensation strategy.

[Analyzing Salary Surveys](#) - Analyzing the salaries other organizations pay for comparable jobs is an important step employers utilize to define their external labor markets and their compensation program.

[Compensation - Terms](#) - This material provides practical and concise definitions of key compensation terms.

[Constructing Salary Ranges](#) - An important part of compensation systems design is developing salary ranges that establish the limits of worth or payment for jobs.

[Incentive Bonus Plan Document Essentials](#) - This document includes an outline of essential details that a variable pay plan should include from a strategic and tactical perspective.

[CO Pay Equity Law](#) - The Equal Pay for Equal Work Act, effective January 1, 2021, prohibits employers from paying different wages to employees who perform "substantially similar" work based on sex or sex plus another protected status.

[CO Pay Equity Law – Job Posting Scenarios](#) - The Equal Pay for Equal Work Act, effective January 1, 2021, prohibits employers from paying different wages to employees who perform "substantially similar" work based on sex or sex plus another protected status. One somewhat confusing section of the law concerns new job posting requirements.

[CO Wage Transparency Act](#) - The Wage Transparency Act, which took effect on August 5, 2008, amends the Colorado Anti-Discrimination Act to provide employees the absolute right to discuss their wages with others.

[Conducting a Pay Equity Analysis Checklist](#) - Conducting a Pay Equity Analysis is the best way to comply with laws such as Colorado’s “Equal Pay for Equal Work Act.” The primary objective of this law is to help to close the gender pay gap in Colorado by ensuring that employees with similar job duties are paid the same wage rate regardless of sex, or sex plus another protected status.

## **TRAINING OPTIONS**

The following link will take you to the [Employers Council Training Catalog](#) – please look for the recommended offerings under the title(s) listed below.

- Compensation Administration: Base Pay Design and Development
- Compensation Administration: Advanced Concepts

## **FOR-FEE PROFESSIONAL SERVICES**

[Outsources HR Support Services](#) – Our HR Professional staff can conduct Compensation Planning Services



## Training and Development

Proactive, strategic employee development and training is a win-win. Workers learn new skills, apply new talents, and gain valuable experience while organizations gain employees better equipped for the future. Employers Council has curated a collection of content designed to help you align your organization's goals with your employee development and training plans.

### TRAINING OPTIONS

The following link will take you to the [Employers Council Training Catalog](#) – please look for the recommended offerings under the title(s) listed below.

- Discrimination in the Workplace: The Law of the EEO
- Harassment Prevention for Managers and Supervisors
- Coaching to Develop Others
- Supervision and Core Competencies
- Interviewing and hiring
- Performance Management
- Legal Issues for Managers and Supervisors

### FOR-FEE PROFESSIONAL SERVICES

[Executive & Leadership Coaching](#) – This service is offered through or Organizational Development Services. Highly motivated and engaged employees are the backbone of a successful organization. High levels of engagement and motivation begin with the ability of leaders at all levels to cast a compelling vision and transform the culture into an exceptional place to work. Our Organizational Development staff can assist with any coaching needs you may have. Our Organizational Development staff can also assist with Leadership Academies, Team Effectiveness, and Strategic Alignment.



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## **Proposition HH: Reduce Property Taxes and Retain State Revenue**

Proposition HH will appear on Colorado voters' November ballots. In addition to the below summary and analysis from CML, a detailed analysis of the measure by the General Assembly's Legislative Council Staff is available at <http://leg.colorado.gov/ballots/reduce-property-taxes-and-retain-state-revenue>.

### **CML Summary and Analysis**

*Assessment rate/valuation changes:* The General Assembly referred Proposition HH to voters by [SB 23-303](#). The measure temporarily lowers the assessment rates for both residential and certain types of nonresidential properties for a ten year-period. For the 2023 property tax year, the measure provides all residential properties with a \$50,000 reduction in value, and for the 2024 property tax year, provides all residential properties with a \$40,000 reduction in value. Starting in the 2025 tax year, the measure creates a distinction between owner-occupied primary residences and non-owner-occupied residences and, starting that same year, only owner-occupied homes will be afforded the \$40,000 reduction in actual value on an annual basis. The measure also creates a "qualified-senior primary residence" exemption of \$140,000 starting in the 2025 property tax year, which will be portable. Both the owner-occupied primary residence exemption and qualified-senior primary residence exemption require taxpayers to apply with their respective county assessor to obtain the exemption.

These changes to assessment rates and valuation provide some property tax relief by lowering the property taxes owed by property owners, compared to what would be owed without the measure. This results in a decrease in property tax revenue collected by local governments, compared with what is authorized under current law. This means that in property tax years when property values increase, like the 2023 property tax year, taxpayers will still see an increase in property taxes under Proposition HH, but the increase will likely be less than the increase would be without the measure; likewise, local governments may see an increase in property tax revenue even if Proposition HH passes, but it will likely be less of a revenue increase than would occur without the measure. If property values remain stagnant or decrease in future property tax years, Proposition HH may result in a greater decrease in property taxes owed by taxpayers and may result in a greater decrease in property tax revenue for local governments. This analysis rests on the assumption that local governments keep their mill levy the same each year, which is not typically the case, and would further impact the analysis.

*Revenue limit:* Starting in the 2023 property tax year, Proposition HH limits growth in property tax revenue for local governments, except for school districts and home rule municipalities and counties (but not any of their special purpose districts). The limit is the rate of inflation, as dictated by the Denver-Aurora-Lakewood CPI (based on the most recently published estimate of inflation for the prior calendar year), over the prior year's property tax revenue. The measure sets forth certain categories of revenue that are exempt from this limit.



Local governments can exceed the revenue limit if the governing body, on an annual basis, notifies the public, holds a public meeting for public comment, and adopts an ordinance or resolution. The local government's decision would be a final decision that is not subject to appeal. This new limit applies in addition to local TABOR expenditure limits and any other legal limits on revenue. Notably, local governments already have authority to temporarily lower mill levies to provide property tax relief and many have implemented property revenue growth limitations. Although local governments are given authority to exceed this new inflationary limit, Proposition HH may constrain the authority of local governments to create locally appropriate solutions.

*Retention of state surplus and revenue backfill:* Finally, the measure allows the state to retain and spend part of the state surplus (TABOR cap) up to the "Proposition HH cap" through at least 2032.<sup>1</sup> This, in turn, reduces TABOR refunds.<sup>2</sup> Up to 20 percent of the retained revenue will be used to partially backfill the property tax revenues that local governments will lose out on because of the various reductions that will go into effect. However, lost property tax revenue resulting from reduced mill levies (e.g., due to the local property tax limit in the act) will not be reimbursed to local governments. Additionally, once a municipality reaches an increase of 20% or more in the assessed value of real property from the 2022 property tax year, it will no longer be eligible for backfill. Most local governments are likely to become ineligible for any backfill early in the ten-year period. Fire Districts, EMS, and Hospital Districts will receive 50% of their backfill amount if they go over the 20% increase in assessed value and are at the front of the line for available backfill dollars. Up to \$20 million of the state-retained revenue may go to rental assistance. The largest portion of the state-retained revenue will go to fund K-12 education and will likely increase significantly over the ten-year period.

Proposition HH is a complicated measure with many moving pieces, making it difficult to fully explain and understand the scope of changes, let alone for state and local governments to implement the changes. The measure will require state and local governments to establish new processes to effectuate these changes, making Proposition HH administratively difficult to navigate, particularly regarding municipal budgeting. To compound that challenge, the measure's impact is dependent on many economic factors that are constantly in flux.

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<sup>1</sup> The state can continue the Proposition HH cap after 2032, without further voter approval, if it maintains property tax decreases equivalent to those in the measure.

<sup>2</sup> For the 2023 tax year, the measure will distribute TABOR refunds to taxpayers in equal amounts rather than through the tiered refund system.