



**Notice of Regular Meeting of the  
Montrose Recreation District (MRD) Board of Directors  
Thursday, April 25, 2024 at 11:30am  
Montrose Community Recreation Center  
16350 Woodgate Road  
Montrose CO 81401**

**I. Call to Order, Roll Call**

**II. Open Forum:** Call for Public Comment (limit of 3 minutes per person)

**III. Staff Recognition:**

- a. **Introductions:** Matt Brickey, Recreation Coordinator – Aquatics
- b. **Certifications:**
- c. **Anniversaries:** Lisa Lopez, 3 years, Jessica Workman, 6 years
- d. **Awards:**
  - i. PT Staff of the Month: March 2024
  - ii. Core Staff of the Month: March 2024

**IV. Updates & Reports**

- a. **ADA Transition Plan 1<sup>st</sup> Q**
- b. **Capital Improvement Plan 1<sup>st</sup> Q**
  - i. **EV Charging Stations**

**V. Employee Handbook annual Revisions**

- a. Annual revisions referred through the Admin Committee

**VI. Committee Updates and Assignments**

- a. **Exec. Committee of Board** (Board: Christina, Alli. Staff: Mari, Jeremy)
- b. **Administrative** (Board: Alli, Barb. Staff: Mari, Jeremy, Lisa, Debby)
- c. **Foundation** (Board: Megan, Barb. Staff: Mari, Astro)
- d. **Growth** (Board: Ken, Suzi. Staff: Mari, Jeremy, Justin, Miguel)
- e. **Finance** (Board: Paul, Alli. Staff: Mari, Jeremy)
- f. **MURA** (Board: Alli)

**VII. Executive Director's Update**

**VIII. Approval of BOD Meeting Minutes**

- a. Regular Meeting of the Board 03.28.2024

**IX. Adjourn**

**Next BOD Regular Meeting & Budget Hearing  
May 23 at 11:30am  
CRC 16350 Woodgate Road  
Montrose, CO 81401**



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## **FORMAL REPORT to Board of Directors: ADA Transition Plan 2024 Quarter 1 Report**

April 1, 2024

**Project Leader:** Jeremy Master, Recreation Manager  
[jeremy@montroserec.com](mailto:jeremy@montroserec.com)  
970-497-8568

### **Accessibility Management Team:**

Bryce Carroll – Custodial Maintenance  
Liz Gracesun, Recreation Coordinator – Aquatics  
Justin Mashburn, Facilities Manager  
Jeremy Master, Deputy Director  
Barb Sharrow, Board of Directors Representative  
Debby Zarkis, Coordinator – Business Operations/Communications

### **ADA Improvements 2024**

Budget: \$50,000  
Expenses to Date: none

### **Summary:**

There are continuous improvements planned to facilities, policies, programs, and procedures. The largest development in the first quarter of 2024 is the successful creation of the Citizen Advisory Team on Accessibility (CATA). This group met on March 19<sup>th</sup>. Comprising this group are representatives from Montrose Regional Health, Community Options, Colorado Autism Group, and families of individuals with disabilities. The first meeting was held to review the Team Charter, engage the team with one another, and familiarize them with MRD's work thus far to improve accessibility. CATA members were all excited to engage the community and to help MRD prioritize its work to continue improving accessibility of its programs and services. It's next meeting is to be held June 4<sup>th</sup>, and I anticipate further activation of this energized and committed group of volunteers. Here are links to CATA's key documents:

### **[Citizen Advisory Team on Accessibility \(CATA\) Meeting Team Charter: Citizen Advisory Team on Accessibility](#)**

The Accessibility Management Team had two partial meetings (January 24<sup>th</sup> and February 26<sup>th</sup>) to discuss annual goals. The facility improvements are well established within the Transition Plan, and the 2024 projects are summarized here:

- Facility Improvements:
  - \$50,000 in CIP Funds to accomplish approximately 90 improvements.
    - Biggest projects
      - Purchasing and installing accessible picnic tables in various locations \$6400



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- Add EWF loose fill to recommended levels at various playground and outdoor amenity locations \$8400
- Common projects
  - Signage (5x)
  - Install door pulls (4x)
  - Relocation of bathroom fixtures (20x): mirrors, grab bars, dispensers, changing tables

The work to create, update, and improve policies, programs, and procedures is more complicated and is picking up more momentum in 2024 after spending 2023 on foundational improvements such as adopting the ADA Notice and overhauling the website to a new accessible service provider. In Quarter 1 we have reviewed the whole set of recommended and required improvements and assigned the required improvements to staff members with timelines. These are listed here, followed by the link to the document for greater detail.

Policy, Program, and Procedural improvements scheduled for 2024:

- Develop a comprehensive information technology accessibility plan
- Adopt a grievance procedure to receive, investigate, and follow-up on ADA-related complaints and make the procedure known to the public
- Adopt a policy on the use of other power-driven mobility devices at MRD parks and facilities
- Adopt a Service Animal Policy **DONE**

[ADA Action Plan for PPP: Q1 2024](#)



## FORMAL REPORT to Board of Directors: 2024 Capital Improvement Plan – Q1

April 1, 2024

Compiled by: Jeremy Master, Deputy Director

[jeremy@montroserec.com](mailto:jeremy@montroserec.com)

970-497-8568

Summary: Only a few projects are off the ground yet in early 2024. The larger projects, specifically the FH Site Design and Improvement Project are on hold indefinitely. The Ute/McNeil Construction project will move forward upon completion and project designations resulting from the ongoing Baldrige Regional Park Master Plan.

Total CIP Budget: \$4,222,084

Total Spent: \$131,096

CAPITAL IMPROVEMENT FUND (20)			
Priority	Project Title	2024	Code
	Plant Costs 1% annual maintenance fund on initial investment CRC / FH	\$ 293,000	20-410-5371
	ADA Improvements	\$ 50,000	20-410-5371
	Fitness Towel Cabinets / upstairs welcome desk	\$ 9,200	20-420-5370
	Replacement/enhancement security cameras	\$ 12,638	20-420-5370
	Fitness Equipment, 4 year lease	\$ 94,500	20-420-5370
	Improve WiFi CRC	\$ 7,500	20-420-5371
	Kubota Utility Vehicle / RTV 1100	\$ 30,529	20-430-5370
	Turf Tank Painter	\$ 13,500	20-430-5370
	Ute/McNeil Construction	\$ 700,000	20-430-5371
	Field House Improvement Project	\$ 2,805,043	20-490-5371
	<b>TOTAL YEAR CIF</b>	<b>\$ 4,015,910</b>	
CONSERVATION TRUST FUND (60)			
Priority	Project Title	2024	Code
	Ute/McNeil Construction Prep Documents	\$ 169,464	60-430-5371
	Holly Park wall and court painting	\$ 15,000	60-430-5371
	Field House Outdoor Pool Repairs	\$ 21,710	60-490-5371
	<b>TOTAL YEAR CTF</b>	<b>\$ 206,174</b>	
<b>TOTAL YEAR (COMBINED CIF/CTF)</b>		<b>\$ 4,222,084</b>	



## CAPITAL IMPROVEMENT FUND 20: EXPENSE TRACKING

### Plant Operating Costs

20-410-5371

#	Document Date	Check Number	Vendor Name	Invoice	Check Amount
1	1/24/2024	3194	Valley Crane	7484	1,101.50
2	3/14/2024	3198	Toms Electric	38747	705.26
3	3/14/2024	3197	SlideRite	1774	12,450.00
4	3/22/2024	3200	A-1 Daylights	031424MONT	3,676.25
5	3/22/2024	3201	Tom's Electric	38794	1,030.28
6					

	\$	293,000	Project Total Budget
	\$	18,963.29	Active Total
	\$	274,037	Remaining Budget

Projects are underway to replace the skylights at the CRC and to restore the drop slide in the lap pool. Other expenditures are related to recent repairs to pool pumps and motors.

### ADA Improvements

20-410-5371

#	Document Date	Check Number	Vendor Name	Invoice	Check Amount
1					
2					

	\$	50,000	Project Total Budget
	\$	-	Active Total
	\$	50,000	Remaining Budget

### Fitness Towel Cabinets / Upstairs Welcome Desk

20-420-5370

#	Document Date	Check Number	Vendor Name	Invoice	Check Amount
1	2/20/2024	3195	Rogue	157992	10,035.00
2					
3					

	\$	9,200	Project Total Budget
	\$	10,035.00	Active Total
	\$	(835)	Remaining Budget

### Replacement/Enhanced Security Cameras

20-420-5370

#	Document Date	Check Number	Vendor Name	Invoice	Check Amount
1					
2					

	\$	12,638	Project Total Budget
	\$	-	Active Total
	\$	12,638	Remaining Budget

### Fitness Equipment, 4 year lease

20-420-5370

#	Document Date	Check Number	Vendor Name	Invoice	Check Amount
1	1/9/2024	3193	American Capital	2023504355	62,131.87
2	3/14/2024	3196	American Capital	2023504355	1566.16

	\$	94,500	Project Total Budget
	\$	63,698.03	Active Total
	\$	30,802	Remaining Budget



The \$10,035 Rogue transaction is actually part of the Fitness Equipment replacement project. That project has come to approximately \$74,000, with \$20,500 remaining. All new equipment has been delivered and installed successfully. The equipment from Advanced Exercise is year 1 of a 4 year lease agreement.

<b>Improve CRC WiFi</b>					<b>20-420-5371</b>
	Document Date	Check Number	Vendor Name	Invoice	Check Amount
1					
2					
					\$ 7,500 Project Total Budget
					\$ - Active Total
					\$ 7,500 Remaining Budget

<b>Turf Tank Painter</b>					<b>20-430-5370</b>
	Document Date	Check Number	Vendor Name	Invoice	Check Amount
1	3/28/2024	3202	Turf Tank	67129	10,000.00
2					
3					
					\$ 13,500 Project Total Budget
					\$ 10,000.00 Active Total
					\$ 3,500 Remaining Budget

We were able to purchase a lower level subscription package to the lease of the turf tank painter at a savings of \$3,500 for services we did not use in 2023.

<b>Kubota Utility Vehicle / RTV 1100</b>					<b>20-430-5370</b>
	Document Date	Check Number	Vendor Name	Invoice	Check Amount
1	3/22/2024	3199	Western Implement	51817	28,088.07
2					
3					
					\$ 30,529 Project Total Budget
					\$ 28,088.07 Active Total
					\$ 2,441 Remaining Budget

Item is delivered and in use by the Parks Maintenance department.



**Ute/McNeil Construction** **20-430-5371**

	Document Date	Check Number	Vendor Name	Invoice	Check Amount
1					
2					
3					

\$ 700,000 Project Total Budget  
 \$ - Active Total  
 \$ 700,000 Remaining Budget

**Field House Improvement Project** **20-490-5371**

	Document Date	Check Number	Vendor Name	Invoice	Check Amount
1					
2					
3					

\$ 2,805,043 Project Total Budget  
 \$ - Active Total  
 \$ 2,805,043 Remaining Budget

\$ 4,015,910 Total Budget CIF  
 \$ 130,784.39 Active Total CIF  
 \$ 3,885,126 Remaining Budget CIF

Carryover from 2023

**Field House Site Master Plan** **20-490-5371**

	Document Date	Check Number	Vendor Name	Invoice	Check Amount
1	12/11/2023	3188	Alpine CC/Column	RFP	14.25
2					

\$ 40,000 Project Total Budget  
 \$ 14.25 Active Total  
 \$ 39,986 Remaining Budget

Currently we are saving \$39,986 of monies allocated in 2023 for this project.



**CONSERVATION TRUST FUND 60: EXPENSE TRACKING**

**Ute/McNeil Construction Prep Documents 60-430-5371**

	Document Date	Check Number	Vendor Name	Invoice	Check Amount
1					
2					

\$ 169,464 Project Total Budget  
 \$ - Active Total  
 \$ 169,464 Remaining Budget

**Holly Park Wall and Court Painting 60-430-5371**

	Document Date	Check Number	Vendor Name	Invoice	Check Amount
1					
2					
3					

\$ 15,000 Project Total Budget  
 \$ - Active Total  
 \$ 15,000 Remaining Budget

**Field House Outdoor Pool Repairs 60-490-5371**

	Document Date	Check Number	Vendor Name	Invoice	Check Amount
1	3/13/2024	1104	AlpineBank for Global Industrial		311.94
2					
3					
4					

\$ 21,710 Project Total Budget  
 \$ 311.94 Active Total  
 \$ 21,398 Remaining Budget  
 \$ 206,174 Total Budget CTF  
 \$ 311.94 Active Total CTF  
 \$ 205,862 Remaining Budget CTF

Carryover from 2023

**Ute/McNeil Site Master Plan 60-410-5371**

	Document Date	Check Number	Vendor Name	Invoice	Check Amount
1					
2					

\$ 60,000 Project Total Budget  
 \$ - Active Total  
 \$ 60,000 Remaining Budget



This table below represents the Plant Operating Costs savings. It is held within the Capital Improvement Fund (20). It began in 2022 with a \$288,000 allocation, and has a balance of \$473,892 at the conclusion of 2023.

**PLANT COSTS (contained within CIF 20)**

<b>Plant Operating Costs</b>					<b>20-410-5371</b>
	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>
Beginning Balance	\$ -	\$ 262,198	\$ 473,892		
Annual allocation	\$ 288,000	\$ 288,000	\$ 293,000		
\$ Spent	\$ 25,802	\$ 76,306	\$ 18,963		
Unexpended allocation	\$ 262,198	\$ 211,694	\$ 274,037		
Ending Balance	\$ 262,198	\$ 473,892	\$ 747,929		



**Montrose Recreation District  
MCRC - EV Charging Stations  
March 15, 2024**

**Background**

The existing EV charging stations have been in service since the CRC opening in 2017. In 2022, we invested several thousand dollars to upgrade the stations. At that time we and the vendor knew the upgrades, being previously unbudgeted, involved only replacement parts to bring the units to 3G at a time when 4G was already being rolled out. In October, 2023, charging patrons notified MRD staff that 2 of the 4 EV charging stations were intermittently working. The maintenance department worked with Blink Charging to troubleshoot the issues. Initially we were able to do hard resets on the stations to clear all alarms, but eventually - by the end of the year - the software became outdated. Blink has explained that there are no current software updates for this system. Currently the MRD has not allocated any funds for these upgrades, and we are currently seeking preliminary budget estimates for the 2025 budget. Two stations remain in use at this time.

**Current Actions**

Our current stations are Generation 1 Level II chargers (30A- 208/240V, 7.2 kW), and are tied into the 3G network. Most if not all charging stations have upgraded to 4G, and because of this, Blink Charging is no longer able to service generation 1 stations. Since Blink has communicated this to us, the MRD is researching upgrade options with multiple ev charging companies providing their recommendations and pricing. The MRD intends to find something similar to what we have currently, including a universal plug, a cellular network that is easily upgradable when upgraded to 5G, and a platform that is user-friendly.

The MRD has also reached out to a Colorado Recharge Coach (Mary Harlan) who covers the west central region through the Colorado Energy Office. Mary will assist in providing monetary savings, grant opportunities and other advantages related to deploying EVs and charging infrastructure. Astro and Miguel have already had preliminary discussions on this.

The maintenance team has received proposals from Blink Charging, and is in process to attain a proposal from Charge Point, and continues to research other companies that will provide the same information.

<b>EV Companies</b>	<b>Cost</b>	<b>Discount</b>	<b>Warranty</b>	<b>Extended Warranty</b>	<b>Install Lead Time</b>	<b>kW</b>	<b>miles/hour</b>	<b>Network</b>
<b>Blink Charging</b>	\$10,936	\$10k	1yr	\$1,600/yr	4-6wks	7.2	25	4G
<b>Charge Point</b>	In Progress							
<b>Winn-Marion</b>	In Progress							
<b>Siemens</b>	In Progress							



## Services Provided

The EV Charging station companies will provide their cost for demo, installation, and for the materials needed for this project. This includes the following:

1. BLINK S6 MODEL 630 L2 - 30A - 18FT
2. BLINK MOUNT - PEDESTAL SINGLE (S5/S6)
3. BLINK MOUNT - ANCHOR PLATE (S5/S6/S7/S7+/S8/S8+)
4. BLINK CMS - SINGLE (S5/S6)
5. BLINK CMS MOUNTING KIT - PEDESTAL (S5/S6/S7/S7+/S8/S8+)
6. WARRANTY - LIMITED 1 YEAR - PARTS AND LABOR

Other potential services needed for this project include the following:

1. Electrical contractor to provide proposal for upgrading the current service panel breaker from 30A to 40A. Possible upgrades for electrical conduit and wiring, as well as updating the surge protector. The MRD maintenance team will solicit proposals from contractors.
2. MRD software management training and set up
  - a. Add or drop charging stations in network
  - b. Register or remove users
  - c. Set pricing for charging station access
  - d. Monitor usage in real-time
  - e. Create historical usage reports
  - f. Set time-of-use policies and pricing
  - g. Consolidate parking and energy metering
  - h. Monitor fault-trip events
  - i. Implement demand response procedures

The MRD project team of Jeremy Master, [Miguel Lopez](#), [Justin Mashburn](#), and Astro Ball will solicit and review options throughout the year, and is attempting to put a plan in place that will optimize longer-term services for the lowest possible cost to the MRD. When those materials are compiled, they will review the plan with Mari Steinbach at the appropriate times. Unless something else changes, we intend to include this in the 2025 Operations & Maintenance portion of the annual Capital Improvement Plan.



# Montrose Recreation District Employee Handbook



## **ACKNOWLEDGMENT AND RECEIPT OF THE EMPLOYEE HANDBOOK**

The Employee Handbook contains important information regarding the MONTROSE RECREATION DISTRICT. I may contact my supervisor or Human Resources regarding any questions not answered in the Employee Handbook. I have entered into my employment relationship with the Montrose Recreation District voluntarily, and understand that there is no specified length of employment. **The Montrose Recreation District or I may terminate employment at will, at any time, with or without cause, and with or without advance notice.**

The information, policies, and benefits described are subject to change at any time. I acknowledge that revisions to the Employee Handbook will occur. Changes are generally communicated through official notices. Revised information may supersede, modify, or eliminate existing policies. The Executive Director and/or the Board of Directors may adopt revisions to the policies in the Employee Handbook.

The Employee Handbook is neither a contract of employment nor a legally-binding agreement. I accept the terms of the Employee Handbook. It is my responsibility to comply with the policies contained in the Employee Handbook, and any revisions made to it. I agree to and accept all subsequent modifications to the Employee Handbook while I remain in the employment of the Montrose Recreation District.

**I have received a copy of the Montrose Recreation District's Employee Handbook on the date listed below. I understand that I am expected to read the entire handbook and sign the Acknowledgment of Receipt.**

\_\_\_\_\_  
**Signature of Employee**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Employee's Name – Printed**



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**11.00 SEPARATION FROM EMPLOYMENT**

**11.10 EXIT PROCEDURE**

**1.00 INTRODUCTION**

**MRD'S VISION, MISSION, AND VALUES**

Vision: Where we will get to be the leader in providing exceptional parks and recreation experiences.

Mission: FUNdamentally improving lives by building community in fun, engaging ways, and by providing excellent parks and recreation facilities, activities, and services.

Values: Community focused, Inclusive, Innovative, Customer Centric, and Stewardship

**PURPOSE OF THE EMPLOYEE HANDBOOK**

MRD's Employee Handbook is prepared as a guide for employees. The purpose of the Handbook is to provide an understanding of what is expected of an employee. MRD may amend, modify, supplement or rescind any part of this Handbook at its discretion at any time. Employees will be notified of changes or additions to MRD's policies or procedures via official notices.

**1.10 Employment Definition**

**At-Will Employment**

At-Will Employment states that MRD or employees may discontinue employment at any time. Neither is required to give notice or advance notice of termination or resignation or required to provide a reason for the separation of employment. The Board of Directors, have the authority to enter into any agreement contrary to the at-will relationship. Such agreement must be in writing and signed by the Board of Directors' President or Vice-President.

**Worker's Classification**

1. Employee – is a person hired to perform a specific job duty, paid either hourly or salaried, and is under the direct supervision of the Montrose Recreation District.
2. Independent contractor – is a person hired to perform a specific job duty, paid a specific contracted wage, and is not under the direct supervision of the Montrose Recreation District.

**Employment Type**

1. Full-time employment – full-time employees are employees who work 40 hours per week. Full-time employees are eligible for health insurance and benefits.
2. Core employment - core employees are employees who average 30 - 40 hours per week. Core employees are eligible for health insurance and benefits at 3/4 the rate of a full-time employee.
3. Part-time employment – part-time employees are regularly scheduled to work less than 30 hours per week or are employed in a position that does not have full-time status. These employees do not receive health insurance or benefits. Part-time employees are covered under state and federal regulations for Workers Compensation, Medicare, PERA, and Unemployment insurance.

**Employment Status**

**Exempt Employee**

The Fair Labor Standards Act (FLSA) classifies employees as either exempt or nonexempt. FLSA Section 13(a) (1) provides exemptions for the minimum wage and overtime pay requirements for employees that meet set requirements:

1. Paid on a salary basis of no less than \$684 per week
2. Directly related to the management of their employer's business
3. Directly related to the general business operations of their employer or the employer's clients
4. Requires specialized academic training for entry into a professional field
5. Employed in the Computer industry
6. Making sales away from their employer's place of business
7. Recognized field of artistic or creative endeavor



MRD expects exempt employees to meet the 40 hours per workweek. If an exempt employee works less than 40 hours in any given week, the total hours of time worked, PTO used, and holiday pay must equal at least 40 hours. If time worked in a given week is less than 40 hours the employee's pay will be reduced accordingly. FLSA protects exempt employees from unlawful pay deductions. Below are the lawful deductions MRD can make from an Exempt Employee's pay:

1. During the first or last week of employment
2. Personal day (full-day)
3. FMLA leave (full or partial-day)
4. Sickness or disability with a bona fide leave (full-day)
5. Disciplinary suspension for violating workplace conduct rules (full-day)
6. Major safety violation (full or partial day)

### Non-Exempt Employees

Non-exempt employees are employees (full- and part-time) that do not meet the exempt requirements listed above. FLSA and the Colorado Minimum Wage Order 35 states that non-exempt employees are eligible for overtime. According to FLSA Section 07(o) (1), a non-exempt public employee may receive overtime in either overtime pay or in Compensatory Time.

## 1.20 BOARD OF DIRECTORS' AUTHORITY

The Board of Directors is responsible for the operation of the Montrose Recreation District. The Board retains the right to operate MRD consistent with its legal authority. This includes:

1. The right to direct the work of employees (hire, promote, demote, classify, evaluate, or retain employees)
2. The right to discipline employees (demote, suspend, or discharge), transfer, assign, schedule, or laying off employees
3. The right to determine and implement the methods, equipment, facilities, and personnel of MRD's operation
4. The right to maintain the efficiency and safety of operation, determine the budget and determine the level of service provided
5. The right to approve or deny any modifications or amendments to the Employee Handbook

## 1.30 EQUAL EMPLOYMENT OPPORTUNITY AND COMMITMENT TO DIVERSITY

The Montrose Recreation District is an equal employment opportunity employer and is committed to a non-discrimination program. All recruitment, hiring, placements, transfers, and promotions are based on the qualifications of the individual for the position being filled. Regardless of race, color, religion, ancestry, national origin, age, gender, marital status, medical condition, sexual orientation, pregnancy, or physical disability unless the necessary accommodation places an undue hardship on MRD.

All other personnel actions such as compensation, benefits, layoffs, returns from layoffs, terminations, training, and social and recreational programs are administered regardless of race, color, religion, ancestry, national origin, age, gender, marital status, medical condition, sexual orientation, pregnancy, physical disability, or any other consideration made unlawful by federal, state, or local laws.

MRD is committed to complying with all applicable laws providing equal employment opportunities. This commitment applies to all persons involved in MRD operation and will be adhered to in all personnel practices. MRD prohibits unlawful discrimination by any employee.

~~Any applicant or employee who requires an accommodation in order to perform the essential function(s) of the job should request such accommodation from Human Resources. If already employed, the employee should request such accommodation(s) from their supervisor or manager. It is the responsibility of the individual with the disability to specify the accommodation(s) needed to perform the essential function(s) of the job. MRD retains the right to deny an accommodation(s) if the accommodation(s) are unreasonable or place an undue hardship on the organization.~~

### COMMITMENT TO DIVERSITY

MRD is committed to creating and maintaining a workplace in which all employees have an opportunity to



participate and contribute to the success of the business and are valued for their skills, experience, and unique perspectives. This commitment is embodied in company policy and the way we do business at MRD and is an important principle of sound business management.

#### 1.40 AMERICANS WITH DISABILITY ACT (ADA) AND REASONABLE ACCOMMODATION

~~MRD is committed to the fair and equal employment of individuals with disabilities under the ADA. It is MRD's policy to provide reasonable accommodation to qualified individuals with disabilities unless the accommodation would impose an undue hardship on the company. MRD prohibits any harassment of, or discriminatory treatment of, employees based on a disability or because an employee has requested a reasonable accommodation.~~

~~In accordance with the ADA, reasonable accommodations will be provided to qualified individuals with disabilities to enable them to perform the essential functions of their jobs or to enjoy the equal benefits and privileges of employment. An employee with a disability may request an accommodation from the HR department and engage in an informal process to clarify what the employee needs and to identify possible accommodations. If requested, the employee is responsible for providing medical documentation regarding the disability and possible accommodations. All information obtained concerning the medical condition or history of an applicant or employee will be treated as confidential information, maintained in separate medical files, and disclosed only as permitted by law.~~

~~It is the policy of MRD to prohibit harassment or discrimination based on disability or because an employee has requested a reasonable accommodation. MRD prohibits retaliation against employees for exercising their rights under the ADA or other applicable civil rights laws. Employees should use the procedures described in the Harassment and Complaint Procedure to report any harassment, discrimination, or retaliation they have experienced or witnessed.~~

~~In 2023 MRD's Board of Directors adopted a formal ADA Notice. This document is included here in its entirety because it applies to everything the MRD does. It applies to your employment and the work that you do. It applies to our facilities, programs, policies and procedures. It applies to how patrons and the community interact with MRD. For your effective employment with MRD, you must have a basic understanding of this document and its principles, as well as understand that it is your responsibility as an employee to help in every way possible to ensure the MRD achieves it.~~

#### **AMERICANS WITH DISABILITIES ACT: ADA NOTICE**

The Montrose Recreation District is committed to making all of its programs and leisure services fully inclusive of individuals with disabilities. If you have a disability-related need for a modification, auxiliary aid, or service, in order to participate in a program, please notify our staff at the time of registration. For comments or concerns on MRD policies or the accessibility of facilities, please call the MRD ADA Coordinator and Deputy Director, Jeremy Master at (970) 249-7705.

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Montrose Recreation District will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

**ADA Self-Evaluation and Transition Plan:** With the assistance of an independent consultant, the Montrose Recreation District has conducted an accessibility assessment of all parks and facilities, along with an evaluation of policies, practices, and procedures. As a result, a dynamic, working Transition Plan has been developed to make physical accessibility improvements at parks and facilities. Further, an ADA Action Plan is utilized by our Accessibility Management Team to implement policies, practices, and procedures that are more fully inclusive of people with disabilities. Inquiries on the ADA Transition Plan and ADA Action Plan can be directed to the ADA Coordinator.

**Public Input:** The Montrose Recreation District hosts a variety of methods to gather input from the community. People with disabilities, family members, and disability advocates are invited and encouraged to participate in community engagement sessions, public meetings, surveys, and other special events. Individuals interested in MRD inclusion initiatives are also invited to provide comments specific to accessibility of parks, facilities, and programs can be directed to the ADA Coordinator at any time. A suggestion box is also available at the Community Recreation Center for general feedback.

**Modifications to Policies and Procedures:** The Montrose Recreation District will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in MRD offices, even where pets are generally prohibited.

**Employment:** The Montrose Recreation District does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

**Effective Communication:** The Montrose Recreation District will generally, upon request, and as available locally,



provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in MRD programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Requesting Assistance: Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity, should indicate so at the time of registration or contact the office of the ADA Coordinator and Deputy Director, Jeremy Master at (970) 249-7705 as soon as possible but no later than one (1) week before the scheduled event.

The Montrose Recreation District will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

The ADA does not require the Montrose Recreation District to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden. ADA and Disability-Related Complaints: Inquiries or complaints that a program, service, or activity of the Montrose Recreation District is not accessible to persons with disabilities should be directed to the ADA Coordinator and Deputy Director, Jeremy Master at (970) 249-7705.

### 1.41 REQUEST FOR ACCOMMODATION

MRD is committed to the fair and equal employment of individuals with disabilities under the ADA. It is MRD's policy to provide reasonable accommodation to qualified individuals with disabilities unless the accommodation would impose an undue hardship on the company. MRD prohibits any harassment of, or discriminatory treatment of, employees or applicants based on a disability or because an employee has requested a reasonable accommodation.

In accordance with the ADA, reasonable accommodations will be provided to qualified individuals with disabilities to enable them to perform the essential functions of their jobs or to enjoy the equal benefits and privileges of employment. An employee or applicant with a disability may complete an Employee Accommodation Request Form for any disability related accommodation necessary to complete their essential job functions. Human Resources will review and analyze the request, including engaging in an interactive process with the employee to identify if such an accommodation can be made or if any other possible accommodations are appropriate. If medical documentation regarding the disability and possible accommodations is requested, the employee is responsible for providing such information. All information obtained concerning the medical condition or history of an applicant or employee will be treated as confidential information, maintained in separate medical files, and disclosed only as permitted by law.

### 1.50 MRD'S COMPLAINT PROCEDURE

~~If an employee believes there has been a violation of MRD's policies and procedures, then the following complaint procedure should be used:~~

- ~~1. An employee should report the incident to their supervisor, manager, or Human Resources~~
- ~~2. Human Resources will investigate the incident and recommend corrective action as necessary~~
- ~~3. If corrective action is necessary, the employee will be disciplined in accordance with MRD's discipline policy on page 26.~~

~~Complaints will be kept as confidential as practicable. MRD prohibits retaliation against any employee for filing a complaint or for assisting in a complaint investigation.~~

The MRD has established a procedure for a fair review of complaints related to any workplace controversy, conflict, or harassment. Employees may take their complaint directly to Human Resources if the complaint is related to their supervisor or if the employee feels their supervisor would not provide an impartial resolution to the problem.

**Step 1:** The complaint must be submitted in writing to their supervisor and HR within three (3) working days of the incident or as soon as possible. Early reporting assists in a more accurate investigation. Complaints will be taken seriously regardless of when they are reported. Employees may be asked to support their claim.

Human Resources will review complaints and determine the proper course of action. Human Resources will conduct fair, timely, and thorough investigations as warranted typically within five (5) working days from the complaint being filed. All parties will be provided with appropriate due process and reasonable conclusions will be reached based on the



evidence. Resolution may take longer depending on how much investigation is required. If the employee is not satisfied with the resolution, they may proceed to Step 2.

**Step 2:** The employee may submit an oral or written request for review of the complaint and Step 1 resolution (or if skipping Step 1, their initial report) to Human Resources. This request should be made within three (3) working days following the receipt of the Step 1 resolution. Human Resources will review the complaint and resolution and may call an additional meeting to explore the problem. If warranted, Human Resources will conduct additional fact-finding. A final decision will be rendered within ten (10) working days after receiving the Step 2 request, and a written summary of the resolution will be provided to the employee who filed the complaint.

## **2.00 WORKING CONDITIONS**

### **2.10 MRD'S WORK WEEK**

1. MRD's work week consists of a seven (7) day period beginning Saturday at 12:00 a.m. and ends Friday at 11:59 p.m.
2. MRD's work week consists of 40 hours per week

### **2.11 MRD'S PAY PERIODS**

MRD issues payment of wages on a bi-weekly system, which consists of 26 pay periods annually. Wages are issued no later than ten (10) days from the close of the pay period.

### **2.12 PAY POLICIES AND PROCEDURES**

Human Resources is responsible for administering payroll and benefits, including receiving and resolving employee questions and problems concerning compensation.

### **2.20 TRAINING TIME**

Employees are compensated for the time spent in MRD-required training activities. Compensation will not be provided for the following training unless authorized by MRD: Training that is undertaken to meet certification requirements mandated by a higher level of government (e.g., the State of Colorado or the United States)

- a. Training that meets all of the following criteria: Attendance is outside the employee's regular working hours
- b. Attendance is voluntary
- c. The employee performs no productive work during attendance
- d. Training is not directly related to the employee's job unless the training is obtained at an independent school or college attended on the employee's own initiative or the training program is established by MRD and corresponds to courses offered by independent learning institutions.

### **2.30 BREAK TIME**

Colorado law requires both rest and meal periods. The Colorado Division of Labor Standards and Statistics provides additional details in its [Interpretive Notice & Formal Opinion \(INFO\) #4 here](#).

#### **Rest Periods**

Employees are entitled to a paid 10-minute rest period for each four hours worked or major fractions thereof; the break should be provided as close to the middle of the four-hour work period as is practicable.

Employers and employees may voluntarily agree to have two 5-minute breaks as long as 5 minutes is enough time for the employee to use the restroom or go to and from a location where they'd otherwise take their break.

#### **Meal Periods**

Employees are entitled to an uninterrupted and duty-free meal period of at least 30 minutes when their scheduled work shift exceeds five consecutive hours of work. To the extent practical, the meal period must be at least one hour after the beginning of the employee's shift and at least one hour before the end of their shift.



When the nature of the business makes an uninterrupted meal period impractical, the employee must be given the opportunity to consume a meal while working and be fully compensated for the on-duty meal period. Meal periods are otherwise uncompensated.

## 2.40 ATTENDANCE

Attendance by employees is important to the successful operation of MRD. Employees are expected to maintain a good attendance record and to report promptly for work in accordance with shift schedules.

## 2.50 NOTICE OF ABSENCE

Employees who must be absent from work are expected to notify their immediate supervisor at least one (1) hour before their scheduled starting time so that a replacement can be contacted. If a replacement has already been arranged for, the supervisor must be notified no later than one (1) hour before their scheduled starting time.

Employees who must be absent from work are expected to notify their immediate supervisor within a reasonable time. The employee must provide the reason for and probable duration of the absence.

## 2.60 TARDINESS AND ABSENTEEISM

Employees should not be tardy or absent from their assignment for any reason without having the permission of their immediate supervisor prior to the time the employee was to report for work.

Employees are subject to disciplinary action if the employee fails to notify their immediate supervisor of the employee's tardiness or absenteeism. Absenteeism without prior approval or without making an attempt to contact their immediate superior or Human Resources for more than three (3) business days may result in immediate termination.

Pending approval of formal attendance policy, upon approval of new attendance policy by ED the above 2.60 section will be replaced.

## 2.70 Job Abandonment (No Call/ No Show)

Job abandonment (also called no call / no show) occurs when an employee does not report to work as scheduled and has no intention of returning to the job but does not notify the employer of their intention to quit. If an employee fails to report to work as scheduled the immediate supervisor must notify Human Resources. In addition, the immediate supervisor must attempt to contact the employee.

If the employee fails to notify their supervisor or Human Resources within a reasonable time period. MRD considers a reasonable time period to be three (3) business days. The employee will be considered a no-call/no show and that the employee has abandoned their job. MRD retains the right to terminate the employee's employment due to job abandonment. Human Resources will provide the employee with a termination letter, which includes the employee's final paycheck.

MRD understands and acknowledges that in certain circumstances, such as medical situations or incarcerations, that an employee may be unable to communicate the inability to make their shift. MRD will make attempts to contact the employee once the employee has missed their shift.

## 2.80 SAFETY

Safety is a continuing responsibility of all employees of the Montrose Recreation District. All employees must work together to provide a safe environment to work. It is the responsibility of each employee to learn and observe all applicable safety practices, policies, directives, or procedures. Safety-related questions should be directed to each employee's immediate supervisor.

## 2.81 SAFETY RULES

The Montrose Recreation District expects employees to comply with all safety rules. It is the responsibility of each employee to read and understand all MRD safety rules. Disobeying a safety rule may result in disciplinary action up to termination.

The Safety Committee will meet on a regular basis to review safety procedures and hazardous conditions existing in the workplace. They will identify problem areas, report their findings, and suggest corrective measures to the



Executive Director. The Safety Committee will develop and update MRD's Safety Manual, which encompasses all appropriate job classes. The Safety Committee is responsible for the distribution of the Safety Manual to all employees.

If an employee observes a safety violation they should report it to their immediate supervisor. The immediate supervisor is responsible for reporting the safety violation to the Safety Committee for action.

## 2.82 REPORTING ACCIDENTS AND WORKERS COMPENSATION

Any employment-related accident involving injury or property damage must be reported to the immediate supervisor of each employee involved in or witnessing the accident and Human Resources. A report will be made at the earliest practicable time.

The Colorado Workers' Compensation Act covers employees from employment-related injury or illness. Employees may receive benefits for missing work as a result of an employment-related injury or illness. A delay in reporting a work-related injury or illness may result in a loss of benefits. Employees' sustaining an injury resulting from an accident that occurs on the job must notify the Montrose Recreation District of such injury:

~~WRITTEN NOTICE OF YOUR INJURY MUST BE GIVEN TO EMPLOYER WITHIN TEN (10) WORKING DAYS AFTER THE ACCIDENT, PURSUANT TO SECTION 8-43-102(1), COLORADO REVISED STATUTES. IF THE INJURY RESULTS FROM YOUR USE OF ALCOHOL OR CONTROLLED SUBSTANCES, YOUR WORKER'S COMPENSATION DISABILITY BENEFITS MAY BE REDUCED BY ONE-HALF IN ACCORDANCE WITH SECTION 8-42-112.5, COLORADO REVISED STATUTES.~~

Written notice of your injury must be given to employer with in ten (10) working days after the accident, pursuant to section 8-43-102(1), Colorado Revised Statutes. If the injury results from your use of alcohol or controlled substance, your workers compensation disability benefits may be reduced by one-half in accordance with section 8-42-112.5, Colorado Revised Statutes.

The Montrose Recreation District reserves the right to test an employee for drugs or alcohol following an on the job injury per MRD's Drug and Alcohol Policy on page 21. MRD maintains a designated medical provider that employees must visit if they have sustained an on-the-job injury. For more information regarding the designated medical provider please see Human Resources.

## 2.90 MAINTENANCE AND HOUSEKEEPING

Each employee is responsible for the condition of equipment used on the job. Equipment that is damaged, worn, or in need of maintenance should be reported to the employee's immediate supervisor.

Cleanliness and orderliness are important to the operation of MRD. Employees are responsible for keeping their work areas clean and orderly. MRD reserves the right to restrict the placement of pictures or posters on walls within MRD premises.

# 3.00 COMPENSATION

## 3.10 Payroll DEDUCTIONS

Federal and State income taxes, PERA, and Medicare contributions are automatically deducted from employees' pay.

Health, Vision, Dental, and Life insurance; 401K; Health Savings Account; and other miscellaneous deductions must be authorized in writing by the employee and submitted to Human Resources.

## 3.11 GARNISHMENT OF AN EMPLOYEE'S WAGES

A garnishment is a legal deduction of a specified sum from an employee's wages in order to satisfy a creditor. If the MRD is required to garnish an employee's wages, the garnishment will be made in accordance with the law.

## 3.12 LEVY OF AN EMPLOYEE'S WAGES

A wage levy allows the IRS to deduct directly from an employee's paycheck to satisfy taxes owed. The IRS Code 26USC



6332€ provides that:

1. Employers who comply with a wage levy order cannot be held liable to an employee for such compliance and non-compliance will result in stiff penalties
2. Employers are required to start withholding wages in accordance with a wage levy within ten (10) days of mailing
3. Once a wage levy order is received, an employer should:
  - Give to the employee parts 2,3,4,5 of the levy
  - Instruct the employee to sign and return the Statement of Exemptions and Filing Status and return parts 3 and 4 to the employer within three (3) workdays
  - The employer must take the employee's net pay minus the exemptions and send it to the IRS along with part 3 of the wage levy for the next payroll period
  - If the amount is not sufficient to satisfy the entire wage levy, the employer must continue to comply until satisfied or until further IRS notification to cease compliance
  - It is illegal for employers to take adverse action (such as termination) because of a wage levy

### 3.20 HOLIDAY COMPENSATION

Part-time, full-time, and Core employees who work on holidays will be compensated at their regular wage rate. If a full-time employee is on-call or called in to work on a paid holiday. The employee's worked hours will be added in addition to the eight (8) hours of holiday pay. For example, if a full-time employee is called in to work on New Year's Day and the employee works 2 hours. The employee's total hours worked for New Year's Day is 10 hours.

### 3.30 OVERTIME

The Montrose Recreation District may require employees to work overtime. Exempt employees are not eligible for overtime pay. Employees who are non-exempt will receive overtime compensation for hours worked in excess of 40 hours during the workweek, twelve (12) hours per workday, or twelve (12) hours without regard to start or end time of a workday.

MRD reserves the right to use Compensatory Time in lieu of paid overtime for non-exempt full-time employees. Compensatory Time Off is accrued at time and one-half (1-1/2) of their regular rate of pay. Non-exempt full-time employees are allowed to work in other areas of MRD, as long as it does not cause an employee to go over 40 hours in a workweek.

### 3.40 COMPENSATORY TIME

Under FLSA §207(o)(1), the Montrose Recreation District has the option to pay non-exempt full-time employees' Compensatory Time off instead of overtime. Compensatory Time is earned at one and one-half (1-1/2) hours for each overtime hour worked.

Supervisors are responsible for monitoring the usage of Compensatory Time for their employees. Employees may be directed to use accrued unused Compensatory Time at any time. Employees must use their Compensatory Time before using other paid time off. Employees must monitor their Compensatory Time accruals and keep their accruals at or below 80 hours. According to FLSA §207(o)(3)(A), employees who exceeded 240 hours of compensatory time will be paid overtime instead of receiving additional compensatory time.

Human Resources will meet with employees to discuss a usage plan if an employee exceeds 80 hours of Compensatory Time. MRD may choose to pay out an employee's Compensatory Time in excess of 80 hours. Upon termination of employment, the employee will be paid out for any unused Compensatory Time.

## 4.00 **INSURANCE AND BENEFITS**

The terms and conditions of all group insurance plans offered by MRD are subject to change at the discretion of the Board of Directors. MRD insurance plans may require employee contributions as a condition of participation. Required contributions must be made through payroll deductions.

New employees will be subject to a thirty (30) day waiting period. This benefit will be available the first of the month following the thirty (30) day waiting period. If an employee or dependents of an employee decides to opt-out of coverage. A waiver of insurance must be completed and provided to the insurance carrier.



Full-time and Core employees who work at least thirty (30) hours per week year-round are eligible to receive group insurance benefits.

**4.11 HEALTH AND DENTAL INSURANCE**

The Montrose Recreation District offers health, vision, and dental insurance for eligible employees and their families as defined by the Health Insurance provider. Information is provided by Human Resources concerning the available options, coverage dates, and scope of coverage. According to COBRA, employees and their spouses and families are eligible for continuation of coverage under MRD’s group health, vision, and dental plans upon separation from employment for reasons other than gross misconduct.

**4.12 LIFE INSURANCE**

The Montrose Recreation District provides group life insurance for all eligible employees up to a maximum amount determined by MRD’s Board of Directors. Specific information as to coverage and available options is provided by Human Resources.

**4.13 EMPLOYEE ASSISTANCE PROGRAM (EAP)**

The Montrose Recreation District provides an Employee Assistance Program for all employees in need of professional mental health support for issues related to work or personal life. To access services please contact Human Resources for EAP resources through Optum.

**4.14 RETIREMENT BENEFITS**

The Montrose Recreation District does not participate in the collection of Social Security Insurance from employee’s pay. MRD provides employees with a retirement plan in lieu of Social Security Insurance. Retirement benefits and contributions by employees and MRD are provided under the Public Employees Retirement Association (PERA). Employees may contact PERA for more information regarding additional benefits offered exclusively through PERA.

**4.20 MRD FACILITIES PASS**

MRD provides employees and Board of Director members with passes to MRD facilities. The term “family,” encompasses anyone living at the same address as the employee or Board member. Those utilizing this benefit must have a completed pass contract on file and must scan their barcode in at the front desk every time the facility is used. The value of a pass is considered no-additional-cost services; therefore, the value is not added to the employee W-2s. Board Members will not receive a 1099-form the value of the service is no cost to MRD.

**BOARD MEMBERS**

New, current, or past board members receive an annual family pass to the Community Recreation Center, Field House and an individual pass to Flex Rec. For past board members to be eligible for this benefit the board member must have served for at least four (4) years. This benefit expires five (5) years after the Board member’s final board meeting.

**FULL-TIME/CORE EMPLOYEES**

Full-time and Core employees and their families will receive an annual family pass to the Community Recreation Center, Field House, and an individual pass to Flex Rec. This pass is valid for the time they are employed as full-time or Core employees of MRD.

**RETIRED FULL-TIME EMPLOYEES**

~~For retired full-time employees with 20 years of service or more will receive an annual family pass. For retired full-time employees to be eligible for this benefit the employee must have left employment in good standing. This benefit expires 10 years following the date of retirement.~~

Full-time employees retiring from MRD with 10, 15, or 20+ years of service will receive a free annual family pass. For full-time employees retiring from MRD to be eligible for this benefit the employee must have left in good standing,

Years of service at time of retirement	Years retiring FT employee will receive free annual family pass
10-14	3
14-19	5
20+	10



**PART-TIME EMPLOYEES**

Part-time employees receive a Community Recreation Center pass after 30 days of employment. This pass is valid for the time they are employed as part-time employees of MRD. New part-time employees are granted free access to the required area of the Community Recreation Center as needed to keep their training current (i.e. lifeguards have access to the lap pool etc.).

Child Watch may be added for an employees’ or Board members’ children at the current monthly rate. Child Watch may not be used by employees while on the clock. Exceptions may be made for the use of Child Watch with prior approval from the employee’s direct supervisor and/or the Executive Director.

There is no recreation program benefit to employees or Board members. Full recreation program prices must be paid during program participation.

**5.00 LEAVE, HOLIDAYS, AND VACATION**

Employees are provided the following leave time, holidays, and vacation. Full-time employees work 40 hours per week throughout the year. Core employees work at least 30 hours per week throughout the year.

The basis for determining a year of employment will be from the employee’s anniversary date. An employee’s anniversary date is the date the employee was hired. For example, if an employee is hired on March 29<sup>th</sup> then the employee’s anniversary date is March 29<sup>th</sup>.

**5.10 Paid Time Off (PTO)**

The purpose of the Paid Time Off policy is to provide sufficient Paid Time Off for an employee to take time off for the following reasons:

1. Health condition is such that they cannot go to work and perform their duties
2. Rest and recreation away from their job
3. Attend to personal matters

<b>Years Completed Employed</b>	<b>Full-Time PTO Days Non-Exempt (8 hour days)</b>	<b>Full-Time PTO Days Exempt</b>	<b>3/4 PTO Days Non-Exempt (6 hour days)</b>
0-4	10	16	10
4-7	15	<del>17</del> 21	15
7-10	20	<del>21</del> 26	20
10-13	21	<del>22</del> 27	21
13-16	22	<del>23</del> 28	22
16-19	23	<del>24</del> 29	23
19 +	24	<del>25</del> 30	24

**RATE OF ACCRUAL**

“Accrued” time off means the employee gains the right to use their PTO time, carryover PTO from one year to the next, or accrue PTO for termination payout. No time off policy can address every situation for every employee. It is MRD’s expectation that employees will act responsibly in managing the use of their time off.

PTO is accrued annually based on years of service and is pro-rated into 26 pay periods. PTO accruals will increase to the next level beginning with the pay period that includes the employee’s anniversary date. Core employees earn PTO at a rate of 3/4 that of a full-time employee. PTO begins accruing 30 days after employment and may be utilized as earned subject to supervisory approval, earned accrual limitations, and annual carryover limitations. PTO may not be used in advance of it being accrued.

**PTO RULES:**

1. Maximum accrual limit of 280 hours of PTO as of 12/31 of each year
2. Full-time employees **who have 140 banked hours of PTO OR beginning their 4<sup>th</sup> year employed** are required to take at least 80 hours of PTO each year
3. Core employees are required to take at least 60 hours of PTO each year



4. No more than a total of 960 hours of PTO, including accrued and donated, may be used within a one (1)-year period.

To provide options to employees, MRD offers the choice to employees whether to take an advance cash out of their PTO. Cash outs will only be available during the last pay period in June and the last pay period in December.

Employees are eligible for cash outs under the following conditions:

1. They have used 80 PTO (60 for Core) in the calendar year beginning January 1<sup>st</sup>.
2. They leave a minimum of 140 PTO hours in their bank.
3. Cash outs are at 100%.

Employees must take their required amount of PTO each year unless approved by their supervisor, the Executive Director, or the Board of Directors.

#### **UNSCHEDULED PTO**

Leave should be requested as soon as an employee knows that illness or any other emergency will require absence from work, preferably one (1) day in advance.

Optional PTO days off are usually at the discretion of the supervisor or manager based on business necessities. Employees are expected to give as much notice as possible for scheduled leave to allow for work planning. No less than two (2) weeks' notice for a vacation unless approved by the employee's supervisor. Employees are expected to use MRD's time tracking software for the leave request. The employee may be required to furnish medical verification or other proof that any unscheduled use of PTO was unavoidable to their supervisor or the Executive Director. Unscheduled use of PTO is available to an employee for illness, childcare emergencies, immediate family illness/injury, or other unforeseen circumstances.

Full-time temporary employees who are subsequently appointed to a regular position without a break of service may be given retroactive PTO credit computed from the last temporary appointment date. Such credit should not exceed 40 hours and is at the discretion of the Executive Director at the time of hire.

### **5.11 USING PTO FOR EXTENDED TIME OF LEAVE**

Supervisors expect ten (10) days' advance written notice to approve a continuous PTO absence longer than ten (10) days. Unless the PTO period is needed for death or funeral leave, emergency or health reasons under FMLA, or Workers' Compensation accident or injury.

#### **REQUESTS FOR EXTENDED PTO WILL BE GRANTED AFTER CONSIDERATION OF THE FOLLOWING FACTORS:**

1. The health of the employee or the employee's family member
2. The urgency and nature of the need
3. Circumstances were beyond the employee's control
4. Departmental needs (logistics and staffing requirements)
5. The time since the employee last took leave as compared to others working in the department
6. Business necessity
7. Full-time employees who have not worked 86 hours a month for 3 consecutive months, will cease to accrue PTO until reinstated to full-time.

#### **FMLA, WORKER'S COMPENSATION, OR MILITARY LEAVE**

PTO will be applied during an FMLA absence starting on the first day designated. PTO will not be applied for any paid workers' compensation covered absences or supplementing the pay of an employee on Workers' Compensation. If an employee is absent from work on a full-time, part-time, or intermittent leave basis, under Workers' Compensation or FMLA reason, the employee will be expected to return to work after the total twelve (12) weeks of absence.

If the verified health needs for absence exceed twelve (12) weeks, the employee must make prior arrangements to perform the essential duties of their job. This must start within 30 days of the end of the FMLA period. The minimum expectation is that the employee attends work and performs the essential duties of their job for an average of twenty (20) hours a week (or more) for each month following FMLA. Regardless of the reason for the absence, if this requirement is not met, MRD may have to release the employee as an active employee under COBRA law and health insurance provisions. Any request for "telecommuting" would have to be approved by the Board of Directors in writing.



If the employee is unable to provide a timely medical certification that they can perform the essential duties of their job for the required average hours in a month following FMLA or Worker's Compensation leave. It is the responsibility of the employee to apply for Disability under PERA and/or pursue any other benefits available to them at that time. At the end of the second payroll month after FMLA ends, the employee needs to apply for disability under PERA, be transferred to a more suitable position under ADA, or released under these requirements. In that event, accrued leave may be paid out to the employee or retained pending final resolution of the absence. MRD reserves the right to adjust decisions consistent with ADA or any other laws.

#### **REQUEST FOR PTO DONATIONS**

For those occasional situations in which an employee may incur, through no fault of their own, extraordinary need for PTO for which they have insufficient accrued PTO, they may request donations of PTO under the PTO Bank donation option. Donations and transfers of PTO are subject to approval by the Executive Director or MRD Administrative Committee.

#### **COMMUNICATING AN EMPLOYEE IS UNABLE TO REPORT FOR SHIFT**

An employee must communicate or designate a next of kin to communicate to the employee's supervisor if unable to report to work for any reason. This report should be made as early as reasonably required by MRD. Such notice must be made for each work shift to be missed unless prior approval for leave is submitted in writing that covers the entire period of absence. Employees failing to call in for each absence or being unable to show good cause for frequent call-offs, risk having their time off be designated as "unauthorized". Absence(s) that are "unauthorized" may be subject to disciplinary action. At any time, an employee is off work on authorized leave they are still expected to call in before extending the authorization for any additional time period.

#### **UNSCHEDULED PTO**

The unscheduled use of PTO which is considered excessive by the employee's supervisor or Executive Director may be subject to discipline. Abuse of unscheduled leave requests may be subject to disciplinary action up to and including termination. The employee's immediate supervisor may require a doctor's certificate for any unscheduled leave request related to illness of an employee or the employee's family member. Excessive use of unscheduled PTO as determined by the employee's supervisor must be documented in the employee's personnel file and will reflect negatively on the employee's annual evaluation. All consecutive workday absences due to the same illness or circumstances will be considered as one occasion.

In the case of any excessive unscheduled use of PTO due to personal illness or injury, the supervisor, the Executive Director, or Human Resources may designate the leave as FMLA and require at the expense of the employee a medical confirmation that the employee is fit to return to work.

#### **PAID TIME OFF DONATION CRITERIA**

MRD employees have the option of donating their accrued Paid Time Off hours to any MRD employee that meets the PTO/Sick Bank criteria.

Donation of PTO hours is voluntary and is administered by the Executive Director. Donation of PTO hours will be pro-rated according to the contributing and receiving employees' hourly rates for the purpose of administering the PTO. This will take into account the varying levels of pay between the contributing and receiving employees. For example, an employee earning \$30,000 annually who donates 100 hours to an employee earning \$60,000 annually will translate into a net donation of fifty (50) hours. In order for an employee to qualify for MRD's PTO bank time the following criteria must be met:

1. Major illness or injury of an MRD employee or immediate family member
2. A physician's written diagnosis must be on file to document the major illness or injury
3. The recipient must exhaust all accrued individual leave time before using donated PTO
4. Unused donated PTO must be returned to the contributing employee(s) on a pro-rated basis when the employee returns to work on a consistent and full-time basis. (Upon separation, any unused, donated, or accrued PTO, must be paid out as severance)
5. The total number of donated hours plus the PTO accrual for the receiving employee may not exceed 960 hours within one (1) calendar year
6. The donation must be approved by the Executive Director

## **5.20 PAID HOLIDAY LEAVE**

Full-time and core employees receive ten (10) paid holidays annually. MRD's paid holidays are voted on by full-time



and core employees and the paid days are approved by the Board of Directors. These days are in addition to PTO. If an employee's regular work schedule includes a paid holiday. The employee may take the paid holiday at a later date with approval from their immediate supervisor.

### 5.21 HEALTHY FAMILIES WORKPLACE ACT (HFWA - PAID SICK LEAVE)

Employees accrue personal sick leave regardless of status. Employees will accrue 1 hour of PSL leave for every 30 hours worked starting from the first day of hire. Employees may use accrued paid sick leave to be absent from work for the following purposes:

1. The employee has a mental or physical illness, injury, or health condition; needs a medical diagnosis, care, or treatment related to such illness, injury, or condition; or needs to obtain preventive medical care;
2. The employee needs to care for a family member who has a mental or physical illness, injury, or health condition; needs a medical diagnosis, care, or treatment related to such illness, injury, or condition; or needs to obtain preventive medical care;
3. The employee or family member has been the victim of domestic abuse, sexual assault, or harassment and needs to be absent from work for purposes related to such crime; or
4. A public official has ordered the closure of the school or place of care of the employee's child or of the employee's place of business due to a public health emergency, necessitating the employee's absence from work.

### 5.30 LEAVE TIME

MRD may provide paid or unpaid leave for use by employees under specific circumstances. The use of paid leave must be approved in advance by the employee's supervisor.

### 5.31 MATERNITY AND PATERNITY LEAVE

Full-time employees may use PTO and Compensatory Time to bond with a new child. Pregnancy and adoption are qualifying events under FMLA.

Employees must notify their supervisors at least thirty (30) days in advance when requesting maternity or paternity leave. Employees must consult and work with their supervisor and coworkers to ensure their job duties are covered in their absence. Employees must stay in communication with their coworkers during their absence and notify their supervisor of their expected return full-time.

### 5.32 FAMILY AND MEDICAL LEAVE (FMLA)

Employees are eligible for up to twelve (12) weeks of unpaid leave under FMLA. MRD may require the employee's portion of health insurance premiums to be paid by the employee. Generally, to qualify for such leave, an employee must have worked at least 1,250 hours for MRD during the twelve months preceding the beginning of the leave.

FMLA leave is available for the following reasons:

1. The birth of the employee's child
2. The placement of a child with the employee for adoption or foster care
3. To care for the employee's spouse, child, or parent with a serious health condition
4. A serious health condition that makes the employee unable to perform the essential functions of their position

FMLA leave is based on a rolling twelve (12) month calendar year. FMLA leave available to an employee at any given time is twelve (12) weeks minus the amount (if any) of FMLA leave used during the preceding twelve (12) months. Spouses who are both employed by MRD are limited to an aggregate of twelve (12) weeks leave for the birth or placement of a child or as a caregiver.

MRD may require employees to use any accrued PTO or other available paid leave (except overtime accruals) during FMLA leave. Employees are required to provide written notice of the need to take FMLA thirty (30) days in advance or within "a reasonable period of time appropriate to the circumstances involved." Forms may be requested from Human Resources.

#### MRD MAY REQUIRE EMPLOYEES TO PROVIDE:

1. Medical certification supporting the need for leave
2. Second or third medical opinions (at MRD's expense) and periodic recertification



3. Periodic reports about the employee's status and intent to return to work
4. Specific periodic updates on the likelihood of a return to work that is consistent with attendance, tardiness, and reporting rules

Medical certifications are due within fifteen (15) days from the date of request by MRD. If an employee can show due diligence and/or extenuating circumstances may extend that period to a thirty (30) day maximum. This document can be delivered to MRD after an employee declares leave under FMLA. An employee's failure to provide a timely medical certification may result in denial of leave.

Any employee taking FMLA leave must be provided health insurance benefits upon the same terms and conditions as if the employee had continued to work during the time on leave. Employees taking FMLA leave are responsible for any required employee contributions for such benefits throughout their time on leave.

If any employee fails to return from FMLA leave for reasons other than the continuation, recurrence, or onset of a serious health condition; or because of other circumstances beyond the employee's control, MRD is entitled to reimbursement for the cost of providing such benefits.

At the end of an approved FMLA leave, MRD will return the employee to the same or an equivalent position with no loss of benefits. If an employee takes FMLA leave due to the employee's own serious health condition. A return to work certification from an appropriate health care provider may be required. Failure to provide such certification may result in denial of reemployment.

### **5.33 MILITARY LEAVE AND ADDITIONS LEAVE FOR QUALIFYING EXIGENCIES**

Full-time employees who are members of the National Guard or Reserve Forces are entitled to military leave without loss of benefits or status for up to fifteen (15) days each calendar year while they are engaged in training or other service orders. Any employee who is required to continue in military service beyond the time allowed for military leave will be afforded leave without pay for the duration of their service and will be reinstated to full employment rights upon separation from military service as required by law, provided they report to MRD for work within 90 days from such separation. Employees on military leave are paid the difference between their regular straight time pay and pay received for military service for up to ten (10) working days per the calendar year. To receive such pay, an employee must provide a military pay statement verifying the amount received by him or her for military service.

Under the Military Leave provisions of the FMLA, all members of the Armed Forces may qualify for additional amounts of FMLA leave for "qualifying exigencies" (up to 26 weeks). For more information, contact Human Resources.

### **5.34 BEREAVEMENT LEAVE**

Full-time and Core employees may request up to five (5) paid Bereavement leave days. Part-time employees may request up to three (3) paid Bereavement leave days for the loss of scheduled shift(s). Additional time off must be approved by the Executive Director. MRD reserves the right to request documentation of the need for Bereavement leave. An employee's "immediate family," includes spouse, children, parents, siblings, grandparents, grandchildren and the parents, siblings, or children of the employee's spouse.

### **5.35 INJURY LEAVE**

Any employee who incurs a work-related injury or illness is entitled to benefits pursuant to the Colorado Worker's Compensation Act C.R.S. § 8-14.5-101 et. seq.

### **5.36 ADMINISTRATIVE LEAVE**

Employees may be placed on administrative leave with or without pay. When possible disciplinary action is under consideration if the employee is charged with criminal misconduct, or under such other circumstances as may be deemed necessary by MRD. Employees placed on administrative leave will be advised of the reason for the leave and, if possible, the probable duration of the leave.

### **5.37 JURY DUTY AND COURT TIME LEAVE**

Any MRD employee who is summoned for jury duty or subpoenaed during a regularly scheduled work time will be compensated at their current rate for their time serving. A copy of the subpoena or order requiring such duty must be submitted with a leave request in order for such compensation to be paid. As a condition of the receipt of such payment, any stipend paid to the employee for jury service or as a witness fee must be paid to MRD or an equivalent amount deducted from the employee's pay.



### 5.38 DOMESTIC VIOLENCE LEAVE

The Montrose Recreation District permits an employee employed for twelve (12) months or more, who is a victim of domestic abuse, stalking, sexual assault, or other crime involving domestic violence, to request up to three (3) working days in a twelve (12) month period with or without pay:

1. To seek a civil restraining order to prevent domestic abuse
2. To obtain medical care or mental health counseling for the employee or the employee's child to address physical or psychological injuries resulting from the act of domestic abuse, stalking, sexual assault, or other crime involving domestic violence
3. To secure the employee's home from the perpetrator or seek new housing to escape the perpetrator
4. To seek legal assistance to address issues from domestic abuse, stalking, sexual assault, or other crime involving domestic violence, attending and preparing for related court proceedings

The employee will be required to use PTO leave for paid leave. If no such paid leave is available, the employee's domestic violence leave will be granted without pay.

### 5.39 UNPAID LEAVE

Under circumstances where employees are not eligible for paid leave, they may be granted unpaid leave on such terms and conditions as may be permitted by MRD. Unpaid leave will not be granted for more than a total leave period including paid leave used, of six (6) months, without the employee applying for and securing COBRA or continuation of coverage and requiring the employee's payment of health insurance premiums under that law.

Employees will not accrue PTO while on unpaid leave. Failure of an employee to return upon expiration of unpaid leave may result in termination of employment.

### 5.40 VOTING LEAVE

Any employee, who is a registered voter, whose work schedule is such that polls are not open during at least three (3) non-working hours on Election Day, will be permitted paid leave for the time spent voting, not to exceed two (2) hours. This leave is not in addition to any other leave available.

### 5.50 COMPENSATION AND BENEFITS DURING LEAVE

MRD will not compensate employees for leave unless the leave is required by law. MRD will only provide minimum benefits (if offered by MRD at the time and if the employee is eligible) subject to applicable law. PTO and Compensatory Time may be used to ensure the continuation of pay during leave.

### 5.60 FITNESS FOR DUTY EVALUATION

When a need arises to question the ability of an employee to perform the essential functions of their job or to question whether the employee can do the job without posing a direct threat due to a medical condition, MRD may require a fitness for duty medical examination. An employee that is referred for a fitness for duty evaluation will be placed on paid administrative leave until the results of the examination are produced. An employee's failure to attend a fitness for duty evaluation will result in corrective action, up to and including termination of employment.

## 6.00 EMPLOYMENT PRACTICES

### 6.10 Employee TRAINING AND EDUCATION DEVELOPMENT

MRD supports education and training programs which improve the skills, qualifications, and performance of employees. MRD will pay the fees and costs of education and training programs that are required by MRD. In addition, the Executive Director may approve payment of all or a portion of the fees and costs of education or training programs requested by employees. MRD's approval of payment for one segment, portion, or course which is a component of an education or training program does not obligate MRD to pay for any additional segment, portion, or course.

Educational incentives are available, at MRD's discretion, to assist employees in developing professional and technical skills related to employment with MRD. Such leave may be granted to attend professional or technical conferences, training seminars, schools, or programs. Educational incentives must be approved in advance by the Executive Director. MRD will reimburse an employee once the course of study is successfully completed as demonstrated by a certificate of completion or a grade of at least a "C." Employees will not be compensated for the personal time spent in



completing an educational study course.

## 6.20 TUITION REIMBURSEMENT

Full-time employees are eligible for tuition reimbursement at a rate of 75% of the cost of higher education tuition so long as the courses are taken to improve the employee's abilities to perform their job responsibilities and progress in their careers. This benefit is capped at \$2,000 paid by MRD per the calendar year per full-time employee.

To be eligible, employees must be at full-time status for at least five (5) years, have at least six (6) months of continuous service prior to starting the course for which they are seeking reimbursement and courses can only be taken from an accredited institution of higher education such as a college or a business school. This program is subject to the following parameters:

1. Complete the Tuition Reimbursement Form including receipts for tuition and submit it to Human Resources. This form must document the tuition actually paid by the employee, the courses taken, the grades received (only successfully completed courses are eligible for reimbursement), and be approved by the Executive Director.
2. Tuition Reimbursement Forms will stipulate that the reimbursement must be repaid to MRD if the full-time status is vacated within two (2) years of the Tuition Reimbursement Form being submitted to Human Resources. This repayment may be made through a payroll deduction or other pre-approved means.
3. This benefit is subject to budget availability.
4. All courses must be job-related or must be required for the completion of a degree that is related to your job and has been approved by your supervisor and the Executive Director (prior to enrolling in courses).
5. MRD will reimburse the first 75% of annual tuition costs up to \$2000 for tuition only. No book, labs, or other fees are eligible for reimbursement.
6. All classes and study time must be accomplished in off-working hours.

## 6.30 EMPLOYMENT OPPORTUNITIES

MRD considers a position vacant after the incumbent has been terminated with or without cause, has submitted written intent to vacate, or has been determined in writing to be permanently unable to perform the essential duties of the job with or without accommodation and the accommodation process. An employee who is on temporary FMLA leave, on leave under an authorized ADA accommodation, or other temporary leave authorized by the MRD is not considered to have vacated their position but a temporary opening may be posted and hired on the condition that it may well end upon the return of the incumbent. MRD reserves the right to declare a position vacant under other circumstances, for example, the apparent abandonment of a position by an employee. Employees of MRD are encouraged to apply for vacant positions for which they are qualified. MRD awards vacant positions to the applicants who are best suited to meet the needs of MRD.

## 6.31 PROMOTIONS

A promotion is considered the advancement of an employee to a position that carries more responsibility. All regular employees of MRD are eligible to be considered for promotions for which they apply and are qualified.

## 6.32 TRANSFERS

An employee may be transferred through promotion, the successful application for a vacant position, or at the direction of the Executive Director. Employees may be transferred involuntarily, although MRD intends to minimize such transfers. The employee has the option to terminate if dissatisfied with the transfer.

## 6.33 LAYOFFS

MRD reserves the right to lay off employees for reasons of efficiency, economy, lack of work, or for other reasons as the Board of Directors deems sufficient. Employees who are laid off are eligible to continue their health, vision and dental insurance at their own expense as authorized by federal and state law. All laid-off employees may apply for vacancies with MRD and are afforded preference over new hires for positions for which they are qualified.

## 6.34 NEPOTISM AND FRATERNIZATION

This policy is intended to avoid conflicts of interest between work-related and personal/family obligations; reduce favoritism or even the appearance of favoritism; prevent personal/family conflicts from affecting the workplace, and decrease the likelihood of sexual harassment and/or gender discrimination in the workplace.



When employees of MRD become related and their working relationship becomes prohibited, one employee will be required to transfer to another position (provided a position is available) or to resign. If neither affected employee voluntarily transfers or resigns, MRD will terminate or transfer one of the employees at its discretion. At no time may any MRD employees have an intimate personal relationship with another employee with whom they have a subordinate or managerial relationship. The following states the circumstances where MRD will ordinarily not employ a relative.

**MRD will ordinarily not employ a relative under the following circumstances:**

1. One would directly exercise supervisory authority, which includes the ability to hire, supervise, transfer, suspend, layoff/recall, promote/demote, terminate/discipline, assign, reward, evaluate or audit the performance of one over the other
2. One would audit, verify, receive, or be entrusted with money received or handled by the other in the course of employment
3. One would have access to the employee's confidential information

**Definition of Terms:**

1. Relative - means spouse, child, parent, grandparent/grandchild, sibling, aunt/uncle, cousin, niece/nephew, legal guardian, or the equivalent step- and in-law relationships enumerated by marriage or domestic partnership.
2. Romantic relationship - exists when two individuals become personally involved with each other to the point that there is dating, exchange of personal affection, sexual/physical intimacy, and/or cohabitation.
3. Co-habitate - means when two individuals who are in a romantic relationship live together, share room or board, without being married or registered as domestic partners to one another.
4. Spouse - means one of two persons to a marriage or two people who are registered domestic partners, as defined by Colorado law.

#### **6.41 CONSENSUAL RELATIONSHIPS**

MRD respects the rights of its employees to conduct their personal lives as they wish, however, recognizes that romantic relationships can create a conflict of interest (actual or perceived) or adversely affect work performance and employee morale, create concerns of favoritism, and potentially result in claims of harassment. Accordingly, non-platonic relationships between supervisors and directly reporting staff are prohibited. Given the fundamentally unbalanced nature of these types of relationships, consensual capacity of the relationship may cast doubt upon the objectivity of the supervisor. Therefore, it is incumbent upon the supervisor to avoid, as well as, to disclose any consensual relationship with any employee, regardless of work assignment. All other non-platonic relationships between MRD employees must be reported to Human Resources. Human Resources will review each relationship on a case-by-case basis to determine whether remedial action is required.

#### **6.50 SEASONAL, TEMPORARY, AND CONTRACT EMPLOYMENT**

Employees who are hired for positions known to be of limited duration are considered seasonal, temporary, or contract employees. A position is considered to be of limited duration if it is reasonably expected at the time the position is filled that the position will terminate in the foreseeable future, even though the precise termination date may not be known.

A seasonal or temporary employee is one that works less than year-round and should not work more than 32 hours per week. A contract employee is one who works under a specific written contract, such as a seasonal or one-year contract.

Seasonal, temporary, or contract employees are not eligible to participate in any group insurance programs offered by MRD and are not provided PTO, Maternity leave, Parental leave, Personal leave, Bereavement leave, or Injury leave. MRD will not provide any pay differential for military service, Jury Duty, or Worker's Compensation to seasonal, temporary, or contract employees. Seasonal or temporary employees are paid for holidays only if worked and without any shift differential. Worker's Compensation, Medicare, PERA, and Unemployment Insurance are covered per state and federal regulations. Seasonal, temporary, and contract employees are entitled to overtime compensation.

#### **6.60 PERFORMANCE EVALUATIONS**

MRD engages in annual performance evaluations for full-time and core employees to inform full-time and core employees of their employment progress and performance improvements. The evaluation process is not meant to



serve as a substitute for ongoing discussions between supervisors and employees. Performance evaluations are a collaborative process between the employee and their supervisor.

Performance evaluations are completed by the end of the first (1st) quarter, but no later than the second (2nd) quarter. MRD's performance evaluation policy does not entitle employees to a specific method or standard of evaluation. It imposes an obligation for supervisors to evaluate employees regularly and consistently. Employees' performance evaluations may be reviewed by the Board of Directors. Performance evaluations are filed in the employee's personnel file.

Written evaluation standards are to be maintained by each supervisor for the employees under their supervision. Performance evaluation standards are objective indicators of job performance. Evaluation standards and details of MRD's performance evaluation process will be communicated to employees by their supervisors. Performance evaluations receive a final review by the Executive Director.

#### **MRD's Performance Evaluation Process:**

1. The performance evaluation process consists of oral and written responses by employees
2. Requires annual written evaluations for each employee and is signed by the employee and the appraiser
3. Include a review of each appraisal by the appraiser's supervisor.

## **7.00 EMPLOYEE CONDUCT**

### **7.10 GENERAL RULES OF CONDUCT**

MRD expects employees to act in the best interests of MRD and its constituents. Employees are responsible to observe all rules, policies, procedures, and directives. MRD expects employees to conduct themselves in a professional and courteous manner toward other employees and members of the public. Rules of conduct adopted by MRD or described in the Employee Handbook are not all inclusive but address common issues.

### **7.20 DRUG-FREE WORKPLACE , DRUG , AND ALCOHOL POLICY**

#### **Purpose**

Alcohol and drug abuse pose a threat to the health and safety of MRD employees and to the security of the company's equipment, facilities, and patrons. MRD is committed to the elimination of drug and alcohol use and abuse in the workplace. This policy applies to all employees. Human Resources is responsible for policy administration.

Employees should report to work fit for duty and free of any adverse effects of illegal drugs, legal drugs, or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications.

The Montrose Recreation District is in accordance with the Colorado Constitution ARTICLE XVII SECTION 14 (2009), which reads "NOTHING IN THIS SECTION SHALL REQUIRE ANY EMPLOYER TO ACCOMMODATE THE MEDICAL USE OF MARIJUANA IN ANY WORK PLACE."

#### **Work Rules**

1. Whenever employees are working, operating any MRD vehicle, present on MRD premises or conducting company-related work offsite, they are prohibited from:
  - a. Using, possessing, buying, selling, manufacturing, or dispensing an illegal drug (including the possession of drug paraphernalia)
  - b. Being under the influence of alcohol or an illegal drug as defined in this policy
  - c. Possessing or consuming alcohol or marijuana
2. The presence of any detectable amount of any illegal drug, controlled substance, or alcohol in an employee's body system, while performing company business or while in a company facility, is prohibited.
3. MRD will not allow employees to perform their duties while taking prescribed drugs that are adversely affecting their ability to safely and effectively perform their job duties.
4. Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

#### **Required Testing**

*Under no circumstances will the employee be allowed to drive to the testing facility. A member of management must transport the employee or arrange transportation to the testing facility and for the employee to be transported home.*

#### **Reasonable suspicion**

Employees are subject to testing based on (but not limited to) observations by at least two (2) members of



management of apparent workplace use, possession, or impairment. Human Resources should be consulted before sending an employee for testing. Management must use the Reasonable Suspicion Observation Checklist to document specific observations and behaviors that create a reasonable suspicion that an employee is under the influence of illegal drugs or alcohol. Examples include:

- Odors (smell of alcohol, body odor or urine).
- Movements (unsteady, fidgety, dizzy).
- Eyes (dilated, constricted or watery eyes, or involuntary eye movements).
- Face (flushed, sweating, confused or blank look).
- Speech (slurred, slow, distracted mid-thought, inability to verbalize thoughts).
- Emotions (argumentative, agitated, irritable, drowsy).
- Actions (yawning, twitching).
- Inactions (sleeping, unconscious, no reaction to questions).

When reasonable suspicion testing is warranted, the employee's supervisor will meet with the employee to explain the observations and the requirement to undergo a drug and/or alcohol testing within two (2) hours. Refusal by an employee will be treated as a positive drug test result and may result in immediate termination.

### **Post-accident**

Employees are subject to testing when they cause or contribute to accidents that seriously damage an MRD vehicle, machinery, equipment or property or that result in an injury to themselves or another employee requiring offsite medical attention. A circumstance that constitutes probable belief will be presumed to arise in any instance involving a work-related accident or injury in which an employee who was operating a motorized vehicle is found to be responsible for causing the accident. The investigation and subsequent testing must take place within two (2) hours following the accident, if not sooner. Refusal by an employee will be treated as a positive drug test result and may result in immediate termination of employment.

### **Collection and Testing Procedures**

Employees subject to alcohol testing will be transported to a designated facility and directed to provide specimens. Breath specimens will be tested by trained technicians using federally approved breath alcohol testing devices capable of producing printed results that identify the employee. Alcohol tests may, however, be a breath, blood or saliva test, at the company's discretion. For purposes of this policy, test results generated by law enforcement or medical providers may be considered by the company as work rule violations.

Employees subject to drug testing will be transported to a designated testing facility and directed to provide urine specimens. Collected specimens will be sent to a federally certified laboratory and tested for evidence of marijuana, cocaine, opiates, amphetamines, PCP, benzodiazepines, methadone, methaqualone, and propoxyphene use. (Where indicated, specimens may be tested for other illegal drugs.) The laboratory will screen all specimens and confirm all positive screens.

### **Consequences**

Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense an illegal drug in violation of this policy may be terminated. If the employee refuses to be tested, yet the company believes they are impaired, under no circumstances will the employee be allowed to drive himself or herself home.

Employees who test positive, or otherwise violate this policy, will be subject to discipline, up to and including termination. Depending on the circumstances, the employee's work history/record and any state law requirements, MRD may offer an employee who violates this policy or tests positive the opportunity to return to work on a last-chance basis pursuant to mutually agreeable terms, which could include follow-up drug testing at times and frequencies determined by MRD or a minimum of one (1) year and waive the right to contest any termination resulting from a subsequent positive test

Employees will be paid for time spent in alcohol or drug testing and then suspended pending the results of the drug or alcohol test. After the results of the test are received, a date and time will be scheduled to discuss the results of the test; this meeting will include a member of management and Human Resources.

### **Confidentiality**

Information and records relating to positive test results, drug and alcohol dependencies, and legitimate medical explanations will be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files. Such records and information may be disclosed among managers and supervisors on need-to-know basis and may be disclosed when relevant to a grievance, charge, claim, or other legal proceeding



initiated by or on behalf of an employee.

### Inspections

MRD reserves the right to inspect all portions of its premises for drugs, alcohol, or other contraband. All employees, contract employees, and visitors may be asked to cooperate in inspections of their persons, work areas, and property that might conceal a drug, alcohol, or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline, up to and including discharge.

### Crimes Involving Drugs

MRD does not desire to intrude into the private lives of its employees but recognizes that employees' off-the-job involvement with drugs and alcohol may have an impact on the workplace. Therefore, MRD reserves the right to take appropriate disciplinary action for drug use, sale, or distribution while off company premises. All employees who are convicted of, plead guilty to, or are sentenced for a crime involving an illegal drug are required to report the conviction, plea or sentence to Human Resources within five (5) days. Failure to comply may result in automatic termination. Cooperation in complying may result in suspension without pay to allow management to review the nature of the charges and the employee's past record with MRD.

### Definitions of Terms

1. "Company premises" - all buildings, offices, facilities, grounds, parking lots, lockers, places, vehicles, or any site on which the company is conducting business.
2. "Illegal drug" - substance whose use or possession is controlled by federal law but that is not being used or possessed under the supervision of a licensed health care professional.
3. "Refuse to cooperate" - obstruct the collection or testing process; to submit an altered, adulterated or substitute sample; to fail to show up for a scheduled test; to refuse to complete the requested drug testing forms; or to fail to promptly provide specimen(s) for testing when directed to do so, without a valid medical basis for the failure. Employees who leave the scene of an accident without justifiable explanation prior to submission to drug and alcohol testing will also be considered to have refused to cooperate and may be subject to termination.
4. "Under the influence of alcohol" - an alcohol concentration equal to or greater than .04, or actions, appearance, speech, or bodily odors that reasonably cause a supervisor to conclude that an employee is impaired because of alcohol use.
5. "Under the influence of drugs" - a confirmed positive test result for illegal drug use per this policy. In addition, it means the misuse of legal drugs when there is not a valid prescription from a physician for the lawful use of a drug in the course of medical treatment (containers must include the patient's name, the name of the substance, quantity/amount to be taken and the period of authorization).

## 7.21 SPECIAL EVENTS

While the possession and consumption of alcohol and marijuana are legal, MRD will not allow employees to possess or consume alcohol or marijuana where it is prohibited by law, **UNLESS APPROVED BY THE MRD BOARD AND IN CONJUNCTION WITH LOCAL LAWS FOR SPECIAL EVENTS OR TOURNAMENTS.**

## 7.30 HARASSMENT AND SEXUAL HARASSMENT

Harassment, including sexual harassment, is prohibited by federal and state law. Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964. MRD will not tolerate harassment based on race, sex, religion, national origin, age, disability or harassment based on opposition to discrimination or participation in any complaint proceedings.

All employees are expected to comply with and take appropriate measures to ensure that such conduct does not occur. Appropriate disciplinary action will be taken against any employee who violates this policy. Based on the seriousness of the offense, disciplinary action may include verbal or written reprimand, suspension, demotion, or termination.

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile or offensive work environment. Sexual harassment can occur in a variety of circumstances.

Definition and Examples of Harassment:

1. **Harassment:** Verbal or physical conduct designed to threaten, intimidate, or coerce. Including, verbal taunting (racial and ethnic slurs) which, in the employee's opinion, impairs their ability to perform their job.



2. **Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when such conduct:
  - Made explicitly or implicitly a term or condition of employment
  - Used as a basis for an employment decision
  - Unreasonably interferes with an employee's work performance or creates an otherwise offensive environment.

Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. It refers to behavior that is unwelcome, that is personally offensive, and that lowers morale and interferes with work effectiveness. Sexual harassment may take different forms.

3. **Examples of Sexual Harassment:**
  - **Verbal:** Sexual innuendo, suggestive comments, jokes of a sexual nature, sexual propositions, and threats.
  - **Non-verbal:** Sexual suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, or obscene gestures.
  - **Physical:** Unwanted physical contact, including touching, pinching, brushing the body, coerced sexual intercourse, or assault.

### Reporting Procedure

If the employee believes they have been harassed or if the employee is aware of the harassment of others, including sexual harassment, the employee must report it as soon as possible to one of the following:

1. Employee's Supervisor
2. Human Resources
3. Executive Director
4. Board of Directors Member

The Montrose Recreation District encourages individuals who believe they are being harassed to firmly and promptly tell the person if comfortable doing so, that the behavior is offensive and that it must stop immediately. Once the employee reports harassment by contacting one of the resources above, Human Resources will obtain all relevant information from the employee and in a timely manner will undertake or direct an effective, thorough, and objective investigation of the harassment allegations.

All employees are required to cooperate fully in any investigation initiated by MRD. MRD understands and acknowledges that it may be the employee's preference to "stay out of it." However, the employee cannot choose to withhold information if they are asked to provide it. All employees are required to respect the confidentiality of the investigation.

The employee will be contacted when the investigation is completed. MRD will take the corrective action it determines appropriate based on its findings. Information regarding the investigation including any corrective action taken will be shared only with those who have an organizational need to know.

### Non-Retaliation Policy

MRD will not tolerate retaliation against any employee who in good faith reports or provides information about an incident of alleged harassment in the workplace. Additionally, MRD will not knowingly permit any retaliation against any team member who complains of prohibited harassment or who participates in an investigation.

If an employee believes they or another employee have been retaliated against, the employee must report it as soon as possible to one of the following:

1. Employee's Supervisor
2. Human Resources
3. Executive Director
4. Board of Directors Member

MRD will take measures to protect employees from retaliation. *Engaging in retaliatory behavior is grounds for disciplinary action up to and including termination.*

### 7.40 VIOLENCE

The Montrose Recreation District has a strict policy against violence. Violence or threats of violence in the workplace or on the job, whether towards a patron or employee is unacceptable. Notify a manager, your supervisor, or call 911 immediately if attacked, threatened with violence, or witness to an attack or threat of violence. If an employee has reason to believe there is a risk of violence from another employee, patron, family member, friend, former spouse, or anyone else should promptly report those concerns to management.

Any employee who obtains a restraining order against anyone else based on any violence or threat of violence should promptly report that and provide a copy of the order to Human Resources. This policy is intended to be consistent



with OSHA safe workplace regulations and all other applicable laws regarding employer liability for workplace violence.

### **7.50 USE OF MRD PROPERTY**

MRD property is to be used only for official MRD business, in an appropriate manner, and in accordance with all applicable rules, operating procedures, or directives. No employee should remove MRD property or the property of any other employee from MRD premises or work sites without proper authorization.

### **7.51 USE OF MRD VEHICLES**

MRD vehicles may be used only for the purpose and in the manner authorized. Only authorized and qualified MRD employees or individuals may operate MRD vehicles. Vehicles will be operated in accordance with all traffic laws. Vehicle operators will be responsible for the condition and proper use of the vehicle. Drivers must have a valid driver's license, be on MRD insurance, and maintain less than eight (8) points on their driver's license in the last three (3) years with no major violations in the last four (4) years. Seat belts must be worn at all times. Non-District personnel will not be passengers in an MRD vehicle unless their presence is part of conducting MRD business. All vehicles will remain on MRD property during employees' non-working hours unless approved by their manager.

### **7.52 SAFE DRIVING AND MOTOR VEHICLE RECORDS (MVR)**

Following a conditional offer of employment, a motor vehicle record check will be conducted on all FT/Core employees considering a driving a motor vehicle is an essential job function. Thereafter, checks will be run annually for these employees with consistent monitoring. Motor vehicle record checks are conducted on employees as all FT/Core will be covered by company insurance to drive personal and/or MRD vehicles for business.

MRD will review motor vehicle records and decide as to drivers' status for applicants and employees according to the companywide classification system.

### **7.60 CONFLICT OF INTEREST**

Employees should not place their personal interests above the best interests of MRD, Board of Directors, or MRD constituents. Any employee who knows or reasonably should know they have a potential conflict of interest should disclose such potential conflict to their supervisor. Employees should not engage in any of the following activities without written authorization from the Executive Director, which will be given no later than seven (7) days from the following activities:

1. Engage in a substantial financial transaction for private business purposes with another employee whom they supervises
2. Disclose or use confidential information acquired in the course of their official duties to further substantiate their personal financial interest
3. Accept a gift of substantial value or a substantial economic benefit that might tend improperly to influence him or her in the discharge of their responsibilities, or which could be construed as a reward for action taken in the course of official duties
4. Employees may not utilize MRD resources or property for personal gain without prior consent

### **7.70 OFF – DUTY CONDUCT**

Off duty conduct by an employee in direct contrast to 7.00 General Conduct will be evaluated individually by the Executive Director.

## **8.00 DISCIPLINE**

MRD, through its Board of Directors and management, retains the right to take disciplinary action as it deems appropriate. MRD's disciplinary policy and rules are intended to place employees on notice that specified conduct is likely to have serious consequences in the workplace.

### **8.10 DISCIPLINARY RULES**

The following conduct may result in disciplinary action including immediate termination. This list is not exhaustive; MRD reserves the right to discipline, suspend, or terminate employees for any reason at any time. Inadequate job performance

1. Insubordination



2. Fighting or threats of physical violence
3. Conviction of, a plea of guilty to, or failure to contest a charged felony where the offense is directly or indirectly related to employment with MRD, involves dishonesty or moral turpitude or otherwise renders the employee unsuitable for continued employment
4. Falsification of or material omission from an employment application, payroll records, time reports, or other MRD documents
5. Violation of MRD's drug and alcohol policy
6. Carelessness, negligence, or misuse of MRD property
7. Theft, vandalism, or destruction of MRD property
8. Improper use of MRD vehicles or equipment
9. Violation of safety rules or practices
10. Unauthorized absence
11. Frequent or habitual tardiness
12. Leaving assigned work area without prior authorization
13. Violation of MRD's conflict of interest policy
14. Violation of the MRD's nepotism policy
15. Possession of firearms or dangerous weapons on MRD property
16. Misuse of leave
17. Misuse of break periods
18. Release of confidential information
19. Violation of MRD's sexual harassment policy
20. Failure to report for work without proper notification
21. Inducing or encouraging any employee of MRD to violate any MRD rule, policy, or directive
22. Engaging in any unauthorized interruption of work
23. Loss of any license, certificate, or other credential required for the performance of a job responsibility

## 8.20 DISCIPLINARY ACTION

MRD engages in progressive disciplinary action. The level of discipline to be imposed for an infraction is at the discretion of MRD. MRD Management retains the right to determine any of the following disciplinary actions without using lower levels of discipline first.

### Types of Disciplinary Action:

1. Verbal warning - which may be accompanied by a written notation in the employee's personnel file.
2. Written reprimand - signed by the employee's supervisor and acknowledged by the employee. Written reprimands are placed in the employee's personnel file. Employees may provide written response to the reprimand.
3. Suspension without pay - a written statement, signed by the employee and their supervisor, setting forth the fact of the suspension, the reason for the suspension, and the duration of the suspension.
4. Demotion - a written statement placed in the employee's personnel file stating the reason for the demotion.
5. Termination.

## 9.00 EMPLOYEE RECORDS

### 9.10 PERSONNEL RECORDS

Personnel records are retained by MRD concerning all employees and remain the property of MRD. Employees may request access to their personnel records.

To keep personnel records current Human Resources must be notified of any change in any employee's information. Employees are responsible for notifying Human Resources of updates.

All employees must provide proof of eligibility to work in the United States. Employees are required to fill out an I-9 form provided by MRD. If immigration status changes the employee must notify Human Resources immediately.

#### EXTERNAL REQUESTS FOR INFORMATION

Outside organizations or individuals seek employment information about current or former employees. MRD adheres to the following standards and procedures in processing external requests for employment information.

### Requests from Other Employers:

MRD will disclose an employee's or former employee's start date, end date, and title of the last position held. No other information is provided unless required.

**Other Information Disclosures:**

Information requests from parties other than another employer MRD will generally release information if a document of consent is supplied by the individual involved. The information released is the employee's or former employee's employment dates, job title, and if authorized, the most recent pay rate.

**Government Requests for Information:**

MRD will provide the information requested from federal, state or local authorities. This includes officials, authorized representatives of the courts, law enforcement, and other government agencies. When MRD releases information about an employee or former employee MRD will make an attempt to inform the individual about the disclosure. MRD reserves the right to refrain from informing the individual of Government Information requests related to an ongoing investigation of criminal activity.

## **10.00 MISCELLANEOUS POLICIES**

### **10.10 EXPENSE REIMBURSEMENT**

MRD will reimburse employees for expenses incurred in the course of MRD business. Expenses MRD may reimburse are:

1. Travel Expenses (including, travel, lodging, and meals)
2. Training and Education Expenses

Expenses must be authorized in advance. MRD may choose to reimburse expenses not authorized in advance on a case-by-case basis. Employees seeking reimbursement for expenses are required to document those expenses. Employees are to submit all receipts/documentation of expenses to Accounts Payable no later than 30 days after the expenses were incurred.

**TRAVEL EXPENSES**

MRD may choose to reimburse employees for business-related expenses by either reimbursing the actual expense(s) incurred or by paying employees the standard per diem rate. Per diem rates are set by the U.S. General Service Administration and vary by city location. MRD will reimburse employees for use of their personal vehicles for MRD business at the current IRS rate. Employees are encouraged to use MRD vehicles when on out-of-town MRD business is required.

**TRAINING AND EDUCATION**

MRD will pay the fees and costs of education and training programs, which are required by MRD. MRD may choose to approve payment of all or a portion of the fees and costs of education or training programs requested by employees. MRD is under no obligation to continue to pay for an employee's training or education program.

### **10.20 BOARD MEMBERSHIP OF EMPLOYEES PROHIBITED**

A Board of Directors' member may not be employed by MRD while serving as a Board member.

### **10.30 SMOKE / TOBACCO-FREE**

MRD recognizes the Colorado Clean Indoor Air Act of 2006 in providing smoke-free facilities. MRD facilities include the picnic, spectator, parking lots, and sports areas within MRD boundaries. These areas are designated smoke/tobacco-free zones and appropriate signage is posted at all MRD facilities designating smoke/tobacco-free zones.

**10.40 DESKS / LOCKERS / STORAGE / INSPECTIONS**

MRD reserves the right to open and enter any office, desk, locker, file cabinet, or other storage location within MRD premises, to inspect MRD vehicles, and any containers brought into the workplace. An employee may be assigned an office, desk, vehicle, locker, file cabinet, storage area, or device. This does not create an expectation of privacy in the use of such items or areas.

### **10.50 EMPLOYEE'S USE OF THE INTERNET**

All computers having Internet access must be used in a responsible, efficient, ethical, and legal manner. Failure to adhere to this policy may result in revocation of privileges and disciplinary action.

Employee use of the Internet must be consistent with the objectives of MRD. Transmission or access of any material in violation of any U.S. or state law or regulation is prohibited. Access to sexually-oriented material is specifically



prohibited. MRD reserves the right to determine what use of the Internet in the workplace is appropriate.

Internet transactions and e-mail messages are not private. MRD management may monitor these transactions and messages at any time, for any reason without notice to the user.

Security on MRD's computer system is a high priority. MRD must be notified of known or suspected security problems. Any user identified as a security risk, or as having a history of problems with other computer systems may be denied access to the Internet.

Vandalism will result in revocation of privileges. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Internet, any agency(ies), or other networks that are connected to the Internet. This includes, but is not limited to, the uploading or creation of computer viruses.

Without specific permission from MRD, employees are prohibited from accessing fee services via the Internet. If such services are accessed the employee will be responsible for any fee or cost involved.

All employees agree to the conditions of this policy, and to other terms and conditions as MRD may require as a condition to using the Internet in the workplace.

### **10.51 EMPLOYEE'S USE OF ELECTRONIC MAIL (E-MAIL)**

Electronic mail is an electronic message that is transmitted between two or more computers or electronic terminals, whether or not the message is converted to hard copy format after receipt and whether or not the message is viewed upon transmission or stored for later retrieval. Electronic mail includes all electronic messages that are transmitted through a local, regional, or global computer network.

All electronic mail systems are owned by MRD and are to be used for the purpose of conducting MRD business. All other uses are prohibited.

Users of the e-mail system are responsible for the appropriate use. All illegal and improper uses of the e-mail system, including but not limited to pornography, obscenity, harassment, solicitation, gambling, and violating copyright or intellectual property rights is prohibited. The use of the e-mail system for which MRD will incur any expense without the express permission of a supervisor is prohibited.

Electronic messages are not for private or confidential matters. Because there is no guarantee of privacy or confidentiality, other avenues of communication should be used for such matters. MRD retains the right to monitor, review, store and, disclose all information sent over the MRD electronic mail system at any time for any reason, without notice to the employee.

To keep MRD's e-mail system secure users should not leave the terminal unsigned/unattended, leave their password available in an obvious place near the terminal, or share their password with anyone except the e-mail system administrator.

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

E-mail sent or received by MRD, the Board of Directors, and employees may be considered public records and are subject to public disclosure or inspection under the Colorado Open Records Act. E-mail sent or received by MRD employees should be done using an MRD assigned email.

### **10.52 COMMUNICATION PHILOSOPHY**

MRD strives to keep all employees fully informed about all information relating to the strategic vision and operations of the District and all policies, procedures, practices, and benefits associated with employment with MRD. MRD utilizes various means of communication, including, but not limited to, e-mail, newsletters, group meetings, and videos.

Effective communication, though, involves a constant dialogue between employees and management representatives. MRD endeavors to create a work environment that ensures an open means of communication between our employees of all levels. Communication should be open and easy. Employees are encouraged to speak with their supervisor concerning any complaints or problems that they might have.



All Full-Time/Core employees will receive a Google e-mail account upon hire.

MRD utilizes e-mail as the primary method of communication to employees regarding their employment and their day to day work. Those employees who are provided a Google email and a computer and who utilize the computer in their daily work activities are expected to check their e-mail account regularly throughout the day and respond to messages in a timely manner to provide excellent both, internal and external, customer service. MRD's expectation is to respond to inquiries within two (2) working days, when a response is needed.

## 10.60 ATTIRE AND GROOMING

MRD requires employees to maintain a neat and clean appearance that is appropriate for the workplace setting and for the work being performed. All employees are expected to present a professional image to the public.

Supervisors should communicate any department-specific workplace attire and grooming policies to employees. Any questions about the department's policies for attire should be discussed with the immediate supervisor.

Any employee who does not meet the attire or grooming standards set by their department will be subject to corrective action and may be asked to leave the premises to change clothing. Non-exempt employees will not be compensated for any work time missed because of failure to comply with designated workplace attire and grooming standards.

Employees may be required to meet special dress, grooming, and hygiene standards. Uniforms and protective clothing may be required for certain positions and will be provided to employees by MRD. If employees have questions regarding this policy or its implementation, they should contact their immediate supervisor or Human Resource.

### Reasonable accommodation of religious beliefs

MRD will reasonably accommodate an employee's religious beliefs in terms of workplace attire unless the accommodation creates an undue hardship. Accommodation for religious beliefs in terms of attire may be difficult in light of safety issues for employees. Those requesting a workplace attire accommodation based on religious beliefs should be referred to Human Resources.

### Uniforms Policy

Employees engaged in tasks involving patrons and the public are required to wear company-designated uniforms:

1. Part-Time employees - when working employees must wear a shirt with the MRD logo to identify them as an MRD employee
2. Full-time and Core employees - may wear casual dress with an MRD nametag or abide by the policy that applies to part-time employees

Upon issue, uniforms become the responsibility of the employee for maintenance and care. Normal wear and tear is expected; excessive damage or loss of company uniforms may result in disciplinary action. MRD may issue new uniforms periodically or require uniforms to be returned.

### Jewelry and Tattoos Policy

MRD allows reasonable self-expression through personal appearance, unless:

1. It conflicts with an employee's ability to perform their position effectively or with their specific work environment
2. It is regarded as offensive or harassing toward co-workers or others with whom MRD conducts business and has contact with employees

MRD permits employees to wear jewelry or to display tattoos at the workplace within the following policies. Factors that management will consider to determine whether jewelry or tattoos may pose a conflict with the employee's job or work environment include:

1. Personal safety of self or others, or damage to company property
2. Productivity or performance expectations



3. Offensiveness to co-workers, customers, vendors or others in the workplace based on racial, sexual, religious, ethnic, or other characteristics or attributes of a sensitive or legally protected nature  
Customer complaints.

If management determines an employee's jewelry or tattoos may present such a conflict, the employee will be encouraged to identify appropriate options, such as removal of excess or offensive jewelry, covering of tattoos, or other reasonable means to resolve the conflict.

MRD is legally responsible for ensuring that no employees are subject to harassment or a hostile work environment. Supervisors are responsible for explaining the Attire and Grooming policy and answer employees' questions. If an agreeable solution cannot be reached at that stage, Human Resources will follow company procedures to resolve the issue.

### 10.70 PATRON CODE OF CONDUCT

All MRD employees agree to abide by and enforce the Patron Code of Conduct. The Patron Code of Conduct is as follows: "To ensure the safe enjoyment of MRD services, all patrons must exercise respect and exhibit appropriate behavior while utilizing MRD facilities and programs." Those not following this code may be asked to leave and/or forfeit their recreation pass.

### 10.80 PHOTOGRAPHY WAIVER

MRD employees consent to the use of their photo(s) for promotional purposes.

### 10.90 ~~OUTSIDE EMPLOYMENT~~ SECONDARY EMPLOYMENT

~~MRD employees should not engage in outside employment which interferes with the proper and effective performance of their duties or which results in a conflict of interest as stated on page 24.~~

MRD recognizes that some employees may need or want to hold additional jobs outside their employment with MRD. Employees of MRD are permitted to work additional jobs, subject to certain restrictions based on reasonable business concerns. Employees may engage in outside employment during non-working hours, provided doing so does not interfere with their job performance or constitute a conflict of interest. Employees accepting outside employment must file an annual Secondary Employment Form with HR, which must be approved by the Executive Director. If the position constitutes a conflict of interest as stated in section 7.60, or interferes with the employee's job at any time, they may be required to limit or end their outside employment.

### 10.91 SECOND POSITIONS WITHIN MRD

MRD prohibits full-time employees from working an additional job or position within MRD. Any such work, such as officiating, private lessons, personal training, etc. must be logged as normal time under that position and counted towards the requisite 40 hours per week. Core employees may work other positions within MRD at a differing pay rate as long as 40 hours per week is not exceeded. Part-time employees may work other positions within MRD at differing pay rates as long as 30 hours are not exceeded.

## 11.00 SEPARATION FROM EMPLOYMENT

When an employee separates from MRD either voluntarily or involuntarily the employee will be paid for accrued but unused Compensatory Time and PTO leave.

### 11.10 EXIT PROCEDURE

Full-time employees who are laid off, resign, or retire must contact Human Resources to provide all information required for separation and to make arrangements concerning final pay, payment for accrued leave, and continuation of benefits.

Part-time employees need to contact their immediate supervisor or Human Resources.

## EXECUTIVE DIRECTOR'S REPORT, April, 2024

### Finance

- **Fantastic “preliminary” news!** The property tax backfill amounts have been sent to the State Treasurer by the county treasurers, and the preliminary figures have been released to us. Currently, Montrose Recreation District is set to receive \$201,239 in backfill reimbursements as a result of SB22-238; no additional amounts are available resulting from SB23B-001 (last fall’s special session). Totals were submitted to the State Treasurer and warrants are supposed to be issued to each council to meet the April 15<sup>th</sup> warrant deadlines, which simply means we hope to receive funds before June 30.

Total SB22-238 Reimbursement: \$238,629,848 (for the entire state)

Total SB23B-001 Reimbursement: \$53,293,639 (for the entire state)

If you’re interested in viewing all disbursements, find the document as posted on the DOLA website [HERE](#). Find the Resources listed on the upper right quadrant, Detailed Backfill Reimbursements by County. Montrose County total is listed on the first sheet, detail of each entity is listed on the second spreadsheet. ED Mari has already prepared the draft Resolution for the MRD to accept and appropriate the funds, and is under review by Bo and will be ready for either the April or May meeting. Mari recommends the funds go directly to CIF for future capital needs. Note that one potential is for it to be used as leverage to begin community fundraising for an outdoor pool.

- The annual Conservation Trust Fund (CTF) report was filed with DOLA. This annual report accounts for all funds received for and used for park and recreation capital and/or maintenance by the District funded through the State-run CTF. Amounts received YTD in both CTF and in Sales Tax will be found on the monthly financial summary, once it’s completed, by Wednesday April 25<sup>th</sup>.
- CIP Quarterly report is formal and on the agenda for April.

### Human Resources

New hires: **Aquatics** positions have been filled. The **leader** position was filled by Quentin Timmerman, who will fulfill some obligations he has with the facilities maintenance crew and then transition to aquatics by the end of April.

Annual **handbook revisions** are underway and under review by the Admin Committee, which met in mid-March. Full details are forthcoming at the April BOD meeting.

Annual performance reviews (**PARS**) are underway in March and April, with “year-end” meetings scheduled in May.

The Administrative Division met to scope a **work plan for PAR / compensation work** to be fulfilled in the next two years (as reported last month this has to do with developing a **step system** into the classification system and rolling out a part-time classification and compensation system).

Recruitment for many part-time / temporary positions continues for both the spring and summer seasons!

### Special Projects – Open and underway

Field House Master Plan

Baldrige Regional Park

ADA – formal quarterly report on the agenda.

## Division Reports

### Admin

- April **joint City / MRD planning** efforts focused around identifying **next steps** in working to build out the
  - Johnson Elementary School to CRC (Eastside) trail. The team determined that the City will pursue options / price estimating for **connecting** Sunnyside to Main Street, via Hillcrest. Jim will bring info back to the team at the late-May meeting.
  - The team reviewed **Placer.ai**, which is a web-based product to help capture visits to a particular space (parks, civic center), visitor behaviors, demographics, etc...to help gain insights and make decisions. The MRD staff had identified the program and reviewed it, and we pitched it as a possible joint purchase and use. The City agrees, and we've formed a working subgroup to also include City IT and DART to review its possibilities to see if we can / want to deploy it! Let Mari know if you want to know more!

### Parks & Maintenance – Miguel

- **Turf Tank Service Agreement**
  - Update lease agreement to plus package instead of pro
  - We will not be moving forward with the logo option at this time, the allowance for paint will be reduced from 3k to 2k.
- **Skylight Project**
  - The MRD received multiple bids for this project. All were very similar with their proposal, but ultimately A-1 Daylighting provided the best price and quality skylight.
  - A 50% down payment has been mailed, waiting for order confirmation once the check has been received.
- **EV Charging Stations**
  - Maintenance reached out to Michelle Smallwood (Blink Account Manager) about costs for updating the current systems. Currently we have a level II charging station, we would like to know the cost for the update of the level II system, as well as the cost and possibility of going with a Direct-Current Fast Charger (DCFC).
  - Maintenance also reached out to Mary Harlan (Charge Ahead Colorado Recharge Coach) to see what recommendations they may have, and if there are any monetary savings or possible grants for upgrading our current system.
- **FH Outdoor Pool Repairs**
  - The maintenance team is working on soliciting bids for the chip and patch work on the pool plaster. We have been able to contact Chaparral Spa and Pool Services (Grand Junction) and Skyline Homes and Pools(Colona). We will be looking for additional contractors to do this work.
  - We are currently soliciting proposals for the water slide pump auto shutoff. We have received a single bid from Cold Canyon Electric, and will be pursuing additional bids. We will be working with Cousilman-Hunsaker and the aquatics coordinator to identify the placement of the emergency stop button.
  - Both the youth pool and splash pad circulating pumps have been refurbished and reconditioned. The maintenance team will get these installed for the upcoming season. Total cost \$1,800 for both motors.

### Recreation Services - Justin

#### Recreation Facilities – Justin

The installation of the new cardio equipment at the rec center went smoothly and really highlighted the strong work ethic and teamwork of MRD staff across departments. The nearly 40 pieces of equipment look great and patron feedback has been very positive. As an added bonus John and Gene worked their magic to run an exceptionally smooth silent auction for the old pieces of equipment. Not only did it raise an additional \$20,000 of unexpected revenue it kept the equipment in Montrose and was far more than the refurbishment company would have paid us for it (\$6000).

## **Recreation Programs - Justin**

Spring programming got underway in youth and adult sports. Adult sports has done a good job of recruiting referees and umpires this spring to meet the strong demand in the volleyball and adult softball programs.

Page | Youth sports has similarly done well in finding volunteers for the youth soccer and volleyball programs with more than  
3 100 coaches leading the teams. Abby and Astro also brought in a representative from the Positive Coaching Alliance a national youth sports advocacy group to teach local coaches about positive coaching philosophy. The two hour training was open to all coaches in Montrose.

Another major development is MCSDs elimination of their summer and after school programming. If they move forward we expect a significant increase in the demand for our enrichment programs and are looking at how we can best expand given our current limitations on space and staffing.

Liz is jumping in to her role at the Active Adult coordinator with two feet leading trips, maximizing use of the pavilion and figuring out where to add programs for the younger adults.

Hailee has done a fantastic job leading the aquatics department in the absence of a Coordinator and Leader. Additional kudos to our lead lifeguards who have held lifeguards accountable and made sure the pool operation hasn't missed a beat. Everyone is excited to get Matt B on board putting his stamp on the department.

We continue to have a lot of new faces at the CSR desk. We are looking at ways to keep people in that position longer, but haven't found the magic formula yet. Most who have left cite life changes and a relative high skill level/fast pace relative to the wage. Regardless Julie and Laysa have worked through the shortages. We did have a significant issue with our online registration software on the first day of summer program registration. It was outside of our control but it really put into perspective how many people register online vs in person these days.

MRD hosted its first father daughter dance ever with more than 50 couples registering for the event. The effort was led by Casie and Alex who put in a lot of time and effort. It was a great success overall.

## **Fitness & Outdoor Recreation – John**

In March, we successfully completed the cardio equipment replacement for the CRC as well as distributed the old cardio equipment to the highest bidders. We ended up bringing in over \$21,165 from the sale of the old equipment and added a few additional pieces of equipment to the cardio floor. So far, feedback on the new equipment has been mostly positive and we were able to complete the entire replacement with minimal disruption to operations.

We also took another full busload of kids skiing at Powderhorn for another outdoor recreation outing. Our fitness department also tried some new classes including Dance2Fit and Zumba Toning that may become part of our ongoing schedule. We also continued to run Vista PE classes over at Flex Rec, providing an opportunity for Vista students to take part in functional training workouts at Flex Rec. Additionally, we hosted another film festival over at Flex Rec complete with a Q&A session about the Sneffels' Traverse.

Justin & Mari will work to refine the reporting from Recreation Services – slightly changed format this month!

## Data, Grants and Evaluation – Astro

### Grants:

- Submitted GOCO Generation Wild planning grant for \$80,000
- Submitted Colorado Health Foundation Sponsorship request for \$3,000 for Cinco De Mayo
- Submitted \$2,000 sponsorship for MRF to CO Trust
- Submitted grant report for Rocky Mountain Health Foundation grant from lift chairs in 2023
- Submitted Youth Learn to Swim Grant Report from 2023 for the free 3rd grade lesson program

### Data:

- Finished draft of Annual Report and passed to ED for final edit
- Completed Census tract demographic report surrounding Flex Rec

\*Passes Held: 7,777 in March 2024 up from 7,768 in February 2024; up 20% from March 2023

\*Avg Weekly Revenue Day Pass: \$6,609 in March 2024, \$6,673 in February 2024 : down 15% from March 2023

\*Weekly visits: 33,070 in March 2024 28,963 in February 2024 ; down 8%

\*People per hour: 74.5 in March 2024 down from 83 in Feb 2024 ; down 15% from March 2023

\*Child Watch Visits: 434 in March 2024 up from 413 in February 2024 ; down 9% from March 2023

\*Childwatch Annual passes: 93 in March 2024 up from 84 in February 2024 ; up 43% from March 2023

\*Climber certifications: 293 in March 2024 up from 285 in February 2024 ; up 66% from March 2023

\*CRC rental: \$2,660 in February 2024 ;

\*FH rental: \$3,214 in March 2024 down from \$5,602 in February 2024; approximately steady from March 2023

Summary: Results follow seasonal trends. However, CRC revenue and weekly visits are down from the same month in 2023 (although passes are still up). This may be because of the cardio equipment switch and the fact that last year one week of spring break was in March, while in 2024 it was not. CRC passes, Climbing Wall certs, and Child Watch passes all saw growth of 20% or more from March of 2023.

### Fee Assistance

- 35 general fee assistance disbursements made in March for \$1,466.
- FFAM: \$19,100 committed out of \$20,000 raised; discussion with MRF, MRD about ongoing funding
- MRF Votes to pursue becoming a 501c3. Kudos to Board President Sara Slusarski for her leadership and work on this.

### Outreach, Events, and New Program Development

- Senior Planet: Obtained approval from AARP to implement the senior planet program for technology education at the senior center. Will require purchasing 10 computers/tablets. Will seek Grant funding for this from DMEA. Working with Active Older Adult Coordinator on this project.
- De Mayo Event: Continued event planning, focusing on obtained relevant staff, marketing, and event partners.
- Finalized Trail Running Film Festival logistics to show May 17 at Flex; Mt Bike Lecture and Film June 14th
- Submitted Article to Colorado Parks and Recreation Association magazine on MRD Partnerships
- Beginning working with CO West Land Trust on exploring regional trails connection city trail network to federal public lands outside of town – this is not a high priority project at the moment, although we'll plan to gain momentum in the next year.

## **Flex Rec**

- 48 memberships currently; down 4 from February
- 6.9 daily visits (including all fitness and programs other than Weehawken) in March 2024 down from 7.4 in February
- average class participation 2.1 down from 2.7 in February

**End**



**FORMAL REPORT to Board of Directors:  
MRD Enrichment Program  
Quarter 1 – 2024 (January – March)**

April 25, 2024

Project Leader: Miller Bowles, Youth Recreation Leader  
[miller@montroserec.com](mailto:miller@montroserec.com)  
 (970)497-8586

Jeremy Master, Deputy Director  
 Justin Mashburn, Recreation Services Superintendent  
 Shelly Hubbard, Enrichment Program Site Coordinator

**Current Programs**

**Field House After School Program (FHASP)**

The Field House After School Program has added extra seats since this time last year. In the third quarter (Q3) of 2023 the FHASP had a maximum enrollment of 40 participants. Beginning in the 4th quarter of the same year, the FHASP increased its max enrollment to 50 students, and has held that number from that point forward.

Because of this change the average daily attendance increased 37% from 30.6 to 42.1 students per day.

Quarter 4 has had an average daily attendance of 42.3 students per day.

<b>Elementary After School Program</b>				
<b>School Quarter</b>	<b>Enrollment</b>	<b>YTD Revenues</b>	<b>Expected Revenues</b>	<b>Discounts Applied</b>
3	50	\$10,587.50	\$10,587.50	\$1,912.50
4	50	\$9,868.75	\$10,512.50	\$1,987.50

- *Discounts include:*
  - o *Rec Center Member (10%)*
  - o *Sibling discount (50%)*
  - o *Coz Sisneros Enrichment fee assistance programs (up to 50%)*

### **Middle School After School Program (MSASP)**

The Middle School After School Program started as a pilot program funded by a grant from Elevate in the 2nd quarter of the 2023-2024 school year. The original program ran with Centennial and Columbine kids alternating which days they participated in the program. MRD provided transportation from the middle schools to the Rec Center. In the first quarter of the program we had 10 total enrollees, but only 3 attended on Mondays and Wednesdays and 7 attended on Tuesdays and Thursdays.

For quarter 3 of this school year, we merged the two schools so that all enrollees can attend all four days of the week that the program is running. For both Q3 and Q4, the MSASP has 9 total enrollees.

The bussing option has continued for 2024-Q3 and Q4, with all attendees using that method of transportation. The ability to use the MRD van has allowed the MSASP to go off Rec Center campus often, especially as the weather improves giving the participants and staff many more program opportunities.

<b>Middle School After School Program</b>				
<b>Quarter (School)</b>	<b>Enrollment</b>	<b>YTD Revenues</b>	<b>Expected Revenues</b>	<b>Discounts Applied</b>
3	9	\$1,780	\$1,780	\$20
4	9	\$1,560	\$1,740	\$40

- *Discounts include:*
  - o *Rec Center Member (10%)*
  - o *Sibling discount (50%)*
  - o *General fee assistance programs (up to 50%)*

### **Summer Enrichment Programs**

Summer Enrichment program preparation is in full swing. Returning staff from the previous summer have been confirmed, and interviews for new Leader and Aide positions are on going. Staff should be confirmed and finalized by April 26<sup>th</sup>. Leader meetings will begin the first weekend of May, and the entire Summer Enrichment Staff training and orientation will be on May 30<sup>th</sup>. The first session begins on June 3<sup>rd</sup>.

Continuing the trend from last summer, maximum enrollment numbers for both Summer Enrichment programs have been increased. Summer Adventures, ages 5 to 11 years old, will cap enrollment at 90 participants, and Club 1114 (11-14 YO) will have a maximum enrollment of 40. The student to staff ratio will be 12:1 even with the increased enrollment caps.

<b>Program</b>	<b>Expected Enrollment</b>	<b>Expected Revenue</b>	<b>Expected Discounts Applied</b>
Summer Adv – June	85	\$16,617.50	\$2,932.5
Summer Adv – July	85	\$16,617.50	\$2,932.5
Club 11-14 – June	23	\$5,290	\$793.5
Club 11-14 - July	23	\$5,290	\$793.5
<b>Total:</b>	216	\$43,815	\$7,452

- *Discounts include:*
  - o *Rec Center Member (10%)*
  - o *Sibling discount (50%)*
  - o *Coz Sisneros fee assistance programs (up to 50%)*

**Looking Ahead**

Big changes are coming to all of MRD’s Enrichment Programs in the next year. The Montrose County School District (MCSD) has decided to end the funding of their after school program (ELN) and Summer Discovery Program (equivalent to our Summer Enrichment Programs). This will create a major gap in child care for school-aged children in the Montrose community. MRD & the Black Canyon Boys and Girls Club are partnering to fill this void.

**After School Programs**

Currently, there are about 130 students in MCSD’s after school programs at two main locations: Pomona Elementary and Johnson Elementary. That’s 130 students who will need some level of after school care while they wait for their parents to get off work. For MRD, that means our After School Program has the potential to grow from 50 kids to 180. Realistically, we are planning for about 150 kids (increase of 100) with a cap of 200.

We are currently working through several models to determine estimated budgets and staffing numbers. Factors under consideration are the number of locations, staffing ratios and length of the days.

There will be some challenges to this expansion, which are detailed below:

- **Space**
  - o The Field House is currently maxed out with the 50 participants already enrolled in our program.
  - o The School District has offered space in their elementary school buildings that could be used to expand the program into. The MOU between MCSD and MRD is being updated to reflect this.
  - o Our preferred program would have four locations with a max enrollment of 50 kids at each location
    - Pomona Elementary
    - Columbine Elementary
    - Johnson Elementary
    - MRD Field House

- Transportation
  - o MCSD will work with us to make sure each program enrollee is transported to the location they choose at enrollment
- Staffing
  - o Extra staff will need to be hired to staff each location
    - 1 Site Coordinator and at least 3 program assistants
- Budget
  - o Extra staffing, training, advertising, equipment, and supplies will drastically increase the expenses for the After School Program
  - o The enrollment fee for the 2024-2025 school year was \$250/quarter, but may need to be increased to make sure the MRD's subsidy of the program is not too great.

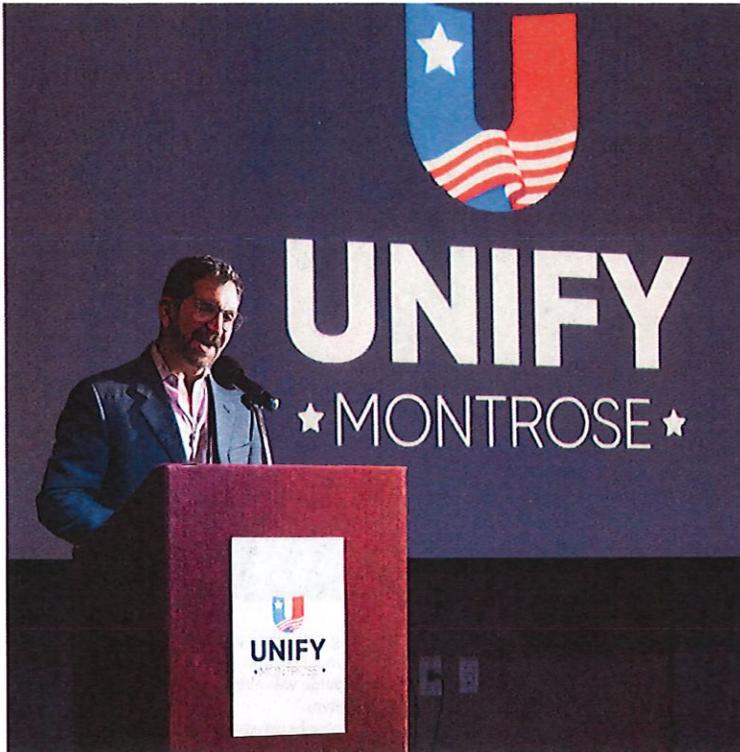
### **Summer Programs**

The MRD's Summer Enrichment programs (Club 1114 and Summer Adventures) will run as afternoon programs this summer. Starting in summer of 2025, MRD will absorb MCSD's morning program, meaning MRD will be running a full day summer care program.

To be able to run a full day program, MRD will likely begin seeking state licensure for our program. We have begun the research and self-evaluation phase of this process to determine what needs to be done to achieve licensure.

Similar to the After School Program expansion, the biggest challenges that MRD will need to address for summer 2025 (beyond licensure) include space for everyone to fit, increased staffing numbers and requirements, additional staff training, and increased expenses.

# NONPROFIT



Unify Montrose and Unify America founder Harry Gottlieb.  
Gunnison Clamp for the MBT

## Unify Montrose celebrates year-long efforts and looks to the future

**Gunnison Clamp for the**  
Montrose Business Times

Unify Montrose held a celebration event on Monday, Feb. 5, where community leaders and members of the Unify organization covered the progress they have made in the last year, and where things will go from here.

Notable speakers present included Montrose Mayor Barbara Bynum, Montrose County Commissioner Sue Hansen, Montrose Recreation District Executive Director Mari Steinbach, Unify America Founder Harry Gottlieb, Unify America Executive Vice President of Deliberation Sara Drury, and Unify Montrose Director Alejandro Salazar.

Topics included the progression of the last year of Unify Montrose, particularly how the issue of childcare has been tackled. An increasing issue, particularly for families where both parents may have to work to earn a sufficient income, the group looked at several solutions.

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Return your Montrose Municipal election ballot by April 2nd  
For more information about the election visit: [www.cityofmontrose.org](http://www.cityofmontrose.org)

# WHEN WE DREAM

Our Town Matters Salutes Black History Month

TOGETHER WE RISE

#blackhistorymonth2024  
#imaginethepossibilities  
#ourtownmatters

# BIG

ENTIRE COMMUNITIES WIN

*Tonya Medley*

Our Town Matters - Founder & CEO  
Montrose Business Times - Founder & Publisher  
Greater Montrose Chamber of Commerce - Founding President

## NONPROFIT



From left, Unify Montrose and Unify America founder Harry Gottlieb, Montrose Recreation District Executive Director Mari Steinbach, Maslow Academy Executive Director Chrissy Simmons, Montrose County Commissioner Sue Hansen, Montrose Mayor Barbara Bynum, Unify Montrose Director Alejandro Salazar and Keith Obsheatz.

Gunnison Clump for the MBT

In the last year, delegates to Unify have researched options and voted on 8 potential solutions to the issue, proposed by a solutions team composed of 16 community leaders. The three ideas which gained the highest percentage of votes were all discussed, chiefly among them, Camp Montrose.

Camp Montrose would see involvement from the Montrose Recreation District, Childcare

Centers, and the School District, providing after-school activities for kids in Kindergarten through 8th grade.

On Camp Montrose, MRD Director Steinbach said "I have a lot of heart for this one, and it was fantastic to see so much delegate support, 87%."

Later, Salazar looked to what the program can expand into going forward, tackling more community issues. He covered the plans later in the

evening. "We want to create an environment where local government can approach us, and we can provide valuable feedback from the citizens themselves."

He brought up example issues, including affordable housing, and recommended several

Story continues on page 14

**MONTROSE'S GOT**  
**TALENT**  
**COMPETITION**

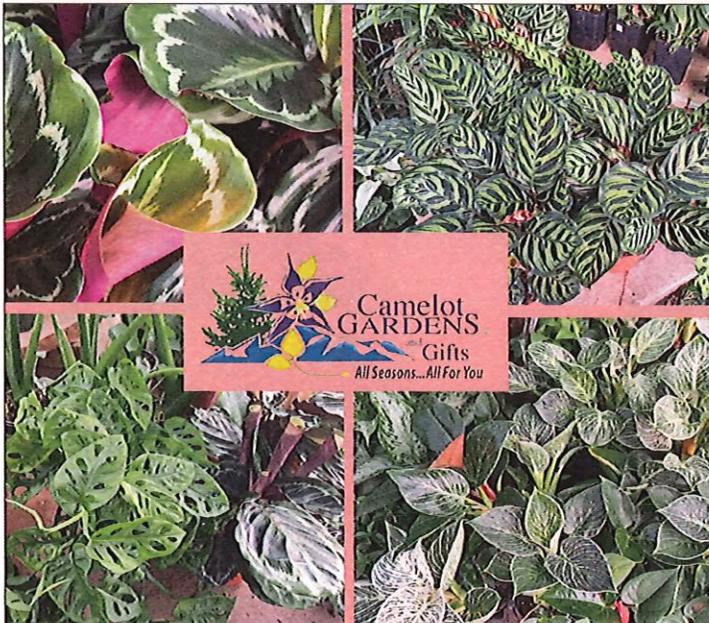
**Saturday, February 10th**  
 ★ **2:00pm** ★  
**Montrose Pavilion**

## MUSIC AND ART



The performing floor at Healthy Rhythm. Justin Tubbs | MBT

*Healthy Rhythm beat goes on, from page 9*



STOP IN AND CHECK OUT  
OUR WIDE VARIETY OF  
HOUSE PLANTS

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Vail said it was "kismet" that he found the new space at 33 N. Uncompahgre, which previously housed a martial arts studio. Vail made good on a promise in the fall of 2022 and left Montrose to help a friend who wasn't in good health in California. That, plus the landlords were looking to sell the building he was in, meant it was good time to move on.

But after eight or nine months of trying to make a similar project work in the Modesto area, he decided it was time to come back to Montrose.

Included in those plans was reopening Healthy Rhythm.

He had an eye on one space, but it wasn't going to be ideal for the gallery. While getting a massage, his masseuse mentioned another space coming open. It was the North Uncompahgre spot.

"The more I looked at it, I just loved it," Vail said.

He outfitted the roughly 1,800 square feet for the gallery as a living room or lounge, complete with couches, tables and some funky seating options.

The acoustics weren't the best, however, so he invested \$6,000 in some Sweetwater acoustic paneling that he says will make Healthy Rhythms one of the best indoor venues in Montrose for sound.

He's also upgraded the mixer, subwoofer and more with the idea of making Healthy Rhythms a desirable place to see a small, intimate show.

Eventually he'd like to get his hi-fi system set up in the place, so he can play records throughout the day while people browse the art he has on hand.

The venue had its soft opening on Jan. 18 with a performance by Grammy-nominated singer/songwriter Ari Hest. The event enjoyed a small crowd, but now Vail is looking to get the word out that Healthy Rhythm is back.

On March 7, the venue will host The Cross-Eyed Possum out of Prescott, Arizona. Georgia Rae will play there later in March.

"People ask me, 'what's so special about Healthy Rhythm,'" Vail said. "I say it's as simple as, I do everything I can. I tell people it's live music and an art gallery. The only thing that we do, if we really claim to do it, is art and music."

He has had all types of music, from folk and country to jazz and blues. The only types of shows he avoids are heavy metal and rap and hip hop, due to the space and the art he carries.

To view the art or to buy tickets to a show, people can visit [healthyrhythm.net](http://healthyrhythm.net).

Tickets are now on sale for many shows through June.

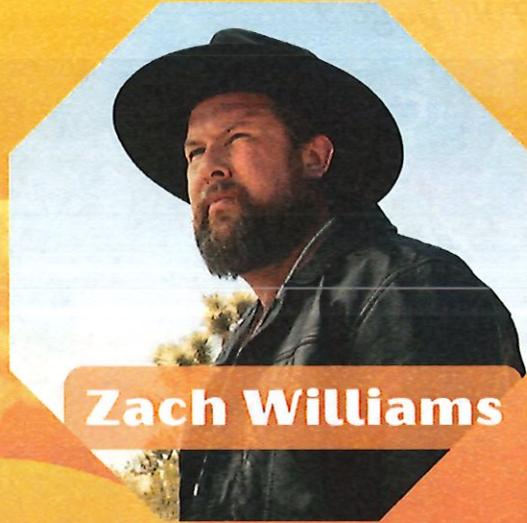
Justin Tubbs is the Montrose Business Times editor. He can be reached by email at [justin@montrosebusinesstimes.com](mailto:justin@montrosebusinesstimes.com) or by phone at 970-765-0915 or mobile at 254-246-2260.



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**Matthew West**



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## NEWS BRIEFS

### Study shows MRH economic contribution totaled more than \$720 Million Between 2019-2022

Montrose Regional Health's economic contribution totaled over \$720 million to the state between 2019-2022, according to a new report.

The study, performed by the Leeds School of Business at the University of Colorado Boulder, reviewed the labor and capital portfolio of multiple hospitals in Colorado and how it translates to local expenditures on other local goods and services. Other hospitals who participated in the study include:

- Animas Surgical Hospital, Durango
- Vail Health, Vail
- San Luis Valley Health, Durango
- Valley View Hospital, Glenwood Springs
- Community Hospital, Grand Junction

All hospitals evaluated in the study are members of the Western Healthcare Alliance, whose committee coordinated the study. Between 2019 and 2022, the economic impact of these member hospitals totaled an estimated \$6.8 billion in economic output and contributed \$3.8 billion to the state's GDP. In 2022, they generated \$1.9 bil-

lion in economic output and contributed \$1 billion to the state's GDP. As some of the largest employers in their communities, these hospitals directly employed 6,150 employees and supported an additional 4,724 employees in the state in 2022.

Highlights from the study include:

In 2022 alone, Montrose Regional Health's economic contribution to the state totaled \$207.4 million

Between 2019-2022, Montrose Regional Health's economic contribution to the state totaled \$724.9 million

Montrose Regional Health directly employed 622 workers and supported an additional 594 (for a total of 1,216 jobs over the year) in 2022

Every \$1 spent directly within Montrose Regional Health produces an overall economic impact of approximately \$1.90 in the state

"Montrose Regional Health is proud of all the ways we support our communities," said Jeff Mengershausen, CEO of Montrose Regional Health. "As we continue to add services, locations and caregivers, we expect that economic impact and benefit to continue to grow for our region. We are honored to invest in our caregivers, invest in great care and invest in the lives of those in Montrose and our surrounding communities."

### Unify Montrose, from page 11

means of voicing opinions on issues the citizen perceives, namely by talking to City Council, businesses, and friends. "You can reach out to our City government employees, and I would encourage you to do so because we have some very awesome local government officials," said Salazar.

He highlighted the role going forward for different parts of the organization. Medium-priority issues will go to the "Catalyst Club", and High-priority issues would go to a full assembly of organization members. Discussions on such issues would "parallel the childcare assembly that was done here in Montrose", Salazar explained.

Local business leaders would be involved in the Catalyst Club meetings, offering options from the business sector as solutions to problems.

Unify America Founder Harry Gottlieb took up the stage to end the night. He praised the work of community members in civic engagement, and the work on childcare solutions in the last

year, expressing hope in the people of Montrose for the impact they can make. "I cannot overstate the contribution this community will make to the future of our republic when you succeed in establishing a standing institution for citizens to work with each other, community leaders and government."

"If we can give our fellow Americans an opportunity to participate in public problem solving in a way that does not tear us apart, but bring us together, then our hope for democracy; will come roaring back stronger than ever", he stated as he closed out his remarks.

More information on the votes for each solution, and any additional information, can be found at [unifymontrose.org](http://unifymontrose.org). A full replay of the celebration live stream can be found at the Unify Montrose Facebook page.

Further questions can be sent to [montrose@unifyamerica.org](mailto:montrose@unifyamerica.org).

**Gunnison Clamp is a freelance contributor for the Montrose Business Times.**

*Be Our Valentine*

# CONTEST

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This is an important Federal bill, and we as Coloradans have no worries from our contingent as Senator Hickenlooper was an original co-sponsor and Senator Bennet fully supports. In the House, Colorado Reps. Neguse, Lamborn, Pettersen, all signed on as co-sponsors. It was passed without real contention, suspending the rules (no formal vote was taken) and simply passed so that it could move to the Senate. This is great news and has been fun to watch.

## House OKs Explore Act for outdoor recreation

The US House has approved the Expanding Public Lands Outdoor Recreation Experience Act while a companion bill -- the America's Outdoor Recreation Act -- awaits Senate action. The bill, also known as the Explore Act, provides grants for parks, protects climbing areas, streamlines outfitter permitting and promotes the development of long-distance bike trails.

**Full Story:** [The Colorado Sun \(Denver\)](#) (4/16)



# U.S. House passes largest-ever package supporting outdoor recreation. One Colorado lawmaker was key.

The Explore Act wraps up bills from Colorado's U.S. Rep. Joe Neguse that aim to grow long-distance bike trails, simplify outfitters' permitting process and protect rock climbing areas



[Jason Blevins](#) 3:50 AM MDT on Apr 16, 2024

- Subject Specialist



Phil Wortmann tosses a rope from the top of a climbing route at about 13,000 feet on Pikes Peak Monday, Aug. 9, 2021. (Mark Reis, Special to The Colorado Sun)



The unanimous approval of the first-of-its-kind Expanding Public Lands Outdoor Recreation Experience Act — or Explore Act — in the U.S. House last week marks a big moment for the nation’s surging outdoor recreation industry.

The legislation streamlines the permitting process for outfitters, directs land managers to identify and develop long-distance bike trails, offers grants for urban areas to expand parks and protects rock climbing in wilderness areas.

“There’s really not a lot of disagreement when it comes to outdoor recreation,” U.S. Rep. Bruce Westerman, a Republican from Arkansas who co-sponsored the Explore Act, said in a news conference Wednesday. “This is a big deal. It affects all areas of the country.”

Passage of the industrywide package of outdoor recreation legislation supporting the nation's \$1.1 trillion outdoor recreation economy bodes well for the act's companion bill — the America's Outdoor Recreation Act — which awaits action in the U.S. Senate.

“Maybe it can be an example of how we can work better together in Congress on other things,” Westerman said.

The Explore Act includes Colorado U.S. Rep. Joe Neguse's Simplifying Outdoor Access for Recreation Act — or SOAR Act — and the Biking on Long-Distance Trails Act — or BOLT Act.

The SOAR Act directs federal land managers to eliminate repetitive, costly and timely processes required of outfitters seeking guide permits to bring people into the outdoors.

The “outdated and inefficient” systems for authorizing guides has not kept pace with growing demand for climbing and outdoor courses on public lands, said Matt Wade, the executive director of the 4,600-member American Mountain Guides Association, which trains skiing, climbing and backcountry guides.

“There are many reports of guides being unable to get the permits they need because the agencies can't complete the lengthy paperwork that is required for approval,” Wade said. “The Explore Act will bring these systems up to speed.”

The Explore Act also includes the Protect America's Rock Climbing Act, or PARC Act. Sponsored by Neguse and Colorado's U.S. Sen. John Hickenlooper, the legislation directs the Forest Service and Interior Department to create a uniform policy for all wilderness areas that allows climbers to use, place and maintain fixed anchors for climbing.

The federal land agencies are in the middle of revamping climbing management policies in national parks and wilderness areas, with proposed directives that would require local land managers to review and approve anchors and bolts in areas that limit most human-made structures.

The proposed management directives and bolting issue have irked climbers who fear new policies could end bolting in wilderness areas and possibly trigger the removal of anchors from tens of thousands of wilderness routes. Wilderness advocacy groups that have assailed the PARC Act for allowing more recreational impacts in wild areas argue that the new management policies do not go far enough and there should not be any process that allows permanent fixed anchors in wilderness. The management proposals from the Forest Service and National Park Service have harvested more than 9,000 comments from several thousand climbers and some wilderness advocates.

If the Senate passes the America's Outdoor Recreation Act and President Joe Biden signs the legislation packages into law, Congress will be sending “a very strong message to the agencies that an interpretation of the Wilderness Act that prohibits wilderness anchors is

not the intent of Congress and hopefully the agencies will follow that intent,” said Erik Murdock, the head of policy and government affairs for the Access Fund.

With both climbers and wilderness advocates troubled by the proposed changes to climbing management in wilderness, the passage of both the Explore Act and the America’s Outdoor Recreation Act “is an incredible opportunity,” Murdock said, for land managers to “listen to democratically elected officials and rethink how to manage climbing.”

“No organization supports the agency proposals,” Murdock said. “It is clear the agencies have missed the mark and the time is ripe for reevaluating this process and re-starting the planning process in a way that comes up with something workable.”



**Notice of Regular Meeting of the  
Montrose Recreation District (MRD) Board of Directors  
Thursday, March 28, 2024 at 11:30am  
Montrose Community Recreation Center  
16350 Woodgate Road  
Montrose CO 81401**

- I. Call to Order, Roll Call – called to order at 11:31am. Ken, Suzi, Barb, Alli, Paul, Christina, Megan.**
- II. Open Forum:** Call for Public Comment (limit of 3 minutes per person). There was no public comment.
- III. Staff Recognition:**
- a. **Introductions: No new staff today. New Aquatics Coordinator will start next week and will be introduced next month.**
  - b. **Certifications:**
  - c. **Anniversaries:** Miguel Lopez, 15 years, Debby Zarkis 3 years (March)
  - d. **Awards:**
    - i. PT Staff of the Month: February 2024, Jimette Keenan. The other nominee was the Child Watch Attendant.
    - ii. Core Staff of the Month: February 2024, Alex Sutton. Julie Laube was also nominated.
- IV. Updates**
- a. Baldridge Regional Park - presentation through Growth Committee and by BerryDunn project team. Mari introduced our Project Management Team, Rich Neumann (BerryDunn) and Dan Payne. (City of Montrose Project Manager/ Parks Supt. Rich presented the work thus far that BerryDunn has done on the Baldridge Park Master Plan. The Plan purpose is to update the plan that was done in 1996 and will look forward the next 10-20 years. They are currently in Phase 2, Engagement. Over the next 8 weeks there will be a variety of engagement activities. Phase 3 will be Analysis and then Visioning. Visioning: Did we get it right? They want to hear from the community. Phase 5 is Draft and Final Plan and Phase 6 is implementation of the plan. Some methods used for information gathering: Meetings, go into the community, surveys (using a QR code, surveys on line), etc. They will be asking the community: What are the good things that are happening? How long have you been a resident? What needs and challenges need to be addressed? What opportunities do we have? Stakeholder meetings will be held to include everyone as possible. Identify the key partners. Are there underserved areas? Rich shared the QR code that is a tool to give feedback on the project. The BerryDunn team will be back in Montrose in April. There will be a career day event with high school students with Career Pathways. May, they will be participating in Cinco De Mayo at Colorado Outdoors. Rich asked that we share the survey with the community. Debby will be adding the QR code to the MRD monthly newsletter. It was suggested that the QR code is added to the City and MRD website as well. Signs will be posted around town encouraging community members to take the survey. Director Christina asked if anything stands out on the input that has been received. Dan stated traffic flow is a common theme as well as some other topics that has been mentioned several times. Director Suzi stated accessibility was a common theme in the Growth Committee discussion.
  - b. Decision – making model BOD. Mari presented a proposed Decision Making Model. ED Mari stated that this topic came up in discussions about Field House planning. Ken and Suzi discussed defining how the organization – staff and board - make decisions. Mari asked how the organization could best use the resulting model, and whether it should be formalized as a policy. Director Christina stated she would not like to have it written in a policy but would like it presented in the new onboarding BOD packet. Director Barb agreed with that sentiment. Mari gave an example of a cross cutting type of decision. Director Allison suggested a bulleted section in the BOD ED report to highlight important projects/issues.

Director Christina also recommended finance info be easily accessible. Could possibly label items as “priority decisions”.

**V. Request for Executive Session: Executive Session for the purpose of negotiations under C.R.S. Section 24-6-402(4)(e).** Director Christina asked people who were not on the board to leave the meeting room. Director Christina stated: “I MOVE TO GO INTO EXECUTIVE SESSION for negotiations under C.R.S. Section 24-6-402(4) (e)”; The Board voted unanimously to go into Executive Session. The Board went into Executive Session at 12:31pm. Director Christina asked if the tape recorder was on for the session, Debby assured her it was. Director Christina then said “It's March 28th, and the time is 12:31pm. For the record, I am the presiding officer, Christina Files. As required by the Open Meetings Law, this executive session is being recorded, also present at this Executive Session are the following persons: Justin, Jeremy, ED Mari, Director Ken, Director Allison, Director Suzi, Director Christina, Director Barb, Director Megan, and Director Paul. I caution each participant to confine all discussion to the stated purpose of the Executive Session, and that no formal action may occur in the Executive Session. If at any point in the Executive Session any participant believes that the discussion is going outside the proper scope of the Executive Session, please interrupt the discussion and make an objection.” At the close of the session, Director Christina further stated, “I hereby attest that this recording reflects the actual contents of the discussion at the executive session and has been made in lieu of any written minutes to satisfy the recording requirements of the Open Meetings Law. I will hand the tape to the Executive Director Mari Steinbach to retain for a 90-day period. The time is now 1:28pm, and we now conclude the Executive Session and return to the open meeting.” The tape recorder was turned off and the Board and staff returned to open meeting. “The participants in the Executive Session were: Justin, ED Mari, Jeremy, Director Ken, Director Allison, Director Suzi, Director Christina, Director Barb, Director Megan and Director Paul. For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record. Seeing none, the next agenda item is agenda item 6 Committee Updates.”

**VI. Committee Updates and Assignments**

- a. **Exec. Committee of Board** (Board: Christina, Alli. Staff: Mari, Jeremy) – Mari and Christina have met a couple of times about agenda and properties. Director Christina stated that the expectation of the Board is that the Board presents a common front outside of the meeting, regardless of action items and related voting results.
- b. **Administrative** (Board: Alli, Barb. Staff Mari, Jeremy, Lisa, Debby) – Director Barb stated that they met and the conversation was extensive concerning the updates to the employee handbook. It will be addressed in next month’s packet.
- c. **Foundation** (Board: Megan, Barb. Staff: Mari, Astro, Debby) – Director Megan stated they are moving forward with a 501C3 application. The bookkeeper will be managing this process. This will allow the Foundation to operate more independently rather than using the MCF as a pass through / fiscal agent. The Trail Tri is on June 15. Around 30 people are signed up so far. It is being advertised. MADA is doing a 5K with the MRD at Cinco De Mayo and is asking for volunteers.
- d. **Growth** (Board: Ken, Suzi. Staff: Mari, Jeremy, Justin, Miguel) – The Growth Committee has met twice since the last board meeting. Conversations were centered on the Field House. The Growth Committee’s recommendation was to table the Field House discussion for now. The Board agreed with this recommendation. A formal vote was not needed.
- e. **Finance** (Board: Paul, Alli. Staff: Mari, Jeremy) – Director Allison stated they were able to review all funds – revenues and expenses. She also stated that we are behind collecting property tax revenues for February, we are still waiting on some revenues for 2023 and for 2024. ED Mari stated the State Legislature has taken the commission’s recommendation to level the property tax growth. Also, the change in home sales, has further implications for Special Districts. The result is a loss in property tax funds for the MRD.
- f. **MURA** (Board: Alli) – Money has been awarded to MURA from the City of Montrose. Additional financing options are being looked at. New projects include 2 more hotels, the pediatric clinic is on hold for now. Director Allison stated that she is glad that the MRD is still participating in MURA.

**VII. Executive Director’s Update**

- a. **Month update** – Mari was elected to the MEDC Board. She is interested further engaging MRD into the community economic development issues. Progress was made with the City on collaboration and monthly meetings are occurring; current topic is on trails and connectivity. The City will focus on inside the city and the District will support that effort and the District will focus on regional partners including the County to ensure we can “get everybody out there” (improve access for all). Programs continue to grow and increase in participants. After school and summer enrichment programming conversations continue, although the school district is no longer running its programs beyond this summer.
- b. **2024 Strategic Action Plan** – ED Mari stated that staff continue to move forward on the written goals, which align with the Master Plan. Goals from the 2022 Master Plan have been carried forward to the annual 2024 Strategic Plan.
- c. **Petition and gathering** – In 2019 the Board passed a Resolution allowing signature gathering on MRD property. This is a citizen right that the district honors. In the past month, staff recognized a need to update the Resolution into an improved policy. Last month a group from the Front Range was in front of the CRC for 3 days to collect signatures. The group had been turned away twice before they were allowed because staff did not understand the process. The resolution from 2019, 2019-2, was transformed into a policy which is in the Board packet for information.
- d. **Questions / Answers:** Director Barb asked about the gift card question. Jeremy stated that our passes are not defined as a gift card and therefore do not follow those rules regulating gift cards. Director Allison asked about follow up on the Strategic Plan, ED Mari stated that this will be reported on the annual report. Director Paul asked about government funds that may be available for EV charging stations. Suzi said it was recommended last month that the Board walk through facilities and she would like to do that. Mari stated a tour can be scheduled in May.

**VIII. Approval of BOD Meeting Minutes**

- a. Regular Meeting of the Board 03.22.2024 – Director Allison entertained a motion (Director Christina left the meeting). Paul made a motion, Barb seconded the motion. The minutes were approved unanimously.

**IX. Adjourn** – The meeting was adjourned at 1:53pm.

**Next BOD Regular Meeting**  
**April 25 at 11:30am**  
**CRC 16350 Woodgate Road**  
**Montrose, CO 81401**