



Governing Policies of the Town of Estes Park Board of Trustees

Introduction

These Governing Policies, as adopted by the Board of Trustees, incorporate four categories of policy. The first category is the Governance Process, which clarifies the board's own job and rules, how they work together and how the Board relates to the citizens of Town of Estes Park. Category two is Board/ Staff Linkages which outlines the delegation and accountability through the Town Administrator. The third Category is Executive Limitations which describes the prudence and ethics, and limitations of the authority and responsibilities of the Town Administrator in his/her role as the Chief Appointed Official for the board directing the staff of the Board of Trustees. The first three all work together to efficiently and effectively implement the fourth Category, which is the vision, direction, and policy of the Board of Trustees. These describe what benefits will occur, for which people, at what cost.

To further its accountability to the citizens and taxpayers of the Town of Estes Park, the Board of Trustees adheres to the following principles of governance:

1. **Ownership:** The Board connects its authority and accountability to its “owners” – the citizens and taxpayers of the Town – seeing its task as servant leader to and for them.
2. **Governance Position:** With the ownership above it and operational matters below it, governance forms a distinct link in the chain of command and authority. The Board’s role is that of commander, not advisor. It exists to exercise that authority and properly empower others rather than to be management’s consultant, or adversary. The Trustees—not the staff—bears full and direct responsibility for the process and products of governance, just as it bears accountability for any authority and performance expectations delegated to others.
3. **Board Holism:** The Board of Trustees makes authoritative decisions directed toward management and toward itself, its individual Trustees, and committees only as a total group. That is, Town Board authority is a group authority rather than a summation of individual authorities.
4. **Goals Policies:** The Town Board defines, in writing, the (a) results, changes, or benefits that should come about for specified goals (b) recipients, beneficiaries, or otherwise defined impacted groups, and (c) at what cost or relative priority for the various benefits or various beneficiaries. These are not all the possible “side benefits” that may occur, but those that form the purpose of the organization, the achievement of which constitutes organizational success. Policy documents containing solely these decisions are categorized as “Goals” in the policies that follow.
5. **Board Means Policies:** The Board of Trustees defines, in writing, those behaviors, values added, practices, disciplines, and conduct of the Board itself and of the Board’s delegation/accountability relationship with its own subcomponents and with the management part of the organization. Because these are not decisions relating to Goals, they are called “Board Means” to distinguish them from “Ends” and “Staff Means”. These decisions are categorized as “Governance Process” and “Board Management Delegation”.

6. **Management Limitations Policies:** The Board makes decisions with respect to its staff's means decisions and actions only in a proscriptive way in order simultaneously (a) to avoid prescribing means and (b) to put off limits those means that would be unacceptable even if they work. These decisions are categorized as "Management Limitations" in the policies that follow.

7. **Self-Enforcing** – These policies are collectively adopted by the Estes Park Board of Trustees and as such only the board and individual trustees are responsible for compliance both individually and collectively.

TOWN OF ESTES PARK BOARD OF TRUSTEES GOVERNING POLICIES MANUAL

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POLICY TYPE: GOVERNANCE PROCESS

POLICY 1.0

POLICY TITLE: *GOVERNANCE COMMITMENT*

Within the authority granted to it by Colorado Revised Statutes, the purpose of the Town of Estes Park Board of Trustees (the "Board"), on behalf of the citizens of Town of Estes Park, is to see to it that the Town of Estes Park government 1) achieves results for citizens at an acceptable cost and 2) avoids unacceptable actions and situations.

- 1.1 The Board of Trustees will approach its task with a style which emphasizes outward vision rather than an internal preoccupation, strategic leadership more than administrative detail, clear distinction of Board and staff roles, collective rather than individual decisions, future rather than past or present, and proactively rather than reactively.
- 1.2 The operating principles and commitments of the Board of Trustees, as it relates to the working relationship between the Trustees, staff and citizens of the Town of Estes Park, are to emphasize fairness; responsibilities as elected officials; respect; honesty and integrity; and communication.
- 1.3 The job of the Board of Trustees is to make contributions which lead the Town Government toward the desired performance and to assure that it occurs. The Board's specific contributions are unique to its trusteeship role and necessary for proper governance and management.
- 1.4 The responsibility of the Mayor is, primarily, to establish procedural integrity and representation of the Board of Trustees and the Town to outside parties (as delegated by the Board).
- 1.5 The Board expects of its members ethical and businesslike conduct.
- 1.6 The Board of Trustees may establish committees to advise the Board in carrying out its responsibilities. Other than those statutorily required, all committees appointed by the Town of Estes Park Board of Trustees exist so that Board decisions (a) will be made from an informed position, and (b) will be made in a public forum consistent with Board policy.
- 1.7 The Board of Trustees may appoint an individual Trustee to serve as the official liaison of the Board to Town Boards and Commissions. The Board of Trustees may appoint an individual Trustee to serve as the official liaison to other community groups.
- 1.8 Board Committees, when used, will be assigned so as to reinforce the wholeness of the Board's job and so as never to interfere with delegation from the Board to Town Administrator. The purpose of Board Committee's shall be to provide more indepth discussion and information on the specific areas assigned to the Committee.

Committee's may not vote or adopt policy, but may make recommendations to the Town Board for action.

- 1.9 The Town Board will prepare and follow an annual agenda plan that includes (1) a complete re-exploration of Goals policies and (2) opportunity for continuous improvement in Town Board performance through Town Board education, enriched input, and deliberation.
- 1.10 The Board of Trustees will systematically and rigorously monitor compliance with these adopted policies, both individual and collectively, to determine the extent to which policies are being followed.

The Board of Trustees will approach its task with a style which emphasizes outward vision rather than an internal preoccupation, strategic leadership more than administrative detail, clear distinction of Board and staff roles, collective rather than individual decisions, future rather than past or present, and proactive rather than reactive.

In this spirit:

- (1) The Board of Trustees will operate fully aware of its trusteeship and stewardship obligation to its constituents.
- (2) The Board of Trustees will conduct itself individually and collectively with whatever discipline is needed to govern with excellence through:
 1. Being committed to matters such as policy making principles, role clarification, speaking with one voice and self-policing of any tendency to stray from governance adopted in Board policies.
 2. Individual Board members' thorough preparation for meetings and regular attendance.
 3. Continuation of Board development including orientation of new members in the Board's governance process, participation in relevant continuing education, and periodic Board discussion of process improvement.
- (3) The Board of Trustees will direct the organization through the careful establishment of broad written policies reflecting the Board's values and perspectives. The Board's emphasis will be on impacts on the Town outside the organization, not on the administrative means.
- (4) The Board of Trustees, as trustee for and working with the citizens of the Town of Estes Park, will be the primary initiator of policy, and will also be receptive to other policy initiatives from citizens and staff. The Board, not the staff, will be responsible for Board performance as specified in the policy entitled Board Job Products.
- (5) The Board of Trustees will be accountable to the Citizens of the Town of Estes Park for competent, conscientious and effective accomplishment of its obligations as a body. It will allow no individual, committee or entity to usurp

this role or hinder this commitment.

- (6) The Board of Trustees will monitor and discuss the Board's own process and performance, and ensure the continuity of its governance capability through continuing education and training.
- (7) A member of the Board of Trustees who votes in the minority is free to express his/her dissent but will respect the process and legitimacy of the majority decision.
- (8) All Town Trustees will respect legitimacy of the opinions and reasoning of other Trustees when and after making board decisions.
- (9) Agree not to hold grudges or bring disagreements from past actions into future decisions.
- (10) A member of the Board of Trustees who, in their sole opinion, believes they have a conflict of interest or for any other reason believes that they cannot make a fair and impartial decision in a legislative or quasi-judicial decision, will recuse themselves from the discussion and decision. Any recusal will be made prior to any board discussion of the issue.
- (11) Any Trustee may choose to abstain from voting on any question, at their sole discretion. If there is not conflict of interest or reason for recusal as outlined in 1.1(10), the trustee may participate fully in Board discussions of the issue, yet abstain from voting, should they so choose.

POLICY TYPE: GOVERNANCE PROCESS

POLICY 1.2

Rev 7-25-17

POLICY TITLE: *OPERATING PRINCIPLES*

The operating principles and commitments of the Board of Trustees, as it relates to the working relationship between the Trustees, staff and citizens of Town of Estes Park, are to emphasize fairness; responsibilities as elected officials; respect; honesty and integrity; and communication. As such, the Board shall adopt and comply with a Board Code of Conduct and associated Operating Principles

The job of the Board of Trustees is to lead the Town Government toward the desired performance and to assume a good faith effort toward those objectives. The Board's leadership is unique to its trusteeship role and necessary for proper governance and management.

1.3.1 The products of the Board shall be:

1. Linkage: As the Town of Estes Park Board of Trustees places a high value on open, participatory government, the board will produce the linkage between Town of Estes Park government and the Citizens of Town of Estes Park.
 - A. Needs Assessment: The Board of Trustees will strive to identify the needs of the citizens as they relate to Town of Estes Park's activities and scope of influence, and shall translate such knowledge into the articulation of Board Objectives policies (see definition below).
 - B. Advocacy and Ambassadorship: The Board of Trustees will act as the representatives of the citizens to the Town of Estes Park government, and shall take steps to inform and clarify:
 - i. the citizens relationship with government, and
 - ii. the organization's focus on future results, and as well as present accomplishments.
 - C. Communication:
 - i. Any Board member expressing a personal point of view on a matter of Town business must include language which states the views expressed do not represent the view of the Town, rather they are the official's personal opinions, unless previously authorized to speak on behalf of the Board of Trustees, or when articulating a position official adopted by the Board of Trustees.
 - ii. Board members should recognize that they may be legally liable for anything they write, present online or say.
2. Written governing policies that, at the broadest levels, address each category of organizational decision:
 - A. **GOVERNANCE PROCESS:** Specification of how the Board of Trustees conceives carries out and monitors its own task

- B. **STAFF LIMITATIONS:** Constraints on staff authority which establish the prudence and ethics boundaries within which all Town Administrator and staff activity and decisions must take place.
 - C. **BOARD/STAFF LINKAGE:** How power is delegated and its proper use monitored; the role, authority and accountability of the Town Administrator (*and the Town Attorney*)..
 - D. **OUTCOMES:** Organizational products, effects, benefits, to answer the questions for (what good, for which recipients, and at what cost?).
3. The Board will produce assurance of:
- A. Town Administrator performance (in accordance with policies in 2A and 2B)
 - B. Town Attorney performance (in accordance with policies in 2A and 2B)
4. Adopted resolutions, regulations, ordinances, and fee schedules; legislative positions; the Audit; the Budget; Boards and Commissions; and statutorily mandated items.

1.3.2 Role of Town Trustees

1.3.2.1 Representation:

- i. Providing leadership for the Town on behalf of the citizens of Estes Park.
- ii. Representing and acting in the best interest of citizens of the Town of Estes Park.
- iii. Being knowledgeable of issues, researching background information, attending regularly scheduled meetings, and acting as a resource for citizens' concerns.
- iv. Serving as a conduit for information from citizens to the Town Administrator and the Mayor in responding to questions and individual problems.
- v. Finding a balanced approach for addressing competing interests among constituent groups to ensure the community is fairly represented.
- vi. Representing the Board of Trustees on standing committees of the Town for the purpose of monitoring major Town activities and policy implementation.

1.3.2.2 Legislative:

- I. Serving as the governing body of the Town and holding all legislative and corporate powers of the Town specifically granted or implied by statutory provisions and the Municipal Code.
- II. Enacting ordinances, resolutions and policies for the governance of the Town of Estes Park and protecting the life, health and property of its citizens and visitors.
- III. Establishing policy for the direction of the Town Board and Town Staff.
- IV. Establishing fiscal policy, financial targets, and budget goals for the Town government.

- V. Having final decision making responsibilities over pertinent land use issues and application of development code requirements within the Town of Estes Park.

1.3.2.3 Quasi-Judicial:

- i. Acting in a quasi-judicial manner in matters brought before it that relate to public hearings, appeals, land use, and liquor licensing.
- ii. Making decisions concerning quasi-judicial matters based upon testimony presented at formal hearings which are normally conducted during regularly scheduled Town Board meetings.
- iii. Not accepting nor seeking outside input or lobbying that attempts to influence their decision prior to the quasi-judicial Public Hearing. Any and all ex parte communication shall be disclosed at the beginning of the hearing. Not doing so may cause a Trustee to be disqualified from the proceedings.

1.3.2.4 Communications:

- I. Following a formal decision, acting as a united body, not as individual Trustees, and acknowledging the decision of the Town Board.
- II. The Town Administrator is the sole point of contact between the Trustees, as policy makers, and Town Staff.
- III. Interacting with the media, governmental entities, the public or other bodies as individual Trustee and not as a representative of the majority of Trustees unless an official position or legislative action has been established or authorized to do so.
- IV. Communicating to the Mayor and other Trustees items of importance from their respective committees and providing information that may be necessary to keep other members aware of important Town activities or critical functions.
- V. In times of community emergency, it is important that the Town Board speak with one voice. The Mayor, or the Mayor Pro-Tem, if the Mayor is not available, shall speak for the Board during an emergency. Other trustees will refer all requests for information to the Mayor or Mayor Pro-Tem. The Mayor will coordinate all communication with the incident commander and the Town Administrator. The purpose of this policy is not to restrict the communication of the trustees or the Mayor, but to insure all communication is timely and accurate and is in concert with the incident response plan.

The responsibility of the Mayor is, primarily, to establish procedural integrity and representation of the Board of Trustees and the Town to outside parties (as delegated by the Board). Accordingly:

- 1.4.1. The responsibility of the Mayor is to consistently guide the behavior of the Board with its own rules and those legitimately imposed upon it from outside the organization.
 - 1.4.1.1. Meeting agendas and discussion content will be only those issues which, according to Board policy, clearly belong to the Board to decide, not the Town Administrator.
 - 1.4.1.2. Deliberation will be fair, open, orderly and thorough, but also efficient, limited to time, and kept to the point.
- a. 1.4.2. The authority of the Mayor is to preside over meetings and to sign documents as authorized by the Board of Trustees and to preside over the evaluation of the Town Administrator by the Town Board.
- 1.4.3. The Mayor shall not act on behalf of the Town in any unilateral manner, except as approved by the Board of Trustees. This shall include any appointment of committee or board positions, making any financial or other binding obligations on behalf of the town, or expressing the official position of the Town on any matter.
- 1.4.4 Representation:
 - 1.4.4.1 Provide leadership for the Town of Estes Park.
 - 1.4.4.2 Serve as the primary representative of the Town of Estes Park in official and ceremonial functions.
 - 1.4.4.3 Represent the Town in interaction with other government agencies.
 - 1.4.4.4 Be the spokesperson for the Town unless the Town Board has decided otherwise.
 - 1.4.4.5 Represent the Town Board as a liaison with the Town Administrator to promote the timely flow of information between the Town Board, Town Staff and other governmental organizations.
 - 1.4.4.6 Represent the Town on the Platte River Power Authority Board.
- 1.4.5 Enactment:
 - 1.4.5.1 Mayor in conjunction with the Town Board and Town Administrator enforces the ordinances and laws of the Town.
 - 1.4.5.2 Signs all warrants (see section 2.12.020 of the Municipal Code).

- 1.4.5.3 Executes all ordinances and resolutions authorizing expenditure of money or the entering into a contract before they become valid.
- 1.4.5.4 Mayor with, Town Board approval, appoints members of committees, and other entities that may be necessary from time to time for the effective governance of the Town.
- 1.4.5.5 Facilitating policies and procedures for the effective management of the Board, establishing Town goals in conjunction with the Town Board, promoting consensus and enhancing Board performance.

1.4.6 Mayor Pro Tem – Mayor Pro Tem shall assume all duties of the Mayor in the Mayor's absence in accordance with Section 2.16.010 of the Municipal Code.

1.4.7 – Mayoral Appointments

- 1.4.7.1 – Board Standing Committees – “At the first regular meeting following the certification of the results of each biennial election, the Mayor shall appoint three (3) Trustees to the following standing committees: Community Development/Community Service and Public Safety/ Utilities/Public Works; and the Mayor shall appoint two (2) Trustees to the Audit committee with the Mayor serving as the third member.

(Ord. 26-88 §1(part), 1988; Ord. 7-03 §1, 2003; Ord. 10-10 §1, 2010; Ord. 10-14 §1, 2014; Ord. 13-15, § 1, 9-22-2015)

1.4.7.2 Special Assignments –

The Mayor may nominate trustees to serve on committees, community groups, or in some other capacities as a representative of the Town. The Mayor shall present the nomination of any such appointments to the Board for approval at a regular town board meeting. The Mayor will make every effort to distribute special assignments equitably among the members of the Board.

- 1.4.7.3 Special committees. - Special committees may be established by the Board of Trustees. The Mayor shall appoint all members of any special committee subject to the approval of the Board of Trustees. (EP Municipal Code 2.08.020)

1.4.8 Voting Privileges – The Mayor has full voting privileges for items coming before the Board of Trustees. (Ord. 04-16)

POLICY TYPE: GOVERNANCE PROCESS

POLICY 1.5
Rev 7-25-17

POLICY TITLE: *Reserved*

POLICY TYPE: GOVERNANCE PROCESS

POLICY 1.6
REV 4/15/15

POLICY TITLE: BOARD COMMITTEE
PRINCIPLES

For simplicity and clarity in this policy, the term "Committee" shall refer to any board, commission, task force, council, committee or any other volunteer group of citizens.

The Board of Trustees may establish committees to advise the Board in carrying out its responsibilities. Other than those statutorily required, all committees appointed by the Town of Estes Park Board of Trustees exist so that Board decisions (a) will be made from an informed position, and (b) will be made in a public forum consistent with Board policy. Accordingly:

1.6.1 Committees which are appointed by the Board of Trustees.

1.6.1.1 - It is the policy of the Board of Trustees to encourage citizen involvement in town affairs, as well as to avoid conflicts involving trustees who serve on committees, boards, commissions and organizations. For these reasons, the trustees have agreed that a trustee shall serve only as a liaison to town committees, commissions and boards.

1.6.1.2 - Other than those legislatively directed, committees may not speak or act for the Board of Trustees except when formally given such authority for specific and time-limited purposes. Expectations and authority will be carefully stated in order not to conflict with authority delegated to the staff.

1.6.1.3 - Committees appointed by the board are to help the Board of Trustees do its job, not to help the staff do its job. Committees ordinarily will assist the Board by preparing policy alternatives and implications for Board deliberation. Committees are not created by the Board to advise staff. The Board understands that at times the Town Administrator or Town Staff may convene ad-hoc or ongoing advisory boards to serve as advisors for operational issues. These advisory groups are subject to the same limitations as Board appointed committees.

1.6.1.4 - In keeping with the Board of Trustees' broader focus, committees normally will not have direct dealings with current staff operations. Committees cannot exercise authority over staff.

1.6.1.5 - Because the staff works for the Board, they will not be expected to obtain approval of a committee before taking action unless otherwise authorized by state statute, Board policy, or federal regulation.

1.6.1.6 - Because of the differing nature of committees, some of which are defined by state statute, the Board shall have and keep current an operating policy defining the role of different committees and setting forth rules and procedures for Town of Estes Park committees (Operating Policy 102).

1.6.1.7 -The authority and responsibility of any committee will not duplicate the authority or responsibility of:

- a) The Board of Trustees
- b) Town Staff
- c) Any other committee
- d) Town Auditor
- e) Town Attorney

1.6.1.8 - All committees will undergo a regular sunset review, at least once every five years, unless otherwise provided for more frequently and according to a staggered schedule to be adopted separately by the Board of Trustees.

1.6.1.9 - Said sunset review shall include a review of the Board and Commission's Mission Statement, and of the Board of Trustees' charge to the Committee of their role, responsibility and authority.

1.6.2 - Outside Committees

At times a Trustee may seek to serve or be asked to serve on an outside committee not appointed by the Board of Trustees. A Trustee may seek or be asked to serve on an outside committee in an official capacity representing the Board and the Town of Estes Park, or as an individual Board member, not as the official representative of the Town or the Board.

1.6.2.1 - Official Representation

- a) No Trustee may represent the Town or the Board of Trustees or represent themselves as being an official representative or speak for the Town or the Board without have first been officially designated as the Town's representative by the Board of Trustees at a regular meeting of the Board.
- b) The Mayor may nominate trustees to serve on committees, community groups, or in some other capacities as a representative of the Town. The Mayor shall present the nomination of any such appointments to the Board for approval at a regular town board meeting. The Mayor will make every effort to distribute special assignments equitably among the members of the Board.
- c) A trustee serving on an outside committee shall not chair the outside committee, board, commission or organization (with the existing exceptions of the Platte River Power Authority Board or the County Open Lands Board) without prior approval of the full Board of Trustees.

1.6.2.2 - Individual Representation

- a) Individual trustees have the right to participate as an individual in any outside group or committee.

- b) When participating as an individual trustee, the trustee should clearly express to the committee membership that he/she is there as an individual and do not speak for nor represent the Town of Estes Park or the Board of Trustees.

- c) When participating on any outside committee, trustees should be cautious to avoid any real or perceived conflict of interest and any involvement that could compromise the role of the trustee in any quasi-judicial actions or other decisions.

Trustees may serve as the official liaison of the Board to Town committees. The Board of Trustees may appoint an individual Trustee to serve as the official liaison to other community groups.

- 1.7.1 Appointment - The Mayor may nominate trustees to serve as a Board Liaison. The Mayor shall present the nomination of any such appointments to the Board for approval at a regular town board meeting. The Mayor will make every effort to distribute special assignments equitably among the members of the Board.
- 1.7.2 Term – A Trustee shall serve as the Town Board Liaison solely at the pleasure of the Town Board, with no specific term limit.
- 1.7.3 Duties of a Liaison
 - 1.7.3.1 Communicate with the committee when Board of Trustees communication is needed and to serve as the primary two-way communication channel between the Town Board and the committee or community group.
 - 1.7.3.2 Review applications, interview candidates and make recommendations to the Town Board for final approval.
 - 1.7.3.3 Serve as the primary Trustees' contact for the committee or community group.
 - 1.7.3.4 Attend assigned committee or community group meetings when requested or whenever appropriate, in the opinion of the Trustee liaison. Trustee liaisons are not expected to attend every meeting of the committee or group.
 - 1.7.3.5 The liaison is not a member of the committee and when in attendance at a meeting is there as an observer for the Board of Trustees and a resource for the committee. Participation in board discussions should be minimal and restricted to clarification of Town Board positions or collection of information to bring back to the full Town Board.

POLICY TYPE: GOVERNANCE PROCESS

POLICY 1.8
Rev 7-25-17

POLICY TITLE: BOARD STANDING COMMITTEES

For the purpose of this policy, Board Committee is defined as a sub-committee of the Board of Trustees and membership is composed solely of Town Trustees.

1.8.1 Board Committees – The Board shall have the following Board Committees (EP Municipal Code 2.08.010)

- 1.8.1.1 Community Development and Community Services Committee – Responsible for discussions of issues and policy associated with Community Planning, Building and Code Compliance, Fairgrounds and Events, Museum, Senior Center, Visitors Center, Finance and Administration
- 1.8.1.2 Public Works, Utilities and Public Safety Committee – Responsible for discussions of issues and policy associated with Police, Engineering, Facilities, Parks, Streets, and Utilities.
- 1.8.1.3 Audit Committee – Responsible for supervising and working with the Town Auditors in the preparation of the Comprehensive Annual Financial Report and any other formal audits, as required.

1.8.2. Board Committees, when used, will be assigned so as to reinforce the wholeness of the Board's job and so as never to interfere with delegation from the Board to Town Administrator. The purpose of Board Committee's shall be to provide more indepth discussion and information on the specific areas assigned to the Committee. Committee's may not adopt policy, but shall make recommendations to the Town Board for action.

1.8.3 The following principles shall guide the appointment and operation of all Town Board Committees:

- 1.8.3.1 Board Committees may not speak or act for the Board except when formally given such authority for specific and time limited purposes. Expectations and authority will be carefully stated in order not to conflict with authority delegated to the Town Administrator.
- 1.8.3.2 Board Committees cannot exercise authority over staff. Because the Town Administrator works for the full board, he or she will not be required to obtain approval of a Board, Committee or Commission before an executive action.
- 1.8.3.3 Board committees shall consist of no more than 3 trustees so that the committee is never a quorum of the Town Board.

POLICY TYPE: GOVERNANCE PROCESS

POLICY 1.9 POLICY TITLE: ANNUAL PLANNING AND AGENDAS

1.9 The Town Board will prepare and follow an annual agenda plan that includes (1) a complete re-exploration of Goals policies and (2) opportunity for continuous improvement in Town Board performance through Town Board education, enriched input, and deliberation.

Accordingly:

1.9.1 The Town Board annual planning cycle will conclude each year on July 1, so that administrative planning and budgeting can be based on accomplishing a one-year segment of long-term Goals.

1.9.1.1 The cycle will start with the Town Board development of its agenda for the next year. In April-May of each year, the Board will adopt its key objectives for the following year.

1.9.1.2 The Town Board will identify its priorities for Goals, objectives and other issues to be resolved in the coming year, and will identify the information-gathering necessary to fulfill its role. This may include consultations with selected groups in the ownership, other methods of gaining ownership input, governance education, and other education related to Goals issues (e.g. presentations by advocacy groups, demographers, other providers, and staff).

1.9.1.3 The Board of Trustees, with the assistance of the Town Administrator at the commencement of the Town Board annual planning cycle, prepare a tentative agenda plan for the following year's meetings.

1.9.2 AGENDAS

1.9.2.1 Regular Board Meetings - The Town Clerk will prepare the agenda for any regular meeting of the board, in consultation with the Town Administrator and staff. A draft agenda will be distributed to the Board of Trustees for comment prior to the publication of the agenda.

Individual trustees may request agenda matters for Town Board consideration at least two weeks prior to the regular board meeting. If any Trustee objects to an item on the draft agenda when distributed, the Town Administrator will only place items on the agenda with the direction of a majority of the Board.

The Town Administrator may add routine administrative and consent items to any Board agenda.

1.9.2.2 Study Sessions – The Town Board will approve the schedule for upcoming Study Sessions. The Mayor, Trustees or staff may request or recommend any appropriate

matters for Town Board consideration; however the Town Administrator will only place items on a Study Session agenda with the direction of a majority of the Board.

1.9.2.3 By an affirmative vote of a majority of the Trustees present at a meeting, additional matters may be added to the agenda of any such meeting, as long as it is allowed by statute.

1.9.3 The Town Board will attend to Consent Agenda items (those items delegated to the Town Administrator yet required by law or contract to be Town Board-approved, or minor non-controversial or routine matters) as expeditiously as possible.

1.9.4 Monitoring reports due and/or submitted to the Town Board will be on the Town Board Meeting agenda for acceptance. Discussion of the reports will be only for indication of policy violations or if the Town Board does not consider the Interpretation to be reasonable. Potential, extensive policy revisions under consideration will be scheduled during a Town Board Work Session or future Town Board Meeting.

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POLICY TYPE: GOVERNANCE PROCESS

POLICY 1.10

POLICY TITLE: *SELF - MONITORING OF THE BOARD*

The Board of Trustees will systematically and rigorously monitor compliance with these adopted policies, both individual and collectively, to determine the extent to which policies are being followed. Accordingly:

- 1.10.1. The purpose of monitoring is simply to determine the degree to which Board policies are being met. Monitoring will be as automatic as possible, using a minimum of Board time so that meetings can focus on creating the future.
- 1.10.2 Self-monitoring of compliance with these policies will be completed by the Town Board twice a year, in August and February at a regularly scheduled Board Study Session. Monitoring shall be on an exception basis.
 - (a) The Town Administrator will notify the Board of the scheduled self-monitoring session a minimum of two weeks prior to the meeting.
 - (b) Each Board member should review the policy list in section 1.10.6 prior to the scheduled study session
 - (c) Any Board member who has a concern about compliance with any of the policies listed in 1.10.6, or who wishes to discuss the content or interpretation of any of the policies, should notify the Mayor at least one week prior to the meeting.
 - (d) Discussion at the Study Session will be limited to those polices brought to the attention of the Mayor by a member of the Board. All other policies shall be deemed in compliance.
- 1.10.3 In every case, the Board of Trustees will judge whether (a) the interpretation is reasonable, and (b) whether data demonstrate accomplishment of, or compliance with, the Town Board’s interpretation.
- 1.10.4 In every case, the standard for compliance shall be “any reasonable Town Trustee’s individual interpretation” of the Board of Trustees’ policy being monitored however, the Board of Trustees is the final judge of reasonableness, and will always judge with a “reasonable person” test (what a reasonably prudent person would do in that context). Interpretations favored by individual board members do not constitute a “reasonable person” test.
- 1.10.5 Actions determined to be not compliant with a reasonable interpretation of Board of Trustees’ policies will be subject to a process agreed to by the Town Board.
- 1.10.6. **Town Board Compliance Review Schedule**

GOVERNING POLICY	REVIEW DATE
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1.1 Governance Style	Aug & Feb
(2)(5)-(11)	Aug & Feb
1.3 Board Job Description	
1.3.1.1.C.i Board Communication	Aug & Feb
1.3.1.3 Performance review of Town Administrator and Town Attorney	Aug & Feb
1.3.2.3 Quasi-Judicial Actions	Aug & Feb
1.3.2.4 Trustee Communications	Aug & Feb
1.4 Mayor's Responsibility	
1.4.1 Meeting Leadership	Aug & Feb
1.4.3 Refraining from Unauthorized Unilateral Actions	Aug & Feb
1.4.4 Representation	Aug & Feb
1.4.7.2 Special Assignments	Aug & Feb
1.6 Board Committee Principles	
1.6.1 Committees Appointed by the Board	
1.6.1.1	Aug & Feb
1.6.1.2	Aug & Feb
1.6.1.4	Aug & Feb
1.6.1.6	Aug & Feb
1.6.1.7	Aug & Feb
1.6.2 Outside Committees	
1.6.2.1 – Official Representation	Aug & Feb
1.6.2.2 b&c Individual Representation	Aug & Feb
1.7 Board Liaison Roles	
1.7.1 Mayoral Appointments	Aug & Feb
1.7.3 Duties of A Liaison	Aug & Feb
1.8 Board Standing Committees	
1.8.2 Use of Board Committees	Aug & Feb
1.8.3 Principles for Board Committees	Aug & Feb
1.9 Annual Planning and Agendas	
1.9.1 Annual Planning	Aug & Feb
Adopted Town Policies	
103 Town Board Code of Conduct and Operating Principles	Biannually – following Town Board Elections
107 Board E-mails	Annually March

Adopted 7/9/2019

TOWN OF ESTES PARK GOVERNING POLICIES MANUAL

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Category 2. Board/Staff Linkage

- Policy 2.0 Governance - Management Connection
 - Policy 2.1 Delegation to the Town Administrator
 - Policy 2.2 Town Administrator Job Description
 - Policy 2.3 Monitoring Town Administrator Performance
 - Policy 2.4 Town Attorney

POLICY TYPE: BOARD/STAFF LINKAGE

POLICY 2.0

POLICY TITLE: *GOVERNANCE - MANAGEMENT CONNECTION*

The Board of Trustees' official link to the operation of departments of Town Government and staff is the Town Administrator.

- 2.1 The Board of Trustees' job is generally confined to establishing the broadest policies; implementation and subsidiary decision making is delegated to the Town Administrator.
- 2.2 As the Board's primary link to the operations of Town government, the Town Administrator's performance will be considered to be synonymous with organizational performance (within the scope of the Town Administrator's authority).
- 2.3 Monitoring Town Administrator performance is synonymous with monitoring organizational performance against Board policies and Staff Limitations. Any evaluation of Town Administrator performance, formal or informal, may be derived only from these monitoring criteria.

POLICY TYPE: BOARD/STAFF LINKAGE

POLICY 2.1

POLICY TITLE: *DELEGATION TO THE TOWN ADMINISTRATOR*

The Board of Trustees' job is generally confined to establishing the broadest vision and policies. Implementation and subsidiary decision making is delegated to the Town Administrator as specified in the Estes Park Municipal Code 2.28.

2.1.1 Only decisions of the Board of Trustees, by majority vote, are binding on the Town Administrator.

2.1.2 With the exception of the Town Attorney and the Municipal Judge, the Town Administrator shall have line authority over all Town departments. This authority shall include supervision and control over day to day functions and management decisions required to carry out the objectives of the Board of Trustees.

2.1.3 The policies, goals and objectives of the Board of Trustees direct the Town Administrator to achieve certain results; the policies permit the Town Administrator to act within acceptable boundaries of prudence and ethics. With respect to the policies, the Town Administrator is authorized to make all decisions, take all actions and develop all activities as long as they are consistent with any reasonable interpretation of the policies of the Board of Trustees.

2.1.4 The Board of Trustees may change its policies, thereby shifting the boundary between Board and Town Administrator domains. Consequently, the Board may change the latitude of choice given to the Town Administrator, but so long as any particular delegation is in place, the Board will respect and support the Town Administrator's choices. The Board will not allow the impression that the Town Administrator has violated policy when the Town Administrator supports an existing policy.

2.1.5 No individual member of the Board of Trustees has authority over the Town Administrator. Information may be requested by individual Board members, but if such request, in the Town Administrator's judgment, requires a material amount of resources or is detrimental to other necessities, the Town Administrator may ask for majority Board action on such a request.

2.1.6 It is understood that at times it may be in the best interest of the Town to waive or grant exceptions to adopted Board policy. The Town Administrator shall request Board approval for any policy waiver or exception prior to its implementation.

2.1.7 Should the Town Administrator deem it necessary to, or inadvertently, violate a Board policy, he or she shall promptly inform the Board of Trustees. Informing is simply to guarantee no violation may be intentionally kept from the Board, not to request approval. Board response, either approving or disapproving, does not exempt the Town Administrator from subsequent Board judgment of the action.

Adopted 6-11-2013

POLICY TYPE: BOARD/STAFF LINKAGE

POLICY 2.2

POLICY TITLE: *TOWN ADMINISTRATOR JOB DESCRIPTION*

As the Board's primary link to the operations of Town government, the Town Administrator's performance will be considered to be synonymous with organizational performance (within the scope of the Town Administrator's authority).

The Town Administrator's job contributions can be stated as performance in two areas:

2.2.1 Board outcomes are met and policies are followed.

2.2.2 Town government operation within the boundaries established in Board policies on STAFF LIMITATIONS.

2.2.3 The official job description for the Town Administrator shall be the as adopted by the Town Board and as incorporated by reference in the Employment Agreement between the Town and the Town Administrator.

POLICY TYPE: BOARD/STAFF LINKAGE

POLICY 2.3

POLICY TITLE: *MONITORING TOWN ADMINISTRATOR PERFORMANCE*

The Board of Trustees will systematically and rigorously monitor Town Administrator job performance to determine the extent to which goals are being achieved and whether operational activities fall within boundaries established in management limitations policies. Accordingly:

- 2.3.1. The purpose of monitoring is simply to determine the degree to which Board policies are being met. Information which does not do this will not be considered to be monitoring. Monitoring will be as automatic as possible, using a minimum of Board time so that meetings can focus on creating the future.
- 2.3.2. A given policy may be monitored in one or more of three ways:
 - (a) Internal Report: Disclosure of compliance information to the Board of Trustees from the Town Administrator.
 - (b) External Report: Discovery of compliance information by a disinterested party who is selected by and reports directly to the Board of Trustees. Such reports must assess executive performance only against policies of the Board, not those of the external party unless the Board has previously indicated that party's opinion to be the standard.
 - (c) Direct Board Inspection: Discovery of compliance information by a Board member or the Board of Trustees as a whole. This is a Board inspection of documents, activities or circumstances directed by the Board which allows a "prudent person" test of policy compliance.
- 2.3.3 In every case, the Board of Trustees will judge whether (a) the Town Administrator's interpretation is reasonable, and (b) whether data demonstrate accomplishment of, or compliance with, the Town Administrator's interpretation.
- 2.3.4 In every case, the standard for compliance shall be "any reasonable Town Administrator interpretation" of the Board of Trustees' policy being monitored however, the Board of Trustees is the final judge of reasonableness, and will always judge with a "reasonable person" test (what a reasonably prudent person would do in that context). Interpretations favored by individual board members or by the Board of Trustees as a whole do not constitute a "reasonable person" test.
- 2.3.5 Actions determined to be not compliant with a reasonable interpretation of Board of Trustees' policies will be subject to a remedial process agreed to by the Town Board.

2.3.6. The Board of Trustees will conduct an annual formal evaluation of the Town Administrator which will include a summation examination of the monitoring data acquired during that period.

Town Administrator Performance Expectations Review Schedule

3.0 General Executive Constraint	Internal	Annually	March
3.1 Customer Service	Internal	Annually	March
3.2 Treatment of Staff	Internal	Annually	March
3.3 Financial Planning/Budgeting	Internal	Quarterly	Apr., July, Oct., Jan.
3.4 Financial Condition & Activities	Internal	Annually	March
	External	Annually	June
3.5 Asset Protection	Internal	Annually	March
3.6 Emergency Town Administrator Backup and replacement	Internal	Annually	March
3.7 Emergency Preparedness	Internal	Annually	April
3.8 Compensation and Benefits	Internal	Annually	September
3.9 Communication and Support to the Board	Internal	Annually	March
3.10 Capital Equipment and Improvements	Internal	Annually	March
3.11 Quality of Life	Internal	Annually	March
3.12 Internal Procedures	Internal	Annually	July

Adopted 6-11-2013

POLICY TYPE: BOARD/STAFF LINKAGE

POLICY 2.4

POLICY TITLE: *TOWN ATTORNEY*

The Town Attorney represents the Board of Trustees as specified in the Estes Park Municipal Code 2.24.020 (3) and anyone acting on its behalf so long as they are not acting in conflict with the Board of Trustee or its policies.

2.4.1 Ethical Obligation of Town Attorney

2.4.1.1 The Town Attorney at all times will be guided by, and subject to, the Colorado Rules of Professional Conduct for Attorneys and specifically Rule 1.13 Organization as Client

2.4.2 Accountability of the Town Attorney -

2.4.2.1 The Town Attorney shall report directly to the Town Board. The purpose of the Town Attorney is to ensure that the Board's actions take place with competent and prudent legal counsel and representation.

2.4.2.2 The Town Attorney is accountable to the Board acting as a body, never to any individual Board member or group of members, nor to the Town Administrator.

2.4.2.3 If individual Board members request information or assistance without Board authorization, the Town Attorney may refuse such requests that require, in his/her opinion, an inappropriate amount of staff time or funds or is disruptive. In such a case, the requesting member may choose to bring the request to the Board.

2.4.2.4 Town Attorney accountability is for all resources, including personnel, under his or her control. Therefore, any accomplishments or violations due to actions of a subordinate of the Town Attorney are considered to be accomplishments or violations by the Town Attorney.

2.4.2.5 The Town Attorney may accomplish the "Job Products" of the position in any manner not imprudent, unethical, or in violation of the prohibitions listed below under "Limitations on Town Attorney Authority."

2.4.2.6 The Town Attorney may use any reasonable interpretation of Board policies as they pertain to his/her authority and accountability. The Town Attorney is authorized to establish all further policies, make all decisions, take all actions and develop all activities as long as they are consistent with any reasonable interpretation of the Board's policies.

2.4.3 Job Products of the Town Attorney

Adopted 6-11-2013

- 2.4.3.1 Timely opinion on documents and contemplated decisions or actions of the Board, the Town Administrator or other Town Officials holding the authority to make such decisions. Requests to the Town Attorney to provide opinions about the wisdom of policy of decisions shall be discouraged.
- 2.4.3.2 Timely opinion on the legal ramifications of pending or actual laws, regulations, court decisions, and pending or threatened litigation.
- 2.4.3.3 Timely opinion on the legality or propriety under the law of the Board's processes.
- 2.4.2.4 Timely opinion on the legality or propriety under the law of pending or actual acts or omissions of any Trustee, Board, Committee, Commission, the Town Administrator or other Town employee or official.
- 2.4.3.5 When requested or appropriate, alternate language or action to achieve Board or Town Administrator intentions in a lawful manner.
- 2.4.3.6 Timely and thoughtful advice and recommendations on the range of legal options available.
- 2.4.3.7 The Town Attorney shall endeavor to provide professional advice based upon the law as determined by the Town Attorney and also other considerations as may be appropriate to the decision. The Town Attorney should refrain from influencing policy based upon the personal belief of the attorney.
- 2.4.3.8 Litigation:
 - (i) Advice regarding avoidance of litigation or settlement of potential litigation.
 - (ii) Timely provision to the Board and the Town Administrator on the status of settlement negotiations and all threatened/actual litigation.
 - (iii) Settlement of litigation, with authority as obtained from the Board.
 - (iv) Diligent and competent representation of the Board, the Town, and the Town's officer's agents and employees in litigation.
 - (v.) The Town may carry out its obligation to defend Town officials and employees from third party claims by using the services of the Town Attorney's office. The Town Attorney will be responsible for determining conflicts of interest in such defense and advise the Board and individuals involved. The Town Attorney may advise the Board to retain separate counsel to represent the Town, its individual officials, and/or employees.
- 2.4.3.9 Adequately brief the board on emerging legal issues and trends affecting the Town.
- 2.4.4 Limitations on Town Attorney Authority. The Town Attorney shall not:
 - 2.4.4.1 Exercise authority over Town Administrator or staff.

Adopted 6-11-2013

2.4.4.2 Violate applicable codes of professional ethics and conduct.

2.4.4.3 Treat the public or staff in a disrespectful or unfair manner.

2.4.4.4 Incur expenditures or fiscal encumbrances beyond those authorized under Board Policy.

2.4.4.5 Unreasonably withhold information from the Town Administrator, nor shall the Town Attorney fail to cooperate with the Town Administrator in the performance of his/her official functions.

2.4.5 Evaluation of Town Attorney performance.

2.4.5.1 Town Attorney accountability is only for job expectations explicitly stated by the Board in this document. Consequently, the provisions herein are the sole basis of any subsequent evaluation of Town Attorney performance, though he or she may use any reasonable interpretation of the Board's words.

2.4.5.2 The Board of Trustees will monitor the Town Attorney's performance with respect to these expectations on a routine basis.

2.4.5.3 Any modification to the compensation paid the Town Attorney shall be as specified in the Estes Park Municipal Code, section 2.24.030.

TOWN OF ESTES PARK GOVERNING POLICIES MANUAL

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Category 3. Staff Limitations

- Policy 3.0 General Town Administrator Constraint
 - Policy 3.1 Customer Service
 - Policy 3.2 Treatment of Staff
 - Policy 3.3 Financial Planning
 - Policy 3.4 Financial Condition and Activities
 - Policy 3.5 Asset Protection
 - Policy 3.6 Emergency Town Administrator Backup and Replacement
 - Policy 3.7 Emergency Preparedness
 - Policy 3.8 Compensation and Benefits
 - Policy 3.9 Communication and Support to the Board
 - Policy 3.10 Capital Equipment and Improvements Programming
 - Policy 3.11 General Town Administrator Constraint – Quality of Life
 - Policy 3.12 General Town Administrator – Internal Operating Procedures
 - Policy 3.13 Town Organizational Plan

POLICY TYPE: STAFF LIMITATIONS

POLICY 3.0

**POLICY TITLE: *GENERAL TOWN ADMINISTRATOR
CONSTRAINT***

Within the scope of authority delegated to him/her by the Board of Town Trustees, the Town Administrator shall not cause nor allow any practice, activity, decision or organizational circumstance that is either unlawful, imprudent, or in violation of commonly accepted business and professional ethics.

- 3.1 The quality of life in the Town of Estes Park depends upon the partnership between citizens, elected officials and Town employees. Therefore, within the scope of his/her authority, the Town Administrator shall not fail to ensure high standards regarding the treatment of our citizens.
- 3.2 With respect to the treatment of paid and volunteer staff, the Town Administrator may not cause or allow conditions that are unsafe, unfair or undignified.
- 3.3 With respect for strategic planning for projects, services and activities with a fiscal impact, the Town Administrator may not jeopardize either the operational or fiscal integrity of Town government.
- 3.4 With respect to the actual, ongoing condition of the Town government's financial health, the Town Administrator may not cause or allow the development of fiscal jeopardy or loss of budgeting integrity in accordance with Board Objectives.
- 3.5 Within the scope of his/her authority and given available resources, the Town Administrator shall not allow the Town's assets to be unprotected, inadequately maintained or unnecessarily risked.
- 3.6 In order to protect the Board from sudden loss of Town Administrator services, the Town Administrator may have no less than two other member(s) of the Town management team familiar with Board and Town Administrator issues and processes.
- 3.7 The Town Administrator shall have an Emergency Preparedness Process in place for the coordination of all emergency management partners – Federal, State, and local governments, voluntary disaster relief organizations, and the private sector to meet basic human needs and restore essential government services following a disaster.
- 3.8 With respect to employment, compensation, and benefits to employees, consultants, contract workers and volunteers, the Town Administrator shall

not cause or allow jeopardy to fiscal integrity.

- 3.9 The Town Administrator shall not permit the Board of Town Trustees to be uninformed or unsupported in its work.
- 3.10 With respect to planning for and reporting on Capital Equipment and Improvements Programs, the Town Administrator may not jeopardize either operational or fiscal integrity of the organization.
- 3.11 With respect to Town government's quality of life for the community the Town Administrator shall not fail to plan for implementing policies of the Board regarding economic health, environmental responsibility and community interests.
- 3.12 With respect to internal operating procedures, the Town Administrator will insure that the Town may not fail to have internal procedures for the well being of the Town to promote effective and efficient Town operations.

3.1 The quality of life in The Town of Estes Park depends upon the partnership between citizens, elected officials and Town employees. Therefore, within the scope of his/her authority, the Town Administrator shall not fail to ensure high standards regarding the treatment of our citizens.

3.1.1 The Town Administrator shall not fail to encourage the following basic attitudes in employees:

3.1.1.1 The Citizens of The Town of Estes Park deserve the best possible services and facilities given available resources.

3.1.1.2 Prompt action is provided to resolve problems or issues.

3.1.1.2.1 – “Prompt Action” shall be interpreted as:

- Citizens receive initial responses at a minimum acknowledging the receipt of the contact, within two business days
- The appropriate process required to resolve the problem is initiated within three business days, whenever possible.

3.1.1.3 Attention is paid to detail and quality service is provided that demonstrates a high level of professionalism.

3.1.1.4 Each employee represents excellence in public service.

3.1.1.5 Each employee is “the Town” in the eyes of the public.

3.1.2 The success of Estes Park Town Government depends upon the partnership between citizens, , elected officials and Town employees. Accordingly, regarding the treatment of citizens and customers, the Town Administrator shall not:

3.1.2.1 Fail to inform citizens of their rights, including their right to due process, as they relate to the operations and responsibilities of the Town.

3.1.2.2 Ignore community opinion on relevant issues or make material decisions affecting the community in the absence of appropriate community input.

3.1.2.3 Allow the community to be uninformed (or informed in an untimely basis) about relevant decision making processes and decisions.

- 3.1.2.4 Ignore problems or issues raised by the community or fail to address them in a timely manner, where the Town Administrator has been delegated the authority to act, or to fail to inform the Board of issues where he/she may not have the authority to act.
- 3.1.2.5 Allow incompetent, disrespectful or ineffective treatment from Town employees.
- 3.1.2.6 Unduly breach or disclose confidential information.

POLICY TYPE: STAFF LIMITATIONS

POLICY 3.2
Rev 7-25-17

**POLICY TITLE: *TREATMENT OF STAFF
AND VOLUNTEERS***

With respect to the treatment of paid and volunteer staff, the Town Administrator may not cause or allow conditions which are unsafe, unfair or undignified.

Accordingly, pertaining to paid staff within the scope of his/her authority, the administrator shall not:

- 3.2.1 Operate without written personnel policies that clarify personnel rules for employees.
- 3.2.2 Fail to acquaint staff with their rights under the adopted personnel rules upon employment.
- 3.2.3 Fail to commit and adhere to the policies of Equal Employment Opportunity and Fair Labor Standards Act.
- 3.2.4 Fail to make reasonable efforts to provide a safe working environment for employees, volunteers and citizens utilizing Town services
- 3.2.5 Operate without written volunteer policies that clarify the responsibilities of volunteers and of the Town for all volunteers.

POLICY TYPE: STAFF LIMITATIONS

POLICY 3.3
Rev 7-25-17

POLICY TITLE: *FINANCIAL PLANNING*

With respect for strategic planning for projects, services and activities with a fiscal impact, the Town Administrator may not jeopardize either the operational or fiscal integrity of Town government. Accordingly, the Town Administrator shall not allow budgeting which:

- 3.3.1. Deviates from statutory requirements.
- 3.3.2. Deviates materially from Board-stated priorities in its allocation among competing budgetary needs.
- 3.3.3. Contains inadequate information to enable credible projection of revenues and expenses, separation of capital and operational items, cash flow and subsequent audit trails, and disclosure of planning assumptions.
- 3.3.4. Plans the expenditure in any fiscal year of more funds than are conservatively projected to be received in that period, or which are otherwise available.
- 3.3.5. Reduces fund balances or reserves in any fund to a level below that established by the Board of Town Trustees by adopted policy
- 3.3.6. Fails to maintain a Budget Contingency Plan capable of responding to significant shortfalls within the Town's budget.
- 3.3.7. Fails to provide for an annual audit.
- 3.3.8. Fails to protect, within his or her ability to do so, the integrity of the current or future bond ratings of the Town.
- 3.3.9. Results in new positions to staffing levels without specific approval of the Board of Town Trustees. The Town Administrator may approve positions funded by grants, which would not impose additional costs to the Town in addition to the grant funds and any temporary positions for which existing budgeted funds are allocated.

POLICY TYPE: STAFF LIMITATIONS

POLICY 3.4
Rev 7-25-17

POLICY TITLE: *FINANCIAL CONDITION AND ACTIVITIES*

With respect to the actual, ongoing condition of the Town government's financial health, the Town Administrator may not cause or allow the development of fiscal jeopardy or loss of budgeting integrity in accordance with Board Objectives. Accordingly, the Town Administrator may not:

- 3.4.1. Expend more funds than are available.
- 3.4.2. Allow the general fund and other fund balances to decline to a level below that established by the Board of Town Trustees by adopted policy, , unless otherwise authorized by the Board.
- 3.4.3. Allow cash to drop to a level below that established by the Board of Town Trustees by adopted policy, unless otherwise authorized by the Board.
- 3.4.4. Allow payments or filings to be overdue or inaccurately filed.
- 3.4.5. Engage in any purchases wherein normally prudent protection has not been given against conflict of interest and may not engage in purchasing practices in violation of state law or Town purchasing procedures.
- 3.4.6. Use any fund for a purpose other than for which the fund was established , unless otherwise authorized by the Board.

POLICY TYPE: STAFF LIMITATIONS

POLICY 3.5

POLICY TITLE: *ASSET PROTECTION*

Within the scope of his/her authority and given available resources, the Town Administrator shall not allow the Town's assets to be unprotected, inadequately maintained or unnecessarily risked.

Accordingly, he or she may not:

- 3.5.1. Fail to have in place a Risk Management program which insures against property losses and against liability losses to Board members, staff and the Town of Estes Park to the amount legally obligated to pay, or allow the organization to be uninsured:
 - 3.5.1.1 Against theft and casualty losses,
 - 3.5.1.2 Against liability losses to Board members, staff and the town itself in an amount equal to or greater than the average for comparable organizations.
 - 3.5.1.3 Against employee theft and dishonesty.
- 3.5.2. Subject plant, facilities and equipment to improper wear and tear or insufficient maintenance (except normal deterioration and financial conditions beyond Town Administrator control).
- 3.5.3. Receive, process or disburse funds under controls insufficient to meet the Board-appointed auditor's standards.
- 3.5.4. Unnecessarily expose Town government, its Board of Town Trustees or staff to claims of liability.
- 3.5.5. Fail to protect intellectual property, information and files from loss or significant damage.
- 3.5.6. Acquire, encumber, dispose or contract for real property except as expressly permitted in Town policy.
- 3.5.7. Allow internal control standards to be less than that necessary to satisfy

generally accepted accounting/auditing standards recognizing that the cost of internal control should not exceed the benefits expected to be derived.

POLICY TYPE: STAFF LIMITATIONS

POLICY 3.6

POLICY TITLE: *EMERGENCY TOWN ADMINISTRATOR REPLACEMENT AND BACK UP*

In order to protect the Board from sudden loss of Town Administrator services, the Town Administrator may have no fewer than two (2) other members of the Town management team familiar with Board of Town Trustees and Town Administrator issues and processes.

- 3.6.1. The Assistant Town Administrator shall act in the capacity of Town Administrator in his/her absence. In the absence of the Town Administrator and Assistant Town Administrator a Town Department Head previously designated by the Town Administrator will act in the capacity of Town Administrator.
- 3.6.2. The Town Administrator shall provide the necessary training needed to enable successful emergency replacement.

POLICY TYPE: STAFF LIMITATIONS

POLICY 3.7

POLICY TITLE: *EMERGENCY PREPAREDNESS*

The Town Administrator shall have an Emergency Preparedness Process in place for coordination of all emergency management partners – Federal, State, and local governments, voluntary disaster relief organizations, and the private sector to meet basic human needs and restore essential government services following a disaster.

- 3.7.1 The Town Administrator shall be responsible for the assigned responsibilities identified in the Town of Estes Park Emergency Operations Plan
- 3.7.2 The Town Administrator shall not fail to have a business continuity plan for the Town.
- 3.7.3 In the event of an emergency, the Town Administrator shall not fail to take appropriate action immediately to ensure the safety of the public and public and private assets, including authorizing specific actions by Town staff and declaring an emergency on behalf of the Board of Town Trustees

POLICY TYPE: STAFF LIMITATIONS

POLICY 3.8
Rev 7-25-17

POLICY TITLE: *COMPENSATION AND BENEFITS*

With respect to employment, compensation, and benefits to employees, consultants, contract workers and volunteers, the Town Administrator shall not cause or allow jeopardy to fiscal integrity of the Town. Accordingly, pertaining to paid workers, he or she may not:

- 3.8.1. Change his or her own compensation and benefits.
- 3.8.2. Promise or imply permanent or guaranteed employment.
- 3.8.3. Establish current compensation and benefits which deviate materially for the regional or professional market for the skills employed:
- 3.8.4. Establish deferred or long-term compensation and benefits, without approval of the Town Board.

POLICY TYPE: STAFF LIMITATIONS

POLICY 3.9

POLICY TITLE: *COMMUNICATION AND SUPPORT TO THE BOARD*

The Town Administrator shall not permit the Board of Town Trustees to be uninformed or unsupported in its work.

Accordingly, he or she may not:

- 3.9.1 Let the Board of Town Trustees be unaware of relevant trends, anticipated adverse media coverage, material external and internal changes, and particularly changes in the assumptions upon which any Board policy has been previously established.
- 3.9.2 Fail to submit monitoring data required by the Board (see policy on Monitoring Town Administrator Performance in *Board/Staff Linkage*) in a timely, accurate and understandable fashion, directly addressing provisions of Board policies being monitored.
- 3.9.3 Fail to establish a process that brings to the Board of Town Trustees as many staff and external points of view, issues and options as needed for informed Board choices on major policy issues.
- 3.9.4 Present information in unnecessarily complex or lengthy form.
- 3.9.5 Fail to provide support for official Board of Town Trustees activities or communications.
- 3.9.6 Fail to deal with the Board of Town Trustees as a whole except when fulfilling individual requests for information.
- 3.9.7 Fail to report in a timely manner any actual or anticipated noncompliance with any policy of the Board of Town Trustees.

POLICY TYPE: STAFF LIMITATIONS

POLICY 3.10

POLICY TITLE: *CAPITAL EQUIPMENT AND IMPROVEMENTS PROGRAMMING*

With respect to planning for and reporting on capital equipment and improvements programs, the Town Administrator may not jeopardize either operational or fiscal integrity of the organization.

Accordingly, he or she may not allow the development of a capital program which:

- 3.10.1 Deviates materially from the Board of Town Trustees' stated priorities.
- 3.10.2 Plans the expenditure in any fiscal period of more funds than are conservatively projected to be available during that period.
- 3.10.3 Contains too little detail to enable accurate separation of capital and operational start-up items, cash flow requirements and subsequent audit trail.
- 3.10.4 Fails to project on-going operating, maintenance, and replacement/perpetuation expenses.
- 3.10.5 Fails to provide regular reporting on the status of the budget and on the progress of each active project, including data such as changes and the financial status of each project, including expenditures to date.

POLICY TYPE: STAFF LIMITATIONS

POLICY 3.11

POLICY TITLE: *GENERAL TOWN ADMINISTRATOR CONSTRAINT-QUALITY OF LIFE*

With respect to Town government's quality of life for the community, the Town Administrator shall not fail to plan for implementing policies of the Board regarding economic health, environmental responsibility, and community interests.

With respect to internal operating procedures, the Town Administrator will ensure that the Town has internal procedures to promote effective and efficient Town operations.

With respect to internal organizational structure of the Town, the Town Administrator will maintain a current organizational plan (organizational chart) of the Town, in a graphical format including through the division level. The Town Administrator will update the plan annually. The current plan shall be included in the Comprehensive Annual Financial Report each year, and presented to the Board of Trustees at the first regular meeting following the certification of the results of each biennial election.

Revised 3-25-2014

TOWN OF ESTES PARK GOVERNING POLICIES MANUAL

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Category 4. Ends Statements

Policy 3.0 Ends Statements and Key Outcome Areas of the Board of Trustees

POLICY TYPE: BOARD ENDS STATEMENTS

POLICY 4.0

Rev 10/11/2016

POLICY TITLE: Ends Statements and Key Outcome Areas of the Board of Trustees

1. **Robust Economy** - We have a diverse, healthy year round economy
2. **Infrastructure**- We have reliable, efficient and up to date infrastructure serving our residents, businesses and guests
3. **Exceptional Guest Services** - We are the preferred Colorado mountain destination providing an exceptional guest experience.
4. **Public Safety, Health and Environment** - Estes Park is a safe place to live, work, and visit within our extraordinary natural environment
5. **Outstanding Community Services**- Estes Park is an exceptionally vibrant, diverse, inclusive and active mountain community in which to live, work and play, with housing available for all segments in our community.
6. **Governmental Services and Internal Support** - We provide high-quality, reliable basic municipal services for the benefit of our citizens, guests, and employees, while being good stewards of public resources
7. **Transportation** - We have safe, efficient and well maintained multi-modal transportation systems for pedestrians, vehicles and transit.
8. **Town Financial Health** - We maintain a strong and sustainable financial condition, balancing expenditures with available revenues, including adequate cash reserves for future needs and unanticipated emergencies.