



# Town of Johnstown

## **TOWN COUNCIL WORK SESSION**

**450 S. Parish, Johnstown, CO  
Monday, May 09, 2022 at 6:00 PM**

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*MISSION STATEMENT: Enhancing the quality of life of our residents, businesses, and visitors through community focused leadership.*

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## **AGENDA**

### **CALL TO ORDER**

### **AGENDA ITEMS**

- [1.](#) FAMLI Leave Program
- [2.](#) Historic Society - Annual Report & Meteor Celebration
- [3.](#) Tree Board Meeting

### **ADJOURN**

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## **AMERICANS WITH DISABILITIES ACT NOTICE**

**In accordance with the Americans with Disabilities Act, persons who need accommodation in order to attend or participate in this meeting should contact Town Hall at (970) 587-4664 within 48 hours prior to the meeting in order to request such assistance.**

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# Town of Johnstown

## TOWN COUNCIL WORKSESSION COMMUNICATION

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**AGENDA DATE:** May 9, 2022

**SUBJECT:** FAMLI Leave Program

**ATTACHMENTS:**

1. Local Government Fact Sheet
2. 8-13.3-502 C.R.S., Paid Family and Medical Leave Insurance Act
2. 7 CCR 1007-2, Regulations...Local Government Participation

**PRESENTED BY:** Laura Stephens, HR Director

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### WORKSESSION ITEM DESCRIPTION:

The State of Colorado is in the process of adopting rules for the FAMLI leave program that was approved by voters in 2020. Unless the Town votes to opt out of the program, the Town will be automatically enrolled in the program starting on January 1, 2023. The program will be administered by the Colorado Division of Family and Medical Leave Insurance. It provides job-protected leave and partial income replacement for employees who experience certain personal circumstances starting in 2024. The program is mandatory for private businesses. Local governments have the option to opt out of the program by a vote of the governing body.

### Program Details

What types of circumstances allow for leave under FAMLI?

- Their own serious health condition
- Serious health condition of a family member
- Care for a new child within the first year of birth or placement
- Arrangements for military deployments
- Domestic violence or sexual assault victims' safety and impact

Currently, the premiums for the program are set at 0.45% of gross wages for the employer and 0.45% of gross wages for the employee for a total premium of 0.9%. The statute gives the division the ability to set the premium rate to sustain the program. Based on the current State

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Statute, the current aggregate total for the premium could increase to 1.2%. The estimated annual cost to the Town is \$22,000. The total cost, including employee contributions, is estimated at \$44,000 annually.

Premiums are due starting in 2023 but the program does not provide any benefits to employees until 2024.

If the Town opts out of the program, nothing prevents individual employees from choosing to opt in to the program voluntarily. If an employee opts in, they pay only the employee rate and the State program covers the difference. The Town would not be liable for any premiums and the employee would receive the same benefits.

The Town needs to opt out every eight years to avoid automatic enrollment. The Town may opt in at any time. Opting in requires a minimum three-year participation period.

### **Current Benefits**

Town employees currently enjoy short term disability leave that covers their own serious medical condition. The cost to the Town for this program is about \$17,000 annually. Employees do not pay any portion of these premiums.

After 12 months of employment, Town employees are also covered under unpaid, job-protected leave by the federal Family Medical Leave Act (FMLA) for all the reasons covered by FMLA. Employees also have access to paid sick leave and parental leave in addition to accrued leave balances.

### **Recommendation**

Based on the choices available to the Town, staff is presenting this information in a work session so that Council may ask questions and learn more about the program and what implications opting out would have on employees. The recommendation of staff is that the Council place this item on a future council meeting agenda and vote to opt out of the program.

***Reviewed and Approved for Presentation,***



Town Manager

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# Preparing for FAMLI

## Local Governments

*Unlike businesses, Colorado local governments have options regarding their participation in the paid Family and Medical Leave Insurance (FAMLI) program. Here are the steps local governments should take to prepare for FAMLI:*

### 1 Determine your local government's participation in FAMLI

Local governments have three options regarding participation in the FAMLI program:

- **Participate in FAMLI.** This option means the local government agency agrees to pay the employer share of the premium (0.45% of wages if the local government has 10 or more employees, and 0% of wages if the local government has fewer than 10 employees) and remit employees' share of the premium (0.45% of wages) along with wage data to the FAMLI Division once a quarter.
- **Decline participation in FAMLI.** In order to decline participation in the FAMLI program, the local government's governing body must vote to do so. The local government must then notify the FAMLI Division of their vote to decline participation. The decision to decline is good for eight years from the date of the vote to decline participation. The local government must hold another vote if it wishes to continue opting-out beyond eight years.
- **Decline employer participation in FAMLI.** This option allows a local government agency to decline participation as described above, while allowing the agency to assist employees who want to individually participate in the FAMLI program by facilitating voluntary payroll deductions, with remittance of the employee share of the premium (0.45% of wages) and wage data once a quarter to the FAMLI Division.

### When can we vote to opt out of FAMLI?

Anytime during 2022, but local governments are not required to give FAMLI notice of their decision to opt out until January 1, 2023.

### 2 Register with the FAMLI system (Fall 2022)

Every local government employer must register with FAMLI's online system, including those which choose not to participate in FAMLI. Registering with the system and uploading your documents will enable FAMLI to keep track of local government employers' current intentions for participation, the obligation to revisit a declination vote after eight years, and enable local government employers to provide an affordable benefit if they choose to remit premiums and wage data for employees who self-elect coverage.

FAMLI's online employer service system is expected to be available for registration during the Fall of 2022, during which time we will have support staff available to help employers navigate the process.

### 3 Notify FAMLI of your local government's decision

Local governments which vote to decline participation in the FAMLI program must notify the FAMLI Division of their decision by January 1, 2023.



## What does our local government need to send to FAMLI?

After registration, a local government that votes to opt-out of the FAMLI program must notify the FAMLI Division on letterhead and must indicate the date the vote was taken and the result of the vote. If the local government has voted to opt out, but intends to assist its employees who choose to individually participate in the FAMLI program, this information must be included in the notification as well. This notification must be received **by January 1, 2023**.

## What happens if we do not take a vote, or send a letter?

Local governments which do not notify the FAMLI Division of a vote to opt-out by January 1, 2023 will be identified as participants in the FAMLI program. The FAMLI Division will expect both wage data and premium payments due on April 1, 2023. You must notify the Division ahead of January 1, 2023 to avoid paying premiums.

## What are the timelines in the rules?

The rules have several timelines to be aware of and follow depending on the option selected by the governing body. Below is a list of the timelines. Please see 7 CCR 1107-2 for more information.

- Local governments must notify employees of their decision on FAMLI participation within **30 days after** the deciding vote. This gives local governments time to communicate their decision to their employees.
- If the local government chooses to decline to fully participate in the FAMLI program, the decision must be revisited every **eight years** at a minimum.
- 180 days notice** must be given to employees before any change regarding access to FAMLI benefits is effective. This gives workers time to make arrangements and self-select coverage if they wish to do so. Benefits do not start until 2024.
- Local governments which choose to fully participate in FAMLI after previously voting to decline participation, as well as individuals who self-elect coverage, must remain in the program and agree to pay premiums for a **minimum of three years**. If a local government wishes to withdraw from the program at the end of the three-year period, the Division requires a **minimum of 90 days notice**, so we can change systems to avoid overpayments and miscommunication.



**COLORADO**

Family and Medical Leave Insurance Program (FAMLI)

Department of Labor and Employment





## **Colorado Paid Family and Medical Leave Insurance Act.**

### **§ 8-13.3-501 et seq., C.R.S.**

**8-13.3-501. Short title.** This part 5 shall be known and may be cited as the "Paid Family and Medical Leave Insurance Act".

#### **8-13.3-502. Purposes and findings.**

The people of the state of Colorado hereby find and declare that:

(1) Workers in Colorado experience a variety of personal and family caregiving obligations, but it can be difficult or impossible to adequately respond to those needs without access to paid leave.

(2) Access to paid family and medical leave insurance helps employers in Colorado by reducing turnover, recruiting workers, and promoting a healthy business climate, while also ensuring that smaller employers can compete with larger employers by providing paid leave benefits to their workers through an affordable insurance program.

(3) Paid family and medical leave insurance will also provide a necessary safety net for all Colorado workers when they have personal or family caregiving needs, including low-income workers living paycheck to paycheck who are disproportionately more likely to lack access to paid leave and least able to afford unpaid leave.

(4) Due to the need to provide paid time off to Colorado workers to address family and medical needs, such as the arrival of a new child, military family needs, and a personal or a family member's serious health condition, including the effects of domestic violence and sexual assault, it is necessary to create a statewide paid family and medical leave insurance enterprise and to authorize the enterprise to:

(a) Collect insurance premiums from employers and employees at rates reasonably calculated to defray the costs of providing the program's leave benefits to workers; and

(b) Receive and expend revenues generated by the premiums and other moneys, issue revenue bonds and other obligations, expend revenues generated by the premiums to pay family and medical leave insurance benefits and associated administrative and program costs, and exercise other powers necessary and appropriate to carry out its purposes.

(5) The fiscal approach of this part 5 has been informed by the experience of other state family and medical leave insurance programs, modeling based on the Colorado workforce, and input from a variety of stakeholders in Colorado.

(6) The creation of a statewide paid family and medical leave insurance enterprise is in the public interest and will promote the health, safety, and welfare of all Coloradans, while also encouraging an entrepreneurial atmosphere and economic growth.

### 8-13.3-503. Definitions.

Item 1.

As used in this part 5, unless the context otherwise requires:

(1) "Application year" means the 12-month period beginning on the first day of the calendar week in which an individual files an application for family and medical leave insurance benefits.

(2) "Average weekly wage" means one-thirteenth of the wages paid during the quarter of the covered individual's base period, as defined in section 8-70-103(2), or alternative base period, as defined in section 8-70-103(1.5), in which the total wages were highest. For purposes of calculating average weekly wage, wages include, but are not limited to, salary, wages, tips, commissions, and other compensation as determined by the director by rule.

(3) "Covered individual" means any person who:

(a)

(I) Earned at least \$2,500 in wages subject to premiums under this part 5 during the person's base period, as defined in section 8-70-103(2), or alternative base period, as defined in section 8-70-103(1.5); or

(II) Elects coverage and meets the requirements of section 8-13.3-514;

(b) Meets the administrative requirements outlined in this part 5 and in regulations; and

(c) Submits an application with a claim for benefits pursuant to section 8-13.3-516(6)(d).

(4) "Director" means the director of the division.

(5) "Division" means the division of family and medical leave insurance created in section 8-13.3-508.

(6) "Domestic violence" means any conduct that constitutes "domestic violence" as set forth in section 18-6-800.3(1) or section 14-10-124(1.3)(a) or "domestic abuse" as set forth in section 13-14-101(2).

(7) "Employee" means any individual, including a migratory laborer, performing labor or services for the benefit of another, irrespective of whether the common-law relationship of master and servant exists. For the purposes of this part 5, an individual primarily free from control and direction in the performance of the labor or services, both under the individual's contract for the performance of the labor or services and in fact, and who is customarily engaged in an independent trade, occupation, profession, or business related to the labor or services performed is not an "employee." "Employee" does not include an "employee" as defined by 45 U.S.C. section 351(d) who is subject to the federal "Railroad Unemployment Insurance Act," 45 U.S.C. section 351 et seq.

(8)

(a) "Employer" means any person engaged in commerce or an industry or activity affecting commerce that:

(I) Employs at least one person for each working day during each of twenty or more calendar workweeks in the current or immediately preceding calendar year; or

(II) Paid wages of one thousand five hundred dollars or more during any calendar quarter in the preceding calendar year.

(b) "Employer" includes:

(I) A person who acts, directly or indirectly, in the interest of an employer with regard to any of the employees of the employer;

(II) A successor in interest of an employer that acquires all of the organization, trade, or business or substantially all of the assets of one or more employers; and

(III) The state or a political subdivision of the state.

(c) "Employer" does not include the federal government.

(9) "Family and medical leave insurance benefits" or "benefits" means the benefits provided under the terms of this part 5.

(10) "Family and medical leave insurance program" or "program" means the program created in section 8-13.3-516.

(11) "Family member" means:

(a) Regardless of age, a biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, a child to whom the covered individual stands in loco parentis, or a person to whom the covered individual stood in loco parentis when the person was a minor;

(b) A biological, adoptive or foster parent, stepparent or legal guardian of a covered individual or covered individual's spouse or domestic partner or a person who stood in loco parentis when the covered individual or covered individual's spouse or domestic partner was a minor child;

(c) A person to whom the covered individual is legally married under the laws of any state, or a domestic partner of a covered individual as defined in section 24-50-603(6.5);

(d) A grandparent, grandchild or sibling (whether a biological, foster, adoptive or step relationship) of the covered individual or covered individual's spouse or domestic partner; or

(e) As shown by the covered individual, any other individual with whom the covered individual has a significant personal bond that is or is like a family relationship, regardless of biological or legal relationship.

(12) "Fund" means the family and medical leave insurance fund created in section 8-13.3-518.

(13) "Health care provider" means any person licensed, certified, or registered under federal or Colorado law to provide medical or emergency services, including, but not limited to, physicians, doctors, nurses, emergency room personnel, and midwives.

(14) "Local government" has the same meaning as set forth in section 29-1-304.5(3)(b).

(15) "Paid family and medical leave" means leave taken from employment in connection with family and medical leave insurance benefits under this part 5.

(16) "Qualifying exigency leave" means leave based on a need arising out of a covered individual's family member's active duty service or notice of an impending call or order to active duty in the armed forces, including, but not limited to, providing for the care or other needs of the military member's child or other family member, making financial or legal arrangements for the military member, attending counseling, attending military events or ceremonies, spending time with the military member during a rest and recuperation leave or following return from



deployment, or making arrangements following the death of the military member.

Item 1.

(17) "Retaliatory personnel action" means denial of any right guaranteed under this part 5, including, but not limited to, any threat, discharge, suspension, demotion, reduction of hours, or any other adverse action against an employee for the exercise of any right guaranteed in this part 5. "Retaliatory personnel action" also includes interference with or punishment for in any manner participating in or assisting an investigation, proceeding, or hearing under this part 5.

(18) "Safe leave" means any leave because the covered individual or the covered individual's family member is the victim of domestic violence, the victim of stalking, or the victim of sexual assault or abuse. Safe leave under this part 5 applies if the covered individual is using the leave from work to protect the covered individual or the covered individual's family member by:

(a) Seeking a civil protection order to prevent domestic violence pursuant to sections 13-14-104.5, 13-14-106, or 13-14-108;

(b) Obtaining medical care or mental health counseling or both for himself or herself or for his or her children to address physical or psychological injuries resulting from the act of domestic violence, stalking, or sexual assault or abuse;

(c) Making his or her home secure from the perpetrator of the act of domestic violence, stalking, or sexual assault or abuse, or seeking new housing to escape said perpetrator; or

(d) Seeking legal assistance to address issues arising from the act of domestic violence, stalking, or sexual assault or abuse, or attending and preparing for court-related proceedings arising from said act or crime.

(19) "Serious health condition" is an illness, injury, impairment, pregnancy, recovery from childbirth, or physical or mental condition that involves inpatient care in a hospital, hospice or residential medical care facility, or continuing treatment by a health care provider.

(20) "Sexual assault or abuse" means any offense as described in section 16-11.7-102(3), or sexual assault, as described in section 18-3-402, committed by any person against another person regardless of the relationship between the actor and the victim.

(21) "Stalking" means any act as described in section 18-3-602.

(22) "State average weekly wage" means the state average weekly wage determined in accordance with section 8-47-106.

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### **8-13.3-504. Eligibility.**

Beginning January 1, 2024, an individual has the right to take paid family and medical leave, and to receive family and medical leave insurance benefits while taking paid family and medical leave, if the individual:

(1) Meets the definition of "covered individual" under section 8-13.3-503(3); and

(2) Meets one of the following requirements:

(a) Because of birth, adoption or placement through foster care, is caring for a new child during the first year after the birth, adoption or placement of that child;

- (b) Is caring for a family member with a serious health condition;
- (c) Has a serious health condition;
- (d) Because of any qualifying exigency leave;
- (e) Has a need for safe leave.

#### **8-13.3-505. Duration.**

- (1) The maximum number of weeks for which a covered individual may take paid family and medical leave and for which family and medical leave insurance benefits are payable for any purpose, or purposes in aggregate, under section 8-13.3-504(2) in an application year is 12 weeks; except that benefits are payable up to an additional four weeks to a covered individual with a serious health condition related to pregnancy complications or childbirth complications.
- (2) The first payment of benefits shall be made to an individual within two weeks after the claim is filed, and subsequent payments shall be made every two weeks thereafter.
- (3) A covered individual may take intermittent leave in increments of either one hour or shorter periods if consistent with the increments the employer typically uses to measure employee leave, except that benefits are not payable until the covered individual accumulates at least eight hours of family and medical leave insurance benefits.
- (4) The covered individual shall make a reasonable effort to schedule paid family and medical leave under this part 5 so as not to unduly disrupt the operations of the employer.
- (5) In any case in which the necessity for leave under this part 5 is foreseeable, an employee shall provide notice to the individual's employer with not less than 30 days' notice before the date the leave is to begin of the individual's intention to take leave under this part 5. If the necessity for leave is not foreseeable or providing 30 days' notice is not possible, the individual shall provide the notice as soon as practicable.
- (6) Nothing in this section entitles a covered individual to more leave than required under this section.

#### **8-13.3-506. Amount of benefits.**

- (1) The amount of family and medical leave insurance benefits shall be determined as follows:
  - (a) The weekly benefit shall be determined as follows:
    - (I) The portion of the covered individual's average weekly wage that is equal to or less than 50 percent of the state average weekly wage shall be replaced at a rate of 90 percent; and
    - (II) The portion of the covered individual's average weekly wage that is more than 50 percent of the state average weekly wage shall be replaced at a rate of 50 percent.
  - (b) The maximum weekly benefit is 90 percent of the state average weekly wage, except that for paid family and medical leave beginning before January 1, 2025, the maximum weekly benefit is 1,100 dollars.

(2) The division shall calculate a covered individual's weekly benefit amount based on the covered individual's average weekly wage earned from the job or jobs from which the covered individual is taking paid family and medical leave, up to the maximum total benefit established in section 8-13.3-506(1)(b). If a covered individual taking paid family and medical leave from a job continues working at an additional job or jobs during this time, the division shall not consider the covered individual's average weekly wage earned from the additional job or jobs when calculating the covered individual's weekly benefit amount. A covered individual with multiple jobs may elect whether to take leave from one job or multiple jobs.

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#### **8-13.3-507. Premiums.**

(1) Payroll premiums shall be authorized in order to finance the payment of family and medical leave insurance benefits under this part 5, and administration of the family and medical leave insurance program.

(2) Beginning on January 1, 2023, for each employee, an employer shall remit to the fund established under section 8-13.3-518 premiums in the form and manner determined by the division.

(3)

(a) From January 1, 2023, through December 31, 2024, the premium amount is nine-tenths of one percent of wages per employee.

(b) For the 2025 calendar year, and each calendar year thereafter, the director shall set the premium based on a percent of employee wages and at the rate necessary to obtain a total amount of premium contributions equal to one hundred thirty-five percent of the benefits paid during the immediately preceding calendar year plus an amount equal to one hundred percent of the cost of administration of the payment of those benefits during the immediately preceding calendar year, less the amount of net assets remaining in the fund as of December 31 of the immediately preceding calendar year. The premium shall not exceed one and two tenths of a percent of wages per employee. The division shall provide public notice in advance of January first of any changes to the premium.

(4)

(a) A self-employed individual who elects coverage under section 8-13.3-514 shall pay only 50 percent of the premium required for an employee by section 8-13.3-507(3) on that individual's income from self-employment.

(b) An employee of a local government who elects coverage under section 8-13.3-514 shall pay only 50 percent of the premium required for an employee by section 8-13.3-507(3) on that employee's income from that local government employment.

(c) An employee of a local government or a self-employed person who elects coverage under section 8-13.3-514 shall remit the premium amount required by this subsection directly to the division, in the form and manner required by the director by rule.

(5) An employer with 10 or more employees may deduct up to 50 percent of the premium required for an employee by section 8-13.3-507(3) from that employee's wages and shall remit 100 percent of the premium required by section 8-13.3-507(3) to the fund. An employer with fewer than 10 employees may deduct up to 50 percent of the premium required for an employee by section 8-13.3-507(3) from that employee's wages and shall remit 50 percent of the premium required by section 8-13.3-507(3) to the fund.

(6) Premiums shall not be required for employees' wages above the contribution and benefit base limit established annually by the federal social security administration for purposes of the Federal Old-Age, Survivors and Disability Insurance program limits pursuant to 42 U.S.C. section 430. Item 1.

(7) The premiums collected under this part 5 are used exclusively for the payment of Family and medical leave insurance benefits and the administration of the program. Premiums established under this section are fees and not taxes.

(8) An employer with an approved private plan under section 8-13.3-521 shall not be required to remit premiums under this section to the fund.

(9) Notwithstanding section 8-13.3-507(2), if a local government has declined participation in the program in accordance with section 8-13.3-522:

(a) The local government is not required to pay the premiums imposed in this section or collect premiums from employees who have elected coverage pursuant to section 8-13.3-514; and

(b) An employee of the local government is not required to pay the premiums imposed in this section unless the employee has elected coverage pursuant to section 8-13.3- 514.

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#### **8-13.3-508. Division of family and medical leave insurance.**

(1) There is hereby created in the department of labor and employment the division of family and medical leave insurance, the head of which is the director of the division.

(2)

(a) The division constitutes an enterprise for purposes of section 20 of article X of the Colorado constitution, as long as the division retains authority to issue revenue bonds and the division receives less than ten percent of its total annual revenues in grants, as defined in section 24-77-102(7), from all Colorado state and local governments combined. For as long as it constitutes an enterprise pursuant to this section, the division is not subject to section 20 of article X of the Colorado constitution.

(b) The enterprise established pursuant to this section has all the powers and duties authorized by this part 5 pertaining to family and medical leave insurance benefits. The fund constitutes part of the enterprise established pursuant to this section.

(c) Nothing in this section limits or restricts the authority of the division to expend its revenues consistent with this part 5.

(d) The division is hereby authorized to issue revenue bonds for the expenses of the division, which bonds may be secured by any revenues of the division. Revenue from the bonds issued pursuant to this subsection shall be deposited into the fund.

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#### **8-13.3-509. Leave and employment protection.**

(1) Any covered individual who has been employed with the covered individual's current employer for at least 180 days prior to the commencement of the covered individual's paid family and medical leave who exercises the covered individual's right to family and medical leave insurance benefits shall be entitled, upon return from that

leave, to be restored by the employer to the position held by the covered individual when the leave commenced or to be restored to an equivalent position with equivalent employment benefits, pay and other terms and conditions of employment. Nothing in this section entitles any restored employee to:

Item 1.

(a) The accrual of any seniority or employment benefits during any period of leave; or

(b) Any right, benefit, or position of employment other than any right, benefit, or position to which the employee would have been entitled had the employee not taken the leave. Nothing in this section relieves an employer of any obligation under a collective bargaining agreement.

(2) During any paid family and medical leave taken pursuant to this part 5, the employer shall maintain any health care benefits the covered individual had prior to taking such leave for the duration of the leave as if the covered individual had continued in employment continuously from the date the individual commenced the leave until the date the family and medical leave insurance benefits terminate. The covered individual shall continue to pay the covered individual's share of the cost of health benefits as required prior to the commencement of the leave.

(3) It is unlawful for an employer or any other person to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under this part 5.

(4) An employer, employment agency, employee organization or other person shall not take retaliatory personnel action or otherwise discriminate against a person because the individual exercised rights protected under this part 5. Such rights include, but are not limited to, the right to: request, file for, apply for or use benefits provided for under this part 5; take paid family and medical leave from work under this part 5; communicate to the employer or any other person or entity an intent to file a claim, a complaint with the division or courts, or an appeal; testify or assist in any investigation, hearing or proceeding under this part 5, at any time, including during the period in which the person receives family and medical leave insurance benefits under this part 5; inform any person about any employer's alleged violation of this part 5; and inform any person of his or her rights under this part 5.

(5) It is unlawful for an employer to count paid family and medical leave taken under this part 5 as an absence that may lead to or result in discipline, discharge, demotion, suspension or any other adverse action.

(6)

(a) An aggrieved individual under this section may bring a civil action in a court of competent jurisdiction.

(b) An employer who violates this section is subject to the damages and equitable relief available under 29 U.S.C. section 2617(a)(1).

(c) Except as provided in section 8-13.3-509(6)(d), a claim brought in accordance with this section must be filed within two years after the date of the last event constituting the alleged violation for which the action is brought.

(d) In the case of such action brought for a willful violation of this section, such action may be brought within 3 years of the date of the last event constituting the alleged violation for which such action is brought.

(7) The director, by rule, shall establish a fine structure for employers who violate this section, with a maximum fine of \$500 per violation. The director shall transfer any fines collected pursuant to this section to the state treasurer for deposit in the fund. The director, by rule, shall establish a process for the determination, Assessment, and appeal of fines under this subsection.

(8) This section does not apply to an employee of a local government that has elected coverage pursuant to section 8-13.3-514.

### 8-13.3-510. Coordination of benefits.

(1)

(a) Leave taken with wage replacement under this part 5 that also qualifies as leave under the "Family and Medical Leave Act," as amended, Pub. L. 103-3, codified at 29 U.S.C. sec. 2601 et. seq., or part 2 of article 13.3 of title 8 runs concurrently with leave taken under the "Family and Medical Leave Act" or part 2 of article 13.3 of title 8, as applicable.

(b) An employer may require that payment made or paid family and medical leave taken under this part 5 be made or taken concurrently or otherwise coordinated with payment made or leave allowed under the terms of a disability policy, including a disability policy contained within an employment contract, or a separate bank of time off solely for the purpose of paid family and medical leave under this part 5, as applicable. The employer shall give its employees written notice of this requirement.

(c) Notwithstanding section 8-13.3-510(1)(b), under no circumstances shall an employee be required to use or exhaust any accrued vacation leave, sick leave, or other paid time off prior to or while receiving family and medical leave insurance benefits under this part 5. However, an employee and an employer may mutually agree that the employee may use any accrued vacation leave, sick leave, or other paid time off while receiving family and medical leave insurance benefits under this part 5, unless the aggregate amount a covered individual would receive would exceed the covered individual's average weekly wage. Nothing in this subsection requires an employee to receive or use, or an employer to provide, additional paid time off as described in this subsection.

(2)

(a) This part 5 does not diminish:

(I) The rights, privileges, or remedies of an employee under a collective bargaining agreement, employer policy, or employment contract;

(II) An employer's obligation to comply with a collective bargaining agreement, employer policy, or employment contract, as applicable, that provides greater leave than provided under this part 5; or

(III) Any law that provides greater leave than provided under this part 5.

(b) After the effective date of this part 5, an employer policy adopted or retained shall not diminish an employee's right to benefits under this part 5. Any agreement by an employee to waive the employee's rights under this part 5 is void as against public policy.

(3) The director shall determine by rule the interaction of benefits or coordination of leave when a covered individual is concurrently eligible for paid family and medical leave and benefits under this part 5 with:

(a) Leave pursuant to section 24-34-402.7; or

(b) Workers' compensation benefits under article 42 of title 8.



### **8-13.3-511. Notice.**

Item 1.

The division shall develop a program notice that details the program requirements, benefits, claims process, payroll deduction requirements, the right to job protection and benefits continuation under section 8-13.3-509, protection against retaliatory personnel actions or other discrimination, and other pertinent program information. Each employer shall post the program notice in a prominent location in the workplace and notify its employees of the program, in writing, upon hiring and upon learning of an employee experiencing an event that triggers eligibility pursuant to section 8-13.3-504. The division shall provide the information required by this section in a manner that is culturally competent and linguistically appropriate.

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### **8-13.3-512. Appeals.**

(1) The director shall establish a system for administrative review and determination of claims, and appeal of such determinations, including denial of family and medical leave insurance benefits. In establishing such system, the director may utilize any and all procedures and appeals mechanisms established under sections 8-4-111.5(5), 8-74-102, and 8-74-103.

(2) Judicial review of any decision with respect to family and medical leave insurance benefits under this section is permitted in a court of competent jurisdiction after a covered individual aggrieved thereby has exhausted all administrative remedies established by the director. If a covered individual files a civil action in a court of competent jurisdiction to enforce a judgment made under this section, any filing fee under article 32 of title 13 shall be waived.

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### **8-13.3-513. Erroneous payments and disqualification for benefits.**

(1) A covered individual is disqualified from family and medical leave insurance benefits for one year if the individual is determined by the director to have willfully made a false statement or misrepresentation regarding a material fact, or willfully failed to report a material fact, to obtain benefits under this part 5.

(2) If family and medical leave insurance benefits are paid erroneously or as a result of willful misrepresentation, or if a claim for family and medical leave insurance benefits is rejected after benefits are paid, the division may seek repayment of benefits from the recipient. The director shall exercise his or her discretion to waive, in whole or in part, the amount of any such payments where the recovery would be against equity and good conscience.

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### **8-13.3-514. Elective coverage.**

(1) An employee of a local government that has declined participation in the program pursuant to section 8-13.3-522 or a self-employed person, including an independent contractor, sole proprietor, partner or joint venturer, may elect coverage under this part 5 for an initial period of not less than three years. The self-employed person or employee of a local government must file a notice of election in writing with the director, as required by the division. The election becomes effective on the date of filing the notice. As a condition of election, the self-employed person or employee of a local government must agree to supply any information concerning income that the division deems necessary.

(2) A self-employed person or an employee of a local government who has elected coverage may withdraw from coverage within 30 days after the end of the three-year period of coverage, or at such other times as the director

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#### **8-13.3-515. Reimbursement of advance payments.**

(1) Except as provided in section 8-13.3-515(2), if an employer has made advance payments to an employee that are equal to or greater than the amount required under this part 5, during any period of paid family and medical leave for which such employee is entitled to the benefits provided by this part 5, the employer is entitled to be reimbursed by the fund out of any benefits due or to become due for the existing paid family and medical leave, if the claim for reimbursement is filed with the fund prior to the fund's payment of the benefits to the employee.

(2) If an employer that provides family and medical leave insurance benefits through a private plan approved pursuant to section 8-13.3-521 makes advance payments to an employee that are equal to or greater than the amount required under this part 5, during any period of paid family and medical leave for which such employee is entitled to the benefits provided by this part 5, the entity that issued the private plan shall reimburse the employer out of any benefits due or to become due for the existing paid family and medical leave, if the claim for reimbursement is filed with the entity that issued the private plan prior to the private plan's payment of the benefits under the private plan to the employee.

(3) The director, by rule, shall establish a process for reimbursements under this section.

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#### **8-13.3-516. Family and medical leave insurance program.**

(1) By January 1, 2023, the division shall establish and administer a family and medical leave insurance program and begin collecting premiums as specified in this part 5. By January 1, 2024, the division shall start receiving claims from and paying family and medical leave insurance benefits to covered individuals.

(2) The division shall establish reasonable procedures and forms for filing claims for benefits under this part 5 and shall specify what supporting documentation is necessary to support a claim for benefits, including any documentation required from a health care provider for proof of a serious health condition and any documentation required by the division with regards to a claim for safe leave.

(3) The division shall notify the employer within five business days of a claim being filed pursuant to this part 5.

(4) The division shall use information sharing and integration technology to facilitate the disclosure of relevant information or records so long as an individual consents to the disclosure as required under state law.

(5) Information contained in the files and records pertaining to an individual under this part 5 are confidential and not open to public inspection, other than to public employees in the performance of their official duties. However, the individual or an authorized representative of an individual may review the records or receive specific information from the records upon the presentation of the individual's signed authorization.

(6) The director shall adopt rules as necessary or as specified in this part 5 to implement and administer this part 5. The director shall adopt rules including, but not limited to:

(a) Confidentiality of information related to claims filed or appeals taken;

(b) Guidance on the factors used to determine whether an individual is a covered individual's family member;

(c) The form and manner of filing claims for benefits and providing related documentation pursuant to section 8-13.3-516(2); and

Item 1.

(d) The form and manner of submitting an application with a claim for benefits to the division or to the entity that issued a private plan approved pursuant to section 8-13.3-521.

(7) Initial rules and regulations necessary for implementation of this part 5 shall be adopted by the director and promulgated by January 1, 2022.

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#### **8-13.3-517. Income Tax.**

(1) If the internal revenue service determines that family and medical leave insurance benefits under this part 5 are subject to federal income tax, the division or a private plan approved under section 8-13.3-521 shall inform an individual filing a new claim for family and medical leave insurance benefits, at the time of filing such claim, that:

(a) The internal revenue service has determined that benefits are subject to federal income tax; and

(b) Requirements exist pertaining to estimated tax payments.

(2) Benefits received pursuant to this part 5 are not subject to state income tax.

(3) The director, in consultation with the department of revenue, shall issue rules regarding tax treatment and related procedures regarding family and medical leave insurance benefits, as well as the sharing of necessary information between the division and the department of revenue.

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#### **8-13.3-518. Family and medical leave insurance fund - establishment and investment.**

(1) There is hereby created in the state treasury the family and medical leave insurance fund. The fund consists of premiums paid pursuant to section 8-13.3-507 and revenues from revenue bonds issued in accordance with section 8-13.3-508(2)(d). Money in the fund may be used only to pay revenue bonds; to reimburse employers who pay family and medical leave insurance benefits directly to employees in accordance with section 8-13.3-515(1); and to pay benefits under, and to administer, the program pursuant to this part 5, including technology costs to administer the program and outreach services developed under section 8-13.3-520. Interest earned on the investment of money in the fund remains in the fund. Any money remaining in the fund at the end of a fiscal year remains in the fund and does not revert to the general fund or any other fund. State money in the fund is continuously appropriated to the division for the purpose of this section. The general assembly shall not appropriate money from the fund for the general expenses of the state.

(2) The division may seek, accept, and expend gifts, grants, and donations, including program-related investments and community reinvestment funds, to finance the costs of establishing and implementing the program.

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#### **8-13.3-519. Reports.**

Notwithstanding section 24-1-136(11)(a)(I), beginning January 1, 2025, the division shall submit a report to the legislature by April 1 of each year that includes, but is not limited to, projected and actual program participation by

section 8-13.3-504(2) purpose, gender of beneficiary, average weekly wage of beneficiary, other demographics of beneficiary as determined by the division, premium rates, fund balances, outreach efforts, and, for leaves taken under section 8-13.3-504(2)(b), family members for whom leave was taken to provide care.

Item 1.

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#### **8-13.3-520. Public education.**

By July 1, 2022, and for as long as the program continues, the division shall develop and implement outreach services to educate the public about the family and medical leave insurance program and availability of paid family and medical leave and benefits under this part 5 for covered individuals. The division shall provide the information required by this section in a manner that is culturally competent and linguistically appropriate. The division may, on its own or through a contract with an outside vendor, use a portion of the money in the fund to develop, implement, and administer outreach services.

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#### **8-13.3-521. Substitution of private plans.**

(1) Employers may apply to the division for approval to meet their obligations under this part 5 through a private plan. In order to be approved, a private plan must confer all of the same rights, protections and benefits provided to employees under this part 5, including, but not limited to:

- (a) Allowing family and medical leave insurance benefits to be taken for all purposes specified in section 8-13.3-504 (2);
- (b) Providing family and medical leave insurance benefits to a covered individual for any of the purposes, including multiple purposes in the aggregate, as set forth in section 8-13.3-504(2), for the maximum number of weeks required in section 8-13.3-505(1) in a benefit year;
- (c) Allowing family and medical leave insurance benefits under section 8-13.3-504(2)(b) to be taken to care for any family member;
- (d) Allowing family and medical leave insurance benefits under section 8-13.3-504(2)(c) to be taken by a covered individual with any serious health condition;
- (e) Allowing family and medical leave insurance benefits under section 8-13.3-504(2)(e) to be taken for any safe leave purposes;
- (f) Providing a wage replacement rate for all family and medical leave insurance benefits of at least the amount required by section 8-13.3-506(1)(a);
- (g) Providing a maximum weekly benefit for all family and medical leave insurance benefits of at least the amount specified in section 8-13.3-506(1)(b);
- (h) Allowing a covered individual to take intermittent leave as authorized by section 8-13.3-505(3);
- (i) Imposing no additional conditions or restrictions on family and medical leave insurance benefits, or paid family and medical leave taken in connection therewith, beyond those explicitly authorized by this part 5 or regulations issued pursuant to this part 5;

(j) Allowing any employee covered under the private plan who is eligible for family and medical leave insurance benefits under this part 5 to receive benefits and take paid family and medical leave under the private plan; and

Item 1.

(k) Providing that the cost to employees covered by a private plan shall not be greater than the cost charged to employees under the state plan under section 8-13.3-507.

(2) In order to be approved as meeting an employer's obligations under this part 5, a private plan must also comply with the following provisions:

(a) If the private plan is in the form of self-insurance, the employer must furnish a bond to the state, with some surety company authorized to transact business in the state, in the form, amount, and manner required by the division;

(b) The plan must provide for all eligible employees throughout their period of employment; and

(c) If the plan is in the form of a third party that provides for insurance, the forms of the policy must be issued by an insurer approved by the state.

(3) The division shall withdraw approval for a private plan granted under section 8-13.3-521(1) when terms or conditions of the plan have been violated. Causes for plan termination shall include, but not be limited to, the following:

(a) Failure to pay benefits;

(b) Failure to pay benefits timely and in a manner consistent with this part 5;

(c) Failure to maintain an adequate surety bond under section 8-13.3-521(2)(a);

(d) Misuse of private plan money;

(e) Failure to submit reports or comply with other compliance requirements as required by the director by rule; or

(f) Failure to comply with this part 5 or the regulations promulgated pursuant to this part 5.

(4) An employee covered by a private plan approved under this section shall retain all applicable rights under section 8-13.3-509.

(5) A contested determination or denial of family and medical leave insurance benefits by a private plan is subject to appeal before the division and any court of competent jurisdiction as provided by section 8-13.3-512.

(6) The director, by rule, shall establish a fine structure for employers and entities offering private plans that violate this section, with a maximum fine of \$500 per violation. The director shall transfer any fines collected pursuant to this subsection to the state treasurer for deposit into the fund. The director, by rule, shall establish a process for the determination, assessment, and appeal of fines under this subsection.

(7) The director shall annually determine the total amount expended by the division for costs arising out of the administration of private plans. Each entity offering a private plan pursuant to this section shall reimburse the division for the costs arising out of the private plans in the amount, form, and manner determined by the director by rule. The director shall transfer payments received pursuant to this section to the state treasury for deposit in the fund.

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**8-13.3-522. Local government employers' ability to decline participation in program - rules.**

- (1) A local government may decline participation in the family and medical leave insurance program in the form and manner determined by the director by rule.
- (2) An employee of a local government that has declined participation in the program in accordance with this section may elect coverage as specified in section 8-13.3-514.
- (3) The director shall promulgate reasonable rules for the implementation of this section. At a minimum, the rules must include:
- (a) The process by which a local government may decline participation in the program;
  - (b) The process by which a local government that has previously declined participation in the program may subsequently elect coverage in the program; and
  - (c) The notice that a local government is required to provide its employees regarding whether the local government is participating in the program, the ability of the employees of a local government that has declined participation to elect coverage pursuant to section 8-13.3-514, and any other necessary requirements.
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**8-13.3-523. Severability.**

If any provision of this part 5 or its application to any person or circumstance is held invalid, the remainder of part 5 or the application of the provision to other persons or circumstances is not affected.

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**8-13.3-524. Effective date.**

This part 5 takes effect upon official declaration of the governor and is self-executing.



## DEPARTMENT OF LABOR AND EMPLOYMENT

### Division of FAMLI

## REGULATIONS CONCERNING LOCAL GOVERNMENT PARTICIPATION WITH THE PAID FAMILY MEDICAL LEAVE PROGRAM

### 7 CCR 1107-2

#### 2.1 Authority

This regulation is adopted pursuant to the authority in section 8-13.3-522 C.R.S. and is intended to be consistent with the requirements of the State Administrative Procedures Act, section 24-4-101 et seq. (the “APA”), C.R.S. and the Paid Family and Medical Leave Insurance Act, sections 8-13.3-501 through 524 et seq. (the “Act”), C.R.S.

#### 2.2 Scope and Purpose

- A. This regulation will govern the Family and Medical Leave Insurance program pursuant to 8-13.3-522 C.R.S., concerning the process for local government employers to decline participation in the program.
- B. This regulation will govern the process of a local government electing into the FAMLI Program, after initial declination.
- C. This regulation will govern the notification requirements of local government employers to their employees regarding any vote to decline FAMLI coverage, the outcome of such a vote, and the ability of local government employees to voluntarily elect coverage as individuals.
- D. This regulation does not apply to any other employer classifications within the State of Colorado, including but not limited to people who are self-employed.

#### 2.3 Applicability

The provisions of this section will be applicable to all local government entities within the State of Colorado.

If any part of these rules is held invalid, the remainder shall remain valid, and if any part is held not wholly invalid, but in need of narrowing, it will be retained in narrowed form.

#### 2.4 Definitions

“FAMLI” is defined as the Paid Family and Medical Leave Insurance Act, sections 8-13.3-501 through 524 (the “Act”), C.R.S.

“Fund” has the same meaning as in §8-13.3-503 (12) C.R.S.

“Division” has the same definition as 8-13.3-503 (5) C.R.S.

“Governing Body” has the same meaning as in both §31-1-101(4) C.R.S and §32-1-103(8) C.R.S.

“Local Government” has the same meaning as a county, city and county, city, or town whether home rule or statutory, or any school district or a special district created pursuant to the “Special District Act,” article 1 of title 32, C.R.S. and as outlined in 24-19-102. C.R.S., authority or other political subdivision of the state.

“Premium” is defined as the money payments required pursuant to 8-13.3-507 C.R.S., to finance the payment of family and medical leave insurance benefits and administer the family and medical leave insurance program.

## **2.5 Local Government Employer Participation**

- A. Pursuant to Regulation 2.6, local government employers are required to formally notify the Division in writing and provide both the date of the vote, and the local government’s decision to decline participation in the FAML I program.
  1. Local governments which have previously declined participation in the FAML I program pursuant to 8-13.3-522 C.R.S., may subsequently elect coverage by first registering as an employer with the FAML I Division prior to the collection of employer premiums.
  2. Local governments which have previously declined participation in the FAML I program pursuant to 8-13.3-522 C.R.S., may subsequently elect FAML I Program coverage at the beginning of the annual cycle relevant to the local government’s budgeting cycle.
  3. The ability of a local government to either decline participation in the FAML I program or elect coverage following a previous declination is subject to a vote of the governing body of each local government entity pursuant to this Regulation and Regulation 2.6 of 7 CCR 1107-2, A local government may not decline participation in the FAML I program in part. Any such declination of a local government is a full declination of FAML I program participation for that local government employer.
- B. Local government employers which have previously declined coverage and now wish to elect coverage of FAML I benefits for their employees pursuant to §§8-13.3-522 (3)(b) C.R.S., may subsequently elect coverage by an affirmative vote of a majority of a quorum of the local government’s governing body.
- C. A local government which has previously declined coverage must renew the declination through a similar vote process and margin no later than every eight years. In the absence of a vote further declining coverage, the local government will become a

covered employer. The local government must inform the Division of a declination vote in writing which includes the date the vote was taken.

- D. When a local government employer returns to coverage pursuant to Regulation §§ 2.5 (B) or §§ 2.5 (C) of 7 CCR 1107-2, coverage will begin no later than one quarter after the local government has notified the Division of a change of the vote to elect coverage pursuant to 7 CCR 1107-2, §§ 2.5 (B) or its deadline to renew its declination pursuant to 7 CCR 1107-2, §§ 2.5 (C) and have submitted at least one quarter's premium amount on behalf of both the employer and its employees into the fund.
- E. Local government employees who have individually opted into the benefits program pursuant to 8-13.3-514 C.R.S., will not pay a double premium amount, and must be given notice by the local government employer of a date corresponding with the beginning of a calendar quarter at which a premium amount will be submitted to the Division on their behalf.
  - 1. The purpose of the notice by the local government employer of the date at which a premium amount will be submitted to the Division on behalf of an employer is to inform the employee of any potential lapses or changes in benefits eligibility.
  - 2. This notice must be delivered in writing and or through electronic communication to the employee by their local government employer no later than 90 days after the vote.
  - 3. The local government employer must also publicly post notice of the date of the first day the employer will begin paying FAMLl premiums and when coverage is expected to start.
- F. Eligible employees who have not been previously covered as individual participants employed by a newly participating local government will begin full benefit eligibility the first day of the following quarter after the premiums are received by the Division.
  - 1. Local government employers that have previously declined participation and then subsequently elect or return to coverage under the FAMLl program must remain in the program for a minimum of three fiscal years corresponding to the date the local government elected coverage began.
    - a. The three year cycle begins on the first day of employee coverage.
    - b. The notice of the intent to decline future coverage must be delivered in writing to the Division no later than 90 days prior to the end of the three year cycle pursuant to this regulation.
  - 2. Employees must also be notified in writing, both posted and directly notified no later than 180 days of the pending or upcoming return to or withdrawal of coverage pursuant to this regulation.

- a. Local government employers will display a notice containing the information required in this regulation in a conspicuous and accessible place in each establishment where employees are employed; provided, however, in cases where the local government employer does not maintain a physical workplace, or an employee teleworks or performs work through a web-based or app-based platform, notification will be sent via electronic communication or through a conspicuous posting in the web-based or app-based platform.
- b. The written notice and posting will contain an explanation of employee rights under the FAMLI program including but not limited to program requirements, benefits, claims process, payroll deductions and premiums, the right to job protection and benefit continuation under 8-13.3-509 C.R.S., protection against retaliatory personnel actions or other discrimination, relevant contact information for the Division, and other pertinent information.
- c. The notice and poster required by this regulation will be in English and in any language representing the first language spoken by at least five percent of the local governments employer's workplace. The Division will create and make available to local government employers posters and notices containing information required in this regulation, and local government employers may use the posters and notices to comply with the requirements of this section.

## **2.6 Process and Notification of FAMLI Program Declination**

- A. Local government employers are permitted to decline to participate in the FAMLI program after a written notice has been delivered to the FAMLI Division memorializing the decision by an affirmative vote of the local government's governing body to decline participation in the program. Such a vote will follow the local government's or special district's procedures for other formal votes of the governing body.
  - 1. A declination vote will not take effect with a resulting change in coverage until after 180 days after the vote, to allow individual employees the opportunity to opt into the benefits program pursuant to 8-13.3-514 C.R.S., should individuals choose to elect coverage.

2. Public notice must be given in the same manner as any other business before the governing body, and the local government will take/hear testimony prior to the vote, pursuant to the procedural rules of the governing body. The local government's employees must also be notified in writing prior to the vote and provided both information regarding the vote process and opportunity to submit comments through a public process to the governing body.

3. Within 30 days following a local government declination vote, the local government must provide its local government employees with a written individual notice of the local government's declination vote and the impact toward FAMLI, or other paid family and leave insurance coverage. The written notice, must at a minimum, explain the differences between benefits offered by the FAMLI program and any private plan offered by the local government. The notice must also state which employees, if any, are eligible for job protection under the federal Family and Medical Leave Act (FMLA) benefits or other local provisions were applicable.

4. Written notices must contain information regarding the right of local government employees to voluntarily opt into FAMLI benefits pursuant to 8-13.3-514 C.R.S., and the contact information for the Division. Local government employers will display a notice containing the information in a conspicuous and accessible place in each establishment where employees are employed; provided, however, in cases where the local government employer does not maintain a physical workplace, or an employee teleworks or performs work through a web-based or app-based platform, notification will be sent via electronic communication or through a conspicuous posting in the web-based or app-based platform. The notice and poster required in this regulation will be in English and in any language representing the first language spoken by at least five percent of the local government employer's workforce. The Division will create and make available to local government employers posters and notices containing the information required in this regulation, and local government employers may use the posters and notice to comply with the requirements of this section.

- (a) It is the responsibility of the local government employers to request printed materials from the Division. Local government employers may be responsible for the printing and mailing costs of such materials.
- (b) It is the responsibility of the local government to provide written notification to the Division of the local government employers interpretation needs of printed notices for languages other than English or Spanish.

B. The declination period is not permanent and participation must be reconsidered, and the Division notified at a minimum of every 8 years. The governing body may reconsider and elect coverage annually pursuant to 7 CCR 1107-2, Regulation 2.5.

## **2.7 Overpayments**

Any overpayment by a local government employee whose employer opts back into the program will be repaid to the employee by the Division. The Division will ensure a continuation of coverage for local government employees who have individually opted into the benefits program pursuant to 8-13.3-514 C.R.S., and ensure no lapse in coverage prior to the local government's reinstatement of coverage.



**The Johnstown Historical Society**  
**and**  
**Historic Parish House and Museum**

March 2021 through April 2022

**Museum Director's Progress Report**  
Prepared by: Billie DeLancey

May 2, 2022

## 1. Introduction

This progress report outlines the activities of the JHS Board of Directors, the Museum Director, and volunteers who have all contributed to the overall success of the JHS over the past year.

## 2. JHS Board of Directors

### Reorganization Efforts

The JHS reorganization efforts are moving along. In addition to regular monthly business meetings, the JHS Board of Directors and Museum Director also engaged in three work sessions between March and September 2021 and two so far this year with a third one scheduled in June. Accomplishments to date include new mission and vision statements:

**Mission:** The Johnstown Historical Society enriches our community through the preservation, interpretation, and dissemination of collected local culture.

**Vision:** Johnstown Historical Society fosters connections between a diversity of experiences in past and present local culture to strengthen the community.

The JHS Board has also discussed and decided on an updated logo, which is currently being redesigned. The Board has started on policy revisions and anticipates completion of these tasks, along with updated procedures and position descriptions for volunteers and committees before the end of the year.

### JHS Annual Meeting of the Membership

The JHS Annual Meeting of the Membership was held on November 16, 2021 at the Johnstown Police Department conference room. The membership voted to retain the same board members as in 2020; however, the board president and one director switched positions as shown below in green.

2022 JHS Board of Directors	
President	Jamie Barker
Vice President	Ardis Briggs-Tomlinson
Treasurer	Becky Lassen
Secretary	Cathy Hull
Director	Chad Young
Director	Beverly Kirkpatrick
Director	Clair Hull

### JHS Committees of the Board

Each Board member serves on at least one of the organization's six standing committees, and everyone works together as needed to complete the JHS's goals each year.

### 3. Museum Director's Role

The Museum Director's main role includes the management of both the JHS Collections and the Parish House property. In addition to the following activities performed over the past year, Billie DeLancey has also worked with the Board since the creation of her position in 2020 on administrative tasks and serves as a main point of contact for the Society and Parish House.

The Board of Directors will evaluate the Museum Director's performance and current workload in the next month or so as part of its overall reorganization process. Currently, Billie's workload requires more than 20 hours per week to accomplish, and consideration needs to be given to the additional hours required for her to be present at the Parish House on Saturdays starting next month. Billie will work with the Board to determine an effective approach to readjusting her responsibilities and workload.

*Collections Management* – The Museum Director has been working to improve the Collections process and incorporate additional standards of care. This action is needed in order to fulfill the JHS commitment to preserve its local collected culture (Collections) for many future generations to enjoy. She completed an online course through the American Association of State and Local History (AASLH) last summer to gain knowledge in standards of care for museum collections.

*Museum and Public Displays* – Projects over the past year have included the Doc Jones exhibit at the Glenn A. Jones, M.D. Memorial Library, a new display featuring Johnstown's fires and FRFR at the Parish House, and two history boards that were placed for a month at a time at the library, YMCA, Town Hall lobby, and Senior Center as a means to bring Johnstown's history to the community in public places.

*The Parish House* – The Museum Director manages the day-to-day operation of the Parish House property and serves as the liaison to the Town Manager. She is assisted by a committed volunteer – John Koed, who serves as the Buildings and Grounds maintenance assistant. Projects over the past year have included an easement landscaping project funded and installed by volunteers; boiler replacement; and new main floor wood storm windows and one basement office window frame restoration by Heritage Window Restoration, which the State has approved. The latter two projects were funded by the Town of Johnstown in the 2021 and 2022 budgets. The storm windows were installed this past week, and the remaining basement window frame restoration will be completed in the next month or so. In addition to adding a layer of protection for the antique window glass, these upgrades to the Parish House will also reduce heating costs.

*SHF Grant* – For the Parish House property, the Museum Director will take over the responsibility this fall for future grant applications as the liaison to History Colorado and the State Historical Fund (SHF), which has awarded JHS with grants (excluding the 25% grant matches, historically provided by the Town of Johnstown) for major buildings and grounds improvements and preservation. Given accumulated funding to date from the SHF, we learned this year that the Parish House property is now under covenant with the State, which basically means that we must gain approval before making improvements or repairs to the property. Generally, these projects should be completed by qualified historic building contractors and vendors that are trained in preservation and maintenance standards. Improvements must be completed in accordance with the Secretary of Interior guidelines for registered historic properties. This stipulation is to ensure that the property remains in compliance with its status on both the federal and state historic registers, given the major investments in the property from the

SHF. Smaller maintenance projects, such as ongoing maintenance and general care are excluded from this covenant.

### *Community Engagement:*

**Pioneer Ridge Elementary School** – The Museum Director was invited by Mrs. Davis' 5<sup>th</sup> grade class to assist in a project about how primary and secondary sources of information are used today to tell history. The museum director prepared an hour-long PowerPoint presentation that was presented virtually by Zoom and engaged the students by having them participate in reading some of the slides and examine various documents and photographs from Johnstown's history.

**Elwell Elementary School Community Room History Timeline Wall** – The Museum Director has been working with the Letford Elementary principals and RB+B Architects design team to provide photographs and their background history for use in the wall design. This project is nearing completion with one or two meetings left to finalize the design.

**Community Requests for Historical Research and the Town of Johnstown's Downtown Façade Grant Program** – Requests for help with history-related questions about local families and properties regularly come to the Museum Director through emails, phone calls, and through the JHS Facebook Messenger app. The Museum Director responds to these requests and believes this is a valuable service that fulfills the new JHS mission to interpret and disseminate local history. Recipients have been very appreciative and grateful to have a resource for tapping into local history.

**Ace Hardware Window Collage** – This project is taking some time, but the Museum Director is working with Dawn Eger at Ace on photographs and history for their Parish Ave entrance area for a historic window collage.

**UNC History Intern, Spring Semester 2022** – In an effort to gain student volunteers with a background in history, the Museum Director engaged with a few local colleges last year. UNC responded and the Museum Director worked with a history professor to design a tailored course in museum studies for Greg Jirik, a history major who is working on his master's degree. Greg spent Tuesdays and Wednesdays at the Parish House as part of his directed studies and received training in museum collections care, donation accessioning, and docent training. He also conducted a moderate amount of research on several properties that will be added to an updated JHS Historic Walking Tour of Johnstown. Greg completed his required 75 hours of training at the Parish House last week and earned college credit for the course. He is going to stay on as a volunteer and work with the Museum Director on a new design for the walking tour (he's a graphic designer by day) and assist with a new exhibit of the 1940s Johnstown Judo softball team to be installed in the Parish House Visitors Center by BBQ Day.

## **4. Fundraising and Events**

**BBQ Day** – We officially reopened the Parish House and Museum to the public on BBQ Day last year after more than a year of being closed because of the Covid-19 pandemic. We reopened with our pre-Covid schedule of Wednesday mornings and have remained open through the subsequent Covid variant surges, wearing masks until the end of February this year when the Omicron variant subsided and mask restrictions were lifted.

Events on BBQ Day included an open house, old-time face-hole photo opportunity for a donation, the YMCA Time Capsule ceremony, and participation at the Elwell Elementary School groundbreaking ceremony.

*Cemetery Crawls* – Two cemetery crawl days were needed after our two-show sellout of a one-day event in 2020. Both the October 23<sup>rd</sup> and 30<sup>th</sup> Saturday events in 2021 were very well attended and included volunteer actors from JHS, the community, and Roosevelt High School.

*Stitches in Time Quilt & Craft Fair* – The event was moved from its traditional venue at Roosevelt High School to the YMCA in 2021 and was held on September 25<sup>th</sup>. The transition from previous years went well, and we are looking forward to an even larger event this year at the YMCA.

*Holiday Open House and Auction* – In late November the JHS Facebook Coordinator successfully staged another online holiday wreath, mini tree, and gift basket auction. The open house on December 11<sup>th</sup> was our best attendance day of the year; we gave seven tours in three hours.

The JHS made decent progress last year, despite the lingering pandemic. Income from donations, memberships, and fundraising in 2021 totaled \$9,411.00.

## 5. Moving Forward – 2022 and Beyond

Since the end of February when the Omicron variant transmission subsided and the masks finally came off (hopefully for good!), the JHS Board and Museum Director have been gearing up for a full recovery and come-back of our fundraisers, events, and ongoing projects from last year that are still in progress or have not yet been started. Some of them include:

*Membership Drive* – This event will be headed up by the JHS Membership/Volunteer Committee within the next month or so.

*Website* – As part of JHS's re-organization efforts the Publicity/Marketing Committee is working on a new website. We have changed to a new URL – JHSCO.org and have a temporary website while the team and Board work through considerations for a new website launch later this year. This project is included with this year's budgeted funding from the Town.

*Extending Museum Open Hours* – For safety reasons, we should have three JHS docents onsite during open hours. Starting this BBQ Day on Saturday June 4<sup>th</sup>, the Parish House will be open during the parade and will continue to be open on the first Saturdays of the months from 9:00 a.m. to Noon moving forward. We anticipate greater overall attendance on these weekend days and plan to include every Saturday as soon as possible, pending a few more volunteers who can commit to helping us stay open.

*2023 Calendars* – The JHS Fundraising Committee chair and the Museum Director are working on a design for the calendar, which will feature historic photos and history of Johnstown. Calendars will be available for pre-order this fall.

*Stitches in Time Quilt & Craft Fair* – The quilt fair will be held at the YMCA on September 10, 2022.

*100<sup>th</sup> Anniversary of the Meteorite Fall at Elwell, July 6, 2024* – The JHS Board and Museum Director have begun to focus on a whole-town celebration by engaging with the Town

Council and will take the lead on a special committee on this 2-year-long planning effort to produce a successful and memorable event.

**Crocheted Christmas Snowflake Project** – This project of the Fundraising Committee will kick off in June and continue through the year with classes to be held at the YMCA and Parish House Visitors Center. Participants will learn to crochet snowflake ornaments for themselves and can participate in adorning the Parish House Christmas trees with them after Thanksgiving.

Other events are in the works and dates will be announced as the details are worked out.

**Collections projects in the works this year include:**

- Moving the Collections to the main floor closets of the Parish House as recommended by museum standards for preservation purposes.
- New Oral History Videotaped Interviews.
- Production of a second edition of Rebecca S. Healy's 1977 book: "A Tribute to Johnstown" for sale as an income stream.
- Johnstown Breeze Newspaper Digitization – Joint project with the Breeze and the Colorado Historic Newspaper Collection (CHNC).
- Continued work on accessioning a backlog of donated artifacts.
- New history boards to be placed around town.
- New displays in the museum.
- Continued work on scanning JHS's historic photo collection.

## **6. Our Continued Commitment**

In conclusion, the JHS Board of Directors and the Museum Director remain committed to bringing the Parish House and Museum and our programs to the next level in museum professionalism. Our start has been slowed by the pandemic and its restrictions, but we're in full swing again and we're making better progress now.

The JHS Board and Museum Director appreciate our working relationship and the continued support from the Town of Johnstown in our museum effort.



# MEMO

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**Date:** May 2, 2022

**To:** Johnstown Town Council

**From:** JHS Board of Directors

**CC:** Billie DeLancey, Richard Binzel

**Subject:** 100<sup>th</sup> Anniversary of the Johnstown Meteorite – work session topics

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We're looking forward to discussing the opportunity for a town celebration of the 1924 meteorite fall at Elwell.

At this point we're starting with a blank page and a handful of ideas and would like your input at this initial stage. The event can be as big or as small as a special event committee determines, based on volunteer manpower, funding, etc., and most importantly – what's best for Johnstown.

The following list is offered to help facilitate our discussion on May 9, 2022. In addition to the Letter of Engagement dated March 11, 2022 (attached for reference), we offer the following principles as a foundation for forming a meteorite committee. The JHS would like to serve as the committee lead and manage the overall anniversary event, and we want to include representatives from the sectors of our community that would likely have a role in staging events and activities:

- The current JHS board should oversee and approve any activities.
- The event and its proceedings should reflect the Town's local fabric, culture, and community.
- The activities related to this event should be simple but effective and designed for a variety of local audiences.
- We should take this opportunity to involve people in our Town to help carry out the activities.
- We establish a tentative budget over the coming months and stay in communication with the Town.

Topics in addition to those listed in the Letter of Engagement:

- Purchase of an authentic piece of the meteorite (if we can find one available) to be purchased by the community for the community.
- Owners of the original meteorite pieces, several from other countries, could be interested in attending.
- Design and purchase a plaque to be placed as a sign or perhaps adhered to a large boulder or rock structure to be installed permanently near the entrance to the cemetery to memorialize the meteorite fall.
- Fireworks.
- Look into a possible interagency loan from the Denver Museum of Nature of the meteorite piece that fell at Elwell (~12 lbs). Security would need to be part of the loan terms.



March 11, 2022

Matt LeCerb  
Town Manager  
Town of Johnstown  
450 S. Parish Avenue  
Johnstown, Colorado 80534

Subject: Letter of Engagement and Request for Support  
100<sup>th</sup> Anniversary Commemoration of the Johnstown Meteorite Fall, July 6, 2024

Dear Matt and Town Council Members,

Johnstown has had its share of remarkable weather events over the past 120 years since its founding – numerous snowstorms and floods, a devastating tornado, and a meteorite fall that put Johnstown on the map in scientific and academic circles. The latter is the focus of this letter.

### **The Johnstown Meteorite Fall**

It was just after 4:00 P.M. on July 6, 1924 when a funeral procession was nearing the entrance to the Elwell cemetery. From out of nowhere came a sonic boom-like noise, a sound that likely none of the witnesses had ever heard before since jet engines had not yet been invented. The horrific noise ushered in the ellipse that carried the meteorite shower overhead, bringing with it fire and smoke and a chunk of rock that slammed into the ground in front of the pall bearers' car. There's more to the story, and we'd like to share it with the world in two years for the 100<sup>th</sup> anniversary of the fall.

The Johnstown Historical Society requests the Town's support to assist and engage in the planning and hosting of a world-class event to celebrate and memorialize this rare celestial occurrence.

### **Next Steps**

The JHS imagines a whole-town celebration, much like the community involvement that took place for the 2002 Johnstown Centennial, with numerous activities for residents and neighboring communities to come and enjoy. These activities could start as early as April 2024 before the end of the school year to engage our youngest residents in project-based learning programs that foster awareness of the Johnstown Meteorite. Additional events could follow for BBQ Day, with a final program to occur on Saturday July 6<sup>th</sup>, the anniversary date of the meteorite fall. The possibilities are endless for drawing attendance from neighboring communities across the northern Front Range and by meteorite enthusiasts from everywhere.

A larger centennial celebration also presents an opportunity for Johnstown businesses to capitalize on the volume of visitors that would attend such an event. With new residential subdivisions already underway and planned commercial development at the I-25 and Hwy 60 corridor, as well as the continued growth at 2534, Johnstown could benefit greatly from its small claim to fame.

### **Initial Ideas for Meteorite Event Committee Consideration:**

- Re-enactment of the meteorite fall at the cemetery in a living history by experienced actors, possibly from regional playhouses and other live theaters.
- Parish Avenue closure – vendors, music, food trucks and restaurant participation, presentations, demonstrations, contests.
- Educational programs in the YMCA's multi-purpose rooms.
- Authentic facsimile of the meteorite rock to give away as prizes.
- Fundraising opportunities for local non-profits.
- Gem and Rock show.
- Potential authentication opportunity for people who think the rock they found is a piece of the meteorite.

### **A Unique Advantage**

In January 2020, the JHS received an email from Richard Binzel, PhD who, at that time, was the Professor of Planetary Science and Joint Professor of Aerospace Engineering at the Massachusetts Institute of Technology. He was in Colorado and hoped to visit the Parish House during his vacation, noting that he was knowledgeable of the Johnstown Meteorite. He arrived with a palm-sized piece of the meteorite, explaining that he had been a meteorite and asteroid researcher for close to 50 years and that he had been studying the Johnstown Meteorite for most of that time. We sat and learned the other part of the meteorite's story – before it entered the Earth's atmosphere.

We also learned that day that Professor Binzel was planning to retire in Lafayette, Colorado, just 30 miles from Johnstown, and he did so this past January. He has committed to serve as an integral part of this project and will be invaluable in the educational draw by fellow scientists and meteorite enthusiasts from across the U.S. and potentially from abroad.

This event is yet to be defined. By starting the conversation now, we have time to plan and prepare for a great event that will be talked about for years to come. In order to stage this type and size of a centennial celebration, it would require the support of the Town of Johnstown and the participation of local businesses and organizations.

We suggest kicking the discussion off with an initial meeting in mid-April. We welcome the Town's input and ideas.

Respectfully submitted,



Billie DeLancey  
Museum Director  
Historic Parish House and Museum



# Town of Johnstown

## **TREE BOARD AGENDA**

**450 S. Parish, Johnstown, CO  
Monday May 9, 2022 at 6:45 PM**

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*MISSION STATEMENT: Enhancing the quality of life of our residents, businesses, and visitors through community focused leadership.*

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## **AGENDA**

### **CALL TO ORDER**

### **ROLL CALL**

### **AGENDA APPROVAL**

### **NEW BUSINESS**

1. Approve Minutes
2. Tree City USA Programing and Presentation of Plaque
3. Arbor Day Celebrations: School Tour and Tree Give Away
4. Planned Projects in the Community
5. Other Business/Tree Items

### **ADJOURN**

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## **AMERICANS WITH DISABILITIES ACT NOTICE**

**In accordance with the Americans with Disabilities Act, persons who need accommodation in order to attend or participate in this meeting should contact Town Hall at (970) 587-4664 within 48 hours prior to the meeting in order to request such assistance.**

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# Town of Johnstown

**TREE BOARD**  
**450 S. Parish, Johnstown, CO**  
**Monday, November 08, 2021 at 7:30 PM**

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## MINUTES

### CALL TO ORDER

Tree Board Member Gary Lebsack called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance.

### ROLL CALL

Tree Board Members Present

Gary Lebsack  
 Damien Berg  
 Troy Mellon  
 Jesse Molinar Jr.  
 Bill Stevens  
 Chad Young

### ABSENT

Amy Tallent

Staff Present: Matt LeCerf, Town Manager

### AGENDA APPROVAL

Motion made by Board Member Berg, seconded by Board Member Stevens to approve the agenda.  
 Motion carried with a unanimous vote.

### NEW BUSINESS

A list of Town approved/preferred tree list was provided for review. These preferred trees would be used as a basis for future tree installation on Town owned property.

Staff contacted the Trees Across Colorado program to participate in their program. Every April, Trees Across Colorado provides low-cost trees to groups in Colorado. The Town was fortunate enough to secure 100 trees that will be given to residents on a first-come first serve basis next spring. In conjunction with Arbor Day, staff will collect the trees and prepare for a tree give away event.

The Tree City USA application was discussed which was completed by staff. There are 4 standards required for recognition:

1. Maintaining a tree board or department;
2. having a community tree ordinance;

3. spending at least \$2 per capita on urban forestry;
4. celebrating Arbor Day.

Motion made by Board Member Mellon, seconded by Board Member Berg to authorize the Town Manager to finalize the application and submit it with the Mayor's signature

**ADJOURN**

The meeting adjourned at 7:41 p.m.

Tree Board Member  
Gary Lebsack

Town Clerk



# Tree City USA®

Creating greener communities nationwide



**TREE CITY USA®**  
An Arbor Day Foundation Program

**Cooler temperatures. Cleaner air. Healthier residents.**

The benefits trees bring to urban environments are endless — and by meeting the four Tree City USA standards, your community can experience them firsthand.



## PROGRAM SUMMARY

The Tree City USA program was founded in 1976 to celebrate towns and cities committed to growing their urban canopy. Led by the Arbor Day Foundation, with partners at USDA Forest Service and National Association of State Foresters, it provides the foundational framework necessary for communities to manage and expand their tree cover.

Program applications are completely free. Many cities renew their Tree City USA status every year, making them eligible for a Growth Award and other urban forestry opportunities.

## THE FOUNDATION OF URBAN FORESTRY PROGRAM DEVELOPMENT

The Tree City USA program has helped more than 3,600 communities across the country build out their urban forests. Recognition forms the base layer for five different areas of growth, including expansion of personnel, financial investment, defined policies and plans, and engagement with residents.

### GROWTH AWARD QUALIFYING ACTIVITIES





## STANDARDS FOR RECOGNITION

To receive recognition, a community must meet four core standards for its public trees:

### ✓ Standard 1: Form A Tree Board Or Department

Delegating responsibility for city- or town-owned trees is the first official step to becoming a Tree City. By forming a tree board or department, cities can create a more organized and effective urban forestry plan.

### ✓ Standard 2: Establish A Tree Care Ordinance

A public tree care ordinance assigns clear authority over public trees and provides clear guidance for planting, maintaining, and/or removing trees from streets, parks, and other public spaces.

### ✓ Standard 3: Maintain A Community Forestry Program With An Annual Budget Of At Least \$2 Per Capita

Your community most likely already spends at least \$2 per capita on the planting, care, and removal of trees. This is intended to demonstrate an ongoing investment into your public trees.

### ✓ Standard 4: Proclaim and Observe Arbor Day

Celebrating Arbor Day and passing an official holiday proclamation helps create pride for your city's entire urban forestry program.



## BENEFITS OF RECOGNITION

By becoming a Tree City, your community will:

- Receive flags, signs, and other materials to proudly display your award
- Educate residents about the value of trees and green space
- Gain national recognition for your commitment to environmental stewardship
- Create a cleaner, healthier, and more beautiful urban landscape



## GETTING STARTED

Interested in joining, but not quite sure where to begin? It's as simple as following these five steps!

1. Make the case to friends and leaders in your community
2. Contact your state's urban and community forestry coordinator
3. Work together to fulfill the four Tree City USA standards
4. Celebrate Arbor Day
5. Submit your free application!

Learn and apply today at [arborday.org/treecityusa](http://arborday.org/treecityusa)



# Town of Johnstown

## TOWN COUNCIL AGENDA COMMUNICATIONS

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**AGENDA DATE:** May 9, 2022

**SUBJECT:** Town of Johnstown Arbor Day Celebrations

**ATTACHMENTS:** Photographs

**PRESENTED BY:** Matt LeCerf, Town Manager

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### AGENDA ITEM DESCRIPTION:

The Town of Johnstown recently celebrated Arbor Day 2022 by holding a Tree Giveaway event for residents, as well as participating in an Arbor Day Tour with all elementary schools in Johnstown. Both events were a great success thanks to the Mayor, our Staff, and wonderful local community partners. Please see an overview of each program below.

The Tree Giveaway took place on April 14-15 the Johnstown Police Department. Residents were able to come to Town Hall to pick up a voucher between April 1-12 to be redeemed the day of the giveaway. The Town was able to purchase 100 trees at a lower cost from Trees Across Colorado, a nonprofit organization focused on planting trees in Colorado. Public Works crews picked the trees up from the delivery location in Windsor and brought them back to Johnstown for the giveaway. We served 100 residents in a drive through style event where they provided us their voucher along with their desired tree type. Public Works Staff then loaded the tree into the pickup truck, often without the resident even having to get out of their car! Local boy and girl scouts helped hand out tree care flyers to every resident who received a tree. It was a very smooth operation and residents truly enjoyed the program. We look forward to partnering with Trees Across Colorado again for our annual tree giveaway event.

The Arbor Day Celebration Tour with the Town's local elementary schools went well on Thursday, April 21, 2022. All 3 elementary schools were involved in the day, specifically the 4<sup>th</sup> grade classes of each. The Mayor and Town Staff saw over 200 kids and discussed with them the importance of Arbor Day, trees in our community, and taking care of nature in our surrounding areas. The Town was very excited to be able to partner with Letford Elementary, Pioneer Ridge Elementary, and Riverview PK-8 School in this educational opportunity. The student's "nature promises" in the form of hand cut outs can be seen on display in the Town Hall foyer. Programs

*The Community That Cares*

[johnstown.colorado.gov](http://johnstown.colorado.gov)

P: 970.587.4664 | 450 S. Parish Ave, Johnstown CO 80534 | F: 970.587.0141

like this provide a sustainable way to mix government efficacy with the Town's values and goals, and the education of the local youth.

### **Tree Giveaway**



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## Arbor Day Tour



*The Community That Cares*

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# My Nature Promise Lesson Plan

Created by the Town of Johnstown Office of Communications  
for the Arbor Day Elementary Event



**Time Needed:** 45 – 60 minutes

**Resources Needed:**

- Helping Hand Worksheet
- Scissors for students
- Crayons/markers/colored pencils

## Plan Instructions

1. Read about Tree City USA with the class (reading below) then answer the questions at the top of the My Nature Promise Worksheet together. Students who answer correctly, are brave enough to venture an answer, or use your best judgement can be awarded with a TOJ squish tree.
2. Ask the class if they think that helping nature by growing trees and taking care of our environment is a good thing. Share that the Mayor of the Town of Johnstown is going to visit us on April 21 to share with us the Town's Tree City USA promise as well as his personal promise as Mayor to give nature a helping hand.
3. Have the students outline their hands on the My Nature Promise Worksheet and decorate their hand with why they think that trees are important or their favorite things about nature.
4. Cut the hands out to the shape of each students hand and have each student bring their hand to the assembly with the Mayor on April 21. Each student, as a sign of their promise to give nature a helping hand, will place their hand on a tree banner at the assembly. These banners will be displayed at the Town Hall all summer long.

## About Tree City USA and the benefit of trees

Tree City USA started in 1976 to bring attention to Arbor Day and the importance of trees in our neighborhoods. Tree City USA even plants new trees in each community. When Tree City USA started there were only 42 communities participating. Now, there are over 3, 500 communities participating in Tree City USA. When neighborhoods have trees in them, there are many benefits. One of these benefits is that trees help make neighborhoods cooler. Trees can protect neighborhoods from the sun. Another benefit of trees in our Town is that trees help get rid of the sound of moving cars. Trees help to make neighborhoods more peaceful. The last benefit of trees in our Town is that trees and plants can help keep us healthy and strong by providing us somewhere to play and exercise. It is nice to go to the park and play in the grass or enjoy the shade of a tree. The Town of Johnstown is a Tree City USA which means that every year, the Town must plant new trees and must take care of its parks and green space. Trees are good for people, so the more trees we have the better we are.



# My Nature Promise



*I promise to give nature a helping hand by helping my family take care of the trees and plants in my yard, by not wasting water, and by cleaning up after myself when I go to the park.*

1. What is one reason that trees are good for neighborhoods?
2. What is another reason that trees are good for our Town/neighborhoods?
3. About how many communities are a part of Tree City USA now?
4. Do you think you would plant a new tree at your house now that you know the benefits?

*In this space, trace an outline of your hand and then decorate your hand with your favorite things about nature!*





# Town of Johnstown

## TOWN COUNCIL AGENDA COMMUNICATIONS

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**AGENDA DATE:** May 9, 2022

**SUBJECT:** 2022 Community Tree Project Plans

**PRESENTED BY:** Matt LeCerf, Town Manager

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### AGENDA ITEM DESCRIPTION:

Projects Planned for 2022 Include:

- Every year, the Town of Johnstown replaces and plants new trees in our community. This year, the Town dedicated a tree to the new Riverview PK-8 school in the Thompson River Ranch development. Dedicating a tree to a local school will continue to be an annual event with our Arbor Day Tour event.
- Staff is also working on a plan to replace damaged or removed trees due to construction for the Old Town Drainage and Charlotte Street projects. We anticipate replacing 10-15 trees. Finally, the Town will also be purchasing trees for the annual Tree Giveaway to be held in the spring of 2023.
- Staff will also work on completing a tree assessment at the Letford Elementary School to ensure the trees are healthy as part of the Town's future ownership of this School property.
- Staff welcomes other thoughts and ideas from the Tree Board they would like to see in 2022.

*Reviewed and Approved for Presentation,*

Town Manager

The Community That Cares

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