



YOUTH COUNCIL MEETING

Town Council Chambers

3 S. Timber Ridge Parkway, Severance, CO 80550

AGENDA

YOUTH COUNCIL MEETING

Monday, November 3, 2025, at 5:00 PM

A. CALL TO ORDER

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Public Comment**

The purpose of the Public Comment is for members of the public to speak to the Town Council on any subject not scheduled on the agenda. To accomplish scheduled agenda items, comments should be limited to three minutes for those attending in person or an appropriate time as deemed by the Mayor. The Town Council is not obligated to make decisions or take action on comments but may choose to schedule the matter for a later discussion. Those addressing the Town Council, please state your name and address and sign-in.

B. REGULAR MEETING

1. **Welcome**
2. **Youth Council Overview**
 - Discussion
 - Staff Presentation: Brittany Vandermark, Mayor Pro-tem, Lindsay Radcliff-Coombes, Deputy Town Manager
3. **Rules and Procedures**
 - Discussion
 - Staff Presentation: Brittany Vandermark, Mayor Pro-tem, Lindsay Radcliff-Coombes, Deputy Town Manager
4. **Youth Council Goals & Next Steps**
 - Discussion
 - Staff Presentation: Brittany Vandermark, Mayor Pro-tem, Lindsay Radcliff-Coombes, Deputy Town Manager

C. ADJOURN

Youth Council MEETING

Monday, November 3, 2025, 5:00 PM (MDT)

The Youth Council reserves the right to adjourn to a virtual-only meeting at their discretion should the need arise.

The Town of Severance does not discriminate on the basis of race, color, national origin, sex, religion, age or disability in the provision of services. For disabled persons needing reasonable accommodation to attend or participate in a town service, program, public meeting, or activity, call 970-686-1218 at least 72 hours in advance. Disabled access is available from the front entrance of the Town Hall.



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Youth Council Overview	Brittany Vandermark, Mayor Pro-tem Lindsay Radcliff-Coombes, Deputy Town Manager	Mayor Pro Tem Vandermark
ACTION REQUESTED		
None at this time.		<u>Presentation</u>
BRIEF HISTORY OF ITEM		
BRIEF SUMMARY		
<ul style="list-style-type: none"> • Overview of the Town Council’s mission and relationship to Town leadership • Role as an advisory group to the Mayor and Council • Opportunities for community involvement, leadership, and service 		
PUBLIC SUPPORT/CONCERN		
None at this time.		
ANALYSIS AND RECOMMENDATION		
None at this time.		
MATERIALS SUBMITTED		
<p>The following materials were submitted and included in this packet:</p> <ol style="list-style-type: none"> 1. Home Rule Charter 2.09.23 2. Town Council Mission and Vision 3. Town Council Code of Conduct and Ethics Amended 3.22.22 4. Roles and Responsibilities Presentation 		

HOME RULE CHARTER



Preamble

We, the people of the Town of Severance, Colorado, under the authority of the Colorado Constitution and in order to exercise the rights, privileges, and responsibilities of self-government granted to us by said Constitution, ordain and establish this Home Rule Charter ("this Charter") for the Town of Severance, Colorado. Through this Charter and the local government that it defines, the people of Severance reserve their right to address matters of local concern at the local level. These rights request that the residents of Severance participate in the government process.

This Charter enables and encourages the people of Severance to fully enjoy the benefits of self-governance and to provide for a successful future for the community by establishing a municipal government that is accessible, responsive, accountable, responsible, and professional to the residents of Severance.

Any question about the meaning of any portion of this Charter shall be interpreted consistently with this Charter's purpose to reserve for the Town and its citizens the broadest possible powers of home rule and self-government available under the Colorado Constitution, as limited only by the specific language of this Charter and said Constitution. The Town shall have all powers now or hereafter granted to home rule and statutory cities that are not specifically in conflict herewith.

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ARTICLE I
GENERAL PROVISIONS

- 1.01 Name and Boundaries. The municipal corporation heretofore existing as the Town of Severance, Weld County, state of Colorado, shall remain and continue as a body politic and corporate, and under this Charter it shall be known as the Town of Severance, with boundaries the same as presently established until changed in a manner authorized by law.
- 1.02 Form of Government. The municipal government established by this Charter shall be a Council/Manager form of government.
- 1.03 Authority.
- (1) The Town shall have all the authority of local self-government and home rule and all authority possible for a municipality to have under the Constitution and laws of Colorado.
 - (2) The enumeration of any particular authority in this Charter shall in no way be deemed to limit or exclude the exercise of any authority.
 - (3) All authority shall be exercised in the manner set forth in this Charter or, if not provided for in this Charter, in such manner as provided for by ordinance, resolution, or state statute.
- 1.04 Rights and Liabilities. By the name of the Town of Severance, a municipal corporation, the Town shall have the following rights and liabilities:
- (1) The right to perpetual succession.
 - (2) The right to own, possess, and hold all property, real and personal, heretofore owned, possessed, and held by the Town and to manage and dispose of all trusts in any way connected therewith.
 - (3) The right to purchase, lease, receive, hold, and enjoy, or sell and dispose of, real and personal property, with the sale or disposal of real or personal property to be approved by ordinance and to require the affirmative vote of six (6) council members.
 - (4) The right to succeed to all rights and liabilities of the Town.
 - (5) The right to acquire all benefits of the Town and to assume and pay all bonds, obligations, and indebtedness of the Town.
 - (6) The right to sue and defend, plead, and be impleaded in all courts and places and in all matters and proceedings.

(7) The right to establish municipal water works, wastewater treatment works, water and sewer systems, internet services, and any other utility systems.

(8) The right to adopt, have, and use a common seal and alter the same.

(9) The right to adopt ordinances and resolutions on all matters unless otherwise prohibited by this Charter or by laws applicable to home rule municipal corporations in the state of Colorado.

(10) The right to have all rights, powers, and liabilities applicable to Colorado home rule municipal corporations as set forth in Article XX of the Colorado Constitution, Title 31 of the Colorado Revised Statutes and other applicable statutes, as amended.

ARTICLE II
ELECTIONS

2.01 Election Laws. Town elections shall be governed by the Colorado Municipal Election Laws, C.R.S. §31-10-101 *et seq.*, as amended, except as otherwise provided in this Charter or by ordinance hereafter enacted.

2.02 Types of Elections.

(1) Regular municipal elections shall be held on the Tuesday following the first Monday in November 2023 and in each odd-numbered year thereafter.

(2) The Mayor and each Council Member shall take office at the first regular meeting in January following an election and shall continue in office until their successors have been elected and take office.

(3) Special Town elections shall be held in accordance with the provisions of this Charter and the Colorado Municipal Election Laws, C.R.S. § 31-10-101 *et seq.*, as amended, except as otherwise provided in this Charter or by ordinance hereafter enacted. Any special Town election may be called by resolution of the Council not less than sixty (60) days in advance of such election or when required by this Charter or by statute. The resolution calling a special Town election shall set forth the purposes of such election.

2.03 Nonpartisan Elections. All municipal elections shall be nonpartisan.

2.04 Recall. Any elected official of the Town may be recalled at any time after the completion of six (6) months in office by the electors entitled to vote for a successor of such official, as set forth in the Colorado Constitution, C.R.S. §31-4- 501, *et seq.*, as amended, and Section 11.12 of this Charter.

**ARTICLE III
TOWN COUNCIL**

3.01 Town Council.

- (1) The Council shall include a Mayor and six (6) Council Members. The positions of Mayor and Council Member are separate offices.
- (2) The Mayor and all Council Members shall be elected at large by the registered electors of the Town.
- (3) The Mayor and all Council Members shall be elected to serve four-year terms unless a two-year term is required to restore staggered positions on the Council. In such case, the four-year term(s) shall go to the candidate(s) with the highest number of votes, and the two-year term(s) shall go to the candidate(s) with the next highest number of votes.
- (4) No elected Mayor or Council Member shall serve more than two (2) consecutive terms in one office.
- (5) Terms shall not be considered consecutive if they are at least two (2) years apart or are for separate offices. For the purposes of this limitation, terms to which an individual is either appointed or elected by special election to fill a vacancy on the Council shall not count as a term.

3.02 Authority of the Council.

- (1) The Council shall have the authority to:
 - (a) Enact and enforce all ordinances necessary to protect life, health, safety, welfare, and property.
 - (b) Declare, prevent, and summarily abate and remove nuisances in accordance with due process.
 - (c) Preserve and enforce good government, general welfare, and the order and security of the Town and its inhabitants.
 - (d) Enforce ordinances and regulations by fines or imprisonment as permitted by state law or by both fines and imprisonment for every offense.
 - (e) Delegate to boards and commissions, within the limitations of the Colorado Constitution and this Charter, such functions and authority of the Town as the Council deems proper and advisable.
- (2) The Council shall deal with the administrative service solely and directly through the Town Manager. Neither the Mayor nor any Council Member shall dictate the appointment of, or direct or interfere with, the work of any employee under the Town Manager

(3) Except as otherwise provided in this Charter, the Council shall be the legislative and governing body of the Town and shall exercise all powers conferred upon or possessed by the Town.

(4) In the case of a vacancy on the Council, the Council shall declare a vacancy according to standards set forth by ordinance or by C.R.S. § 31-4-303, as amended. Council may appoint an individual to the vacancy or fill the vacancy by special election. An individual appointed or elected to fill a vacancy shall serve until the next regular election and until their successor takes office in accordance with this Charter.

3.03 Qualifications to Serve on Elected Council and Appointed Boards or Commissions.

(1) No person shall be eligible to be elected or appointed to the Council or to remain seated on the Council unless they are:

- (a) A citizen of the United States of America.
- (b) A registered elector of the Town and eligible to vote.
- (c) A resident of the Town for a period of no less than twelve (12) consecutive months preceding the election.

(2) No person who is an employee of the Town may serve on the Council. Any Town employee elected to the Council shall be deemed to have resigned as an employee on the date of taking office on the Council.

(3) No person may be a candidate for both Mayor and Council Member at the same election.

(4) A person may be a candidate for the office of Mayor while serving as a Council Member and, if not elected Mayor, may serve out their term as a Council Member.

(5) The Town Clerk shall be the judge of all qualifications for candidates for Council, except as otherwise provided by ordinance.

3.04 Council Meetings.

(1) The Council shall meet regularly at least once each month, unless increased by ordinance, at a day and hour and place fixed by the Council.

(2) Four (4) members of the Council shall constitute a quorum, but in the absence of a quorum, a lesser number may continue any meeting or hearing to a later time or date, and in the absence of all members, the Town Clerk may adjourn any meeting.

{3) All regular and special meetings of the Council shall be open to the public, and citizens shall have a reasonable opportunity to be heard. Written minutes of the proceedings of each meeting shall be kept by the Town Clerk and signed by the Mayor.

3.05 Voting.

(1) Votes by each Council Member and the Mayor for and against shall be taken upon the passage of all ordinances and resolutions and entered in the minutes of the Council proceedings.

(2) To be adopted, every non-emergency ordinance shall require the affirmative vote of a majority of the Council present, and every emergency ordinance shall require the affirmative vote of two-thirds {2/3} of the Council present.

{3) To be adopted, every resolution and motion shall require the affirmative vote of a majority of the Council present.

(4) Every Council Member present and the Mayor if present shall vote on every matter unless the Council Member or the Mayor is excused from voting due to a conflict of interest as provided in Section 3.06 of this Charter. If a Council Member or the Mayor refuses to vote without being excused, the Town Clerk shall consider the refusal as an affirmative vote.

3.06 Code of Conduct and Ethics. After every election the Council shall adopt by resolution a Code of Conduct and Ethics, which shall address Council conflicts of interest and behavior. The adopted Code of Conduct and Ethics shall specify penalties for violations of its provisions as well as for violations of this Charter. The previous Code of Conduct and Ethics Resolution will be in effect until the newly elected council adopts a new Resolution.

3.07 Compensation of Mayor and Council Members.

{1) The Mayor and Council Members shall receive such compensation as prescribed by ordinance.

(2) The Council shall neither increase nor decrease the compensation of any member of Council, including the Mayor, during his or her term of office.

{3) The Mayor and Council Members may, upon order of the Council, be paid such necessary bona fide expenses incurred in service on behalf of the Town.

3.08 Mayor Pro Tem and Acting Mayor.

{1) A Mayor Pro Tem shall be elected by the Council from its own membership each January. The Mayor Pro Tem shall act as Mayor during the absence of the Mayor.

(2) In the event of absence of both the Mayor and the Mayor Pro Tem, the Council shall designate another Council Member by majority vote to serve as Acting Mayor during such absence.

(3) Any Mayor Pro Tem or Acting Mayor, while serving as such, shall retain all authority granted herein to Council Members. Conclusion of the service of Council Member as Mayor Pro Tem or Acting Mayor shall have no effect on the current term of that Council Member.

3.9 Special Meetings.

(1) Special meetings of the Council shall be called by the Town Clerk on the verbal request of a majority of the Council or the Mayor, with at least twenty-four (24) hours' notice to each Council Member and the Mayor.

(2) Written notices of any special meeting and the topic of any special meeting shall be posted shall be consistent with the posting of notice for regular Council meetings. No business shall be transacted at any special meeting of the Council unless such business has been stated in the notice of such meeting.

3.10 Executive Sessions.

(1) Any Council meeting may be recessed into an executive session by majority vote of the council present and may be closed to the public for the purpose of considering any matter authorized under the Colorado Open Meeting Law, C.R.S. § 24-6-401, *et seq.*

(2) The general subject matter of every executive session shall be stated in the motion calling for the session unless doing so would compromise the purpose of the executive session. Council shall not take formal action, or adopt of any proposed policy, rule, regulation, resolution during any executive session.

(3) Only the Mayor and members of the Town Council shall attend executive sessions, provided; however, that other persons may be invited to attend executive sessions by the Mayor and Council.

(4) The provisions of this Section are specifically intended to supersede any conflicting provisions of Colorado statutes governing open meetings and executive sessions.

ARTICLE IV

TOWN ADMINISTRATION, APPOINTED OFFICIALS, AND TOWN DEPARTMENTS

4.01 Mayor. The Mayor shall be the presiding officer of the Council and the recognized head of the Town government for all legal and ceremonial purposes. The Mayor, or anyone acting as Mayor, as provided for in Section 3.09 of this Charter, shall have the duty, authority, and responsibility to:

(1) Vote in the same manner as a Council Member without veto power upon any question.

(2) Sign all contracts binding the Town, all conveyances of interests in land by the Town, all ordinances and resolutions, and any other documents requiring their signature, except as may be delegated by ordinance to the Town Manager or as otherwise provided by ordinance and attested by the Town Clerk under the seal of the Town.

(3) Have such other authority as may be conferred upon the Mayor by the Council as long as that grant of authority is not in conflict with the provisions of this Charter.

(4) In case of emergency, the Mayor shall assume the authority to execute any action necessary for the protection of life and property.

(a) Such authority shall include, without limitation, establishing regulations governing conduct and activities related to the cause of the emergency, and if the emergency situation continues, the Mayor shall convene the Council, which may take such action as it deems necessary.

(b) Any unilateral action taken by the Mayor during an emergency shall be temporary in nature and duration and shall be effective only until the Council is convened to ratify the action.

(5) In the event it becomes necessary, the line of succession provided in this Charter shall be followed. The Council shall have the authority to provide for the continuity of government of the Town in the event of disaster. Such authority shall be employed in a manner that will preserve representative government to the Town and that will provide an orderly line of succession of officers, notwithstanding the provisions of this Charter. Such succession shall commence with the Mayor and the Mayor Pro Tem, and then to Council Members, then an orderly line of succession of administration, and then administrative department heads.

4.02 Town Manager. The Town Manager shall be the chief executive officer of the Town and shall serve at the will of the Council.

(1) The Council, by a majority vote of those then in office, shall appoint a Town

Manager.

(2) The Town Manager shall be accountable to the Council and shall perform such duties as provided by ordinance or resolution or at the direction of the Council, as long as such direction is not contrary to this Charter, state or federal law, or the ordinances of the Town.

(3) The Town Manager may only delegate to others the authority and duties prescribed to their position to the extent allowed by ordinance or resolution.

(4) The Town Manager may appoint an employee to function in their capacity during short absences.

(5) The Town Manager may hire staff as such are provided for in the Town's budget.

(6) The Town Manager shall prepare an annual budget and submit it to the Council.

4.03 Town Attorney. The Town Attorney shall be an attorney licensed to practice law in the State of Colorado and shall be appointed to the position by a majority vote of the Council then in office.

(1) The Town Attorney shall serve at the will of the Council.

(2) The Town Attorney shall be accountable to the Council and shall perform such duties as provided by ordinance or resolution.

4.04 Municipal Judge. The Municipal Judge shall be an attorney licensed to practice law in the state of Colorado and shall be appointed to the position by a majority vote of the Council then in office.

(1) The Municipal Judge shall serve at the will of the Council.

(2) The Municipal Judge shall be accountable to the Council and shall perform such duties as provided by ordinance or resolution.

4.05 Town Clerk. The Town Clerk shall be hired by the Town Manager as an employee of the Town. The Town Clerk or designee shall attend all meetings of the Council, shall keep a permanent record of its proceedings, and shall have the duty and responsibility to:

(1) Serve as custodian of the Town seal, affix it to all documents and instruments requiring the seal, and attest to the same.

(2) Serve as custodian of all papers, documents, and records pertaining to the

Town, the custody of which is not otherwise provided for.

(3) Certify by their signature all ordinances and resolutions enacted or passed by the Council.

(4) Provide and maintain in the Town Clerk's office a supply of forms for all petitions required to be filed for any purpose by the provisions of this Charter or by ordinances enacted hereunder.

(5) Review the sufficiency of all petitions required to be filed for any purpose by the provisions of this Charter or by ordinances enacted hereunder; however, nothing contained herein shall require the Town Clerk to advise any petitioner as to how petitions shall be completed prior to their submittal.

(6) Administer oaths of office.

(7) Perform such other duties as may be prescribed by this Charter or the Town Manager.

4.06 Town Departments.

(1) The Council may by ordinance create, consolidate, or dissolve any Town department.

(2) All departments and department heads of the Town, except as otherwise provided in this Charter, shall be under the supervision and control of the Town Manager.

(3) All department heads hired after the effective date of this Charter shall be hired by the Town Manager and shall be considered, at all times, at-will employees of the Town. The provisions of this Section are specifically intended to supersede conflicting state law on this matter, including C.R.S. § 31-4-307.

ARTICLE V
BOARDS AND COMMISSIONS

5.01 Existing Boards and Commissions. All boards and commissions existing at the time this Charter is adopted shall continue as established by ordinance, except as otherwise provided by this Charter or subsequent ordinance.

5.02 Right to Establish, Amend, and Abolish.

(1) The Council may create any boards or commissions, including advisory and appeal boards, provided that no such board or commission shall have authority to perform functions or duties otherwise assigned in this Charter or to interfere with any function or duty otherwise assigned in this Charter. Unless otherwise required by law or this Charter, all boards and commissions shall be created by ordinance, which shall prescribe the duties delegated by the Council and the qualification of members.

{2} Each board and commission shall elect its own chair and vice-chair from among its members. Each board and commission shall operate in accordance with its own rules of procedures, except as otherwise directed by the Council. All board and commission meetings shall be open to the public, and copies of all records and minutes of all meetings shall be kept and placed in the office of the Town Clerk for public inspection. Reports shall be made to the Council as required.

(3) The Council may increase, reduce, or change by ordinance any or all of the duties and procedures of any board or commission that exist at the time of the adoption of this Charter or as created by ordinance thereafter.

(4) Any board or commission that is not required by statute or this Charter may be abolished by the Council at any time.

(5) Terms and conditions of appointment and composition of all boards and commissions shall be determined by ordinance or resolution.

**ARTICLE VI
ORDINANCES**

6.01 Action by Ordinance Required. In addition to such acts of the Council that are required by other provisions of this Charter to be by ordinance, every such act below shall be by ordinance:

- (1) Creating indebtedness.
- (2) Authorizing the borrowing of money except approval of a bond offering, which is otherwise authorized by resolution.
- (3) Levying a tax.
- (4) Establishing any rule or regulation for the violation of which a penalty is imposed.
- (5) Placing any burden upon or limiting the use of private property shall be by ordinance.

This section shall not apply to the budget adoption or other appropriations as provided for in Section 8.05 of this Charter.

6.02 Form of Ordinance. Every ordinance shall be introduced in written or printed form. The enacting clause of all ordinances shall be: NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SEVERANCE, COLORADO. Every ordinance introduced shall be deemed to contain a severability clause, whether stated therein or not.

6.03 Adoption Procedure for Ordinances. With the exception of emergency ordinances, the following procedure shall be followed when adopting any ordinance:

- (1) The ordinance shall be introduced at a regular or special meeting of the Council and read by title.
- (2) If required by law, the Council shall conduct a public hearing on the ordinance.
- (3) After the public hearing, if applicable, and any discussion or deliberation, the Council shall vote to amend, adopt, or reject the ordinance or take other action as it deems appropriate.
- (4) Any Council Member or the Mayor may require one additional reading of any introduced ordinance at the next regular or special meeting of the Council. Once the option of one additional reading has been exercised by a Council Member or the Mayor, it may not be exercised by any other Council Member or the Mayor.

Nothing in this subsection 4 may be deemed to limit the Council's authority to continue an ordinance by a majority vote.

(5) If the ordinance is adopted by the Council, either as presented or as amended, it shall be published and made available for public inspection.

(6) Each ordinance shall be effective thirty {30} days after publication or at such later date as specified in the ordinance, except as stated in Section 6.04 of this Charter.

(7) The method of official Town publication of ordinances shall be set by ordinance.

(8) Each ordinance shall be signed by the Mayor and attested to by the Town Clerk, and affidavits of publication shall be retained with the ordinance in the Town's records.

6.04 Emergency Ordinances.

(1) The Council may adopt an emergency ordinance if necessary for the immediate preservation of public property, health, welfare, peace, or safety. Determination by the Council as to the existence of an emergency shall be final and conclusive.

(2) Emergency ordinances shall also meet the following criteria:

(a) The facts determining the emergency shall be specifically stated in the ordinance; and

(b) No ordinance granting, renewing, or amending any franchise or imposing any new tax, tax rate increase, mill levy above that for the prior year, valuation for assessment ratio increase for a property class, extension of an expiring tax, or tax policy change directly causing a net tax revenue gain to the Town shall be adopted as an emergency ordinance.

(3) An emergency ordinance may be introduced and adopted at any regular or special meeting. An emergency ordinance shall take effect upon adoption and shall be published in full following adoption.

6.05 Codification.

(1) The Council shall cause the ordinances of a general and permanent character to be codified and thereafter maintained in current form.

(2) Any ordinance that is not of a general and permanent nature shall not be codified.

- 6.06 Adoption of Codes by Reference. The Council by ordinance may adopt by reference any code published by the federal government, the state of Colorado, any agency of either of them, any municipality, recognized trade or professional organizations, or amendments or revisions thereof. The procedure for adoption of a code by reference shall be as provided in the applicable Colorado Revised Statutes.
- 6.07 Public Records. All public records of the Town shall be open for inspection by any person at reasonable times in accordance with applicable law.
- 6.08 Fines and Penalties for Ordinance Violations. Penalties for the violation of Town ordinances shall be established by ordinance. No fine or sentence for such violation shall exceed the maximum established by Colorado Revised Statutes for municipal ordinance violations.

**ARTICLE VII
MUNICIPAL COURT**

7.01 Created.

(1) There shall be a Municipal Court that shall have jurisdiction to hear and determine all cases arising under this Charter or the ordinances of the Town. The municipal court shall be vested with exclusive original jurisdiction over all matters arising under this Charter, the ordinances, and other enactments of the Town.

(2) The Council shall provide a suitable place and all supplies and personnel necessary for the proper functioning of the Court.

(3) The Council shall provide by ordinance for the enforcement of its ordinances by fine or imprisonment.

(4) The Municipal Judge, who shall be appointed by the Council as provided by Section 4.04 of this Charter, shall preside over by the Municipal court.

7.02 Powers.

(1) The Municipal Court shall be a qualified Municipal Court of record and all proceedings therein and evidence at trials shall be kept by verbatim record.

(2) The Municipal Court may grant probation and the conditional suspension of sentences.

(3) The Municipal Court may order restitution as it deems appropriate.

ARTICLE VIII
TOWN FINANCES AND BORROWING

8.01 Fiscal Year. The fiscal year of the Town and all of its agencies shall begin on the first (1st) day of January and end on the thirty-first (31st) day of December each year.

8.02 Annual Budget. A proposed budget for the ensuing fiscal year shall be delivered to the Council by the Town Manager on or before the fifteenth (15th) day of October each year.

8.03 Budget Hearing.

(1) The Council shall hold a public hearing on the proposed budget in accordance with applicable law.

(2) Notice of the time and place of such hearing shall be published at least once seven (7) days prior to such hearing, and copies of the proposed budget shall be made available to the public in the office of the Town Clerk.

(3) At any time before final adoption, the Council may increase, decrease, add, or strike out any item in the budget.

8.04 Scope of Annual Budget.

The budget shall provide a complete financial plan of all Town funds and activities for the ensuing fiscal year and, except as required by law or this Charter, shall be in such form as the Town Manager deems desirable, or the Council may require. The budget shall lay out a plan for all the operations, programs, capital acquisitions, projects, and debt service payments of the Town.

8.05 Adoption of Budget and Appropriation.

(1) The Council shall adopt a resolution adopting the budget and a resolution adopting the annual appropriations no later than the fifteenth (15th) day of December each calendar year. All such annual appropriations shall lapse at the end of each fiscal year.

(2) Budget records shall be available to the public in the office of the Town Clerk.

(3) If the Council fails to adopt a budget by the fifteenth (15th) day of December, the amounts appropriated for the operation of the various departments and areas of the Town during the prior fiscal year shall be deemed adopted for the current fiscal year on a month-to-month basis, with all items prorated accordingly until such time as the Council adopts the budget for the current fiscal year.

- 8.06 General Fund. The general fund is the Town's primary operating fund. All revenues not specifically allocated to any other fund shall be placed in the general fund.
- 8.07 Other Funds. In addition to funds provided for in this Charter, the Council may by ordinance establish other funds, including enterprise and special purpose funds as it deems necessary and appropriate in accordance with generally accepted accounting principles. The ordinance establishing such funds shall clearly state the purpose of the fund.
- 8.08 Capital Program. The Town Manager shall prepare and submit a long-range capital program simultaneously with the recommended budget.
- 8.09 Transfer of Funds. Except as may be restricted by law, the Council may by resolution transfer any unencumbered appropriation, balance, or portion thereof from one fund to another.
- 8.10 Increase or Reduction of Appropriations.
- (1) The Council may modify appropriations by resolution during the fiscal year for unanticipated budgetary issues. Such modified appropriations shall not cause total expenditures within a fund to exceed the beginning fund balance or the funds available plus anticipated revenues and other sources of funds within the fund as estimated in the budget.
- (2) If it appears probable to the Town Manager or their designee, at any time during the fiscal year, that the funds available plus anticipated revenues and other sources of funds within any fund will be insufficient to meet the amount appropriated, the Town Manager shall promptly provide a report to the Council recommending steps to correct the deficiency. The Council shall then take such further action as it deems necessary to correct the deficiency.
- 8.11 Independent Audit. An independent audit shall be made of all Town accounts for each fiscal year and more frequently if deemed necessary by the Council. Such audit shall be made by certified public accountants selected by the Council, who shall complete the audit in accordance with state regulations. Copies of such audits shall be made available for public inspection at the office of the Town Clerk.
- 8.12 Forms of Borrowing.
- (1) Subject to any applicable limitations in the Colorado Constitution, including any requirements for voter approval, the Town may borrow money and issue securities or enter into other obligations to evidence such borrowing in any form and in any manner determined by the Council to be in the best interests of the Town by ordinance or resolution after a public hearing. All prior Town borrowing, securities, or

financial obligations, including, without limitation, those that are voter-approved, remain in full force and effect.

(2) In addition to being authorized by this article to issue bonds for any municipal purpose as authorized by law, the Town is specifically authorized by ordinance, with or without an election as determined by the Council, to issue revenue bonds or otherwise extend its credit for the purpose of purchasing, equipping, constructing, or otherwise acquiring, extending, or improving a water, sewer, or other public utility, facility or project, provided that the bonds or other obligation shall be made payable from the net revenues derived from the operation of such system, utility, or project or from the proceeds of any tax other than the general ad valorem tax imposed by the Town.

(a) Such bonds shall not be issued until a public hearing on the question of issuance of the same shall have been held.

(b) Notice of such hearing shall be published at least seven (7) days in advance.

8.13 Long-Term Rentals and Leaseholds.

(1) In order to provide necessary land, buildings, equipment, and other property for governmental or proprietary purposes, the Town may enter into long-term installment purchase contracts and rental or leasehold agreements, either as lessor or as lessee. Such agreements may include an option or options to purchase and acquire title to such property within a period not exceeding the useful life of such property. Each such agreement and the terms thereof shall be approved by ordinance.

{2} The Council may provide for payment of installments thereof out of the general ad valorem tax levy by the imposition of rates, tolls, or service charges for the use of such property or any part thereof, out of any other available municipal revenues, or by any combination of the foregoing methods.

8.14 Short-Term Notes. The Town by ordinance may borrow money without an election in anticipation of the collection of taxes and issue short-term notes to evidence the amount borrowed. Any such short-term notes shall mature within twelve (12) months.

8.15 Municipal Investments. The Council may adopt guidelines for municipal investments as long as those guidelines comply with the following conditions:

(1) Such guidelines are subject to any applicable limitations in the Colorado Constitution, including any requirements for voter approval.

(2) Such guidelines are determined by the Council to be in the best interest of the Town.

8.16 Special Districts. The Council may by ordinance limit the maximum mill levy authorized to be imposed by any special district formed under Title 32, C.R.S. by a developer to finance development in the Town.

**ARTICLE IX
PUBLIC UTILITIES, FRANCHISES, AND USE OF PUBLIC PROPERTY**

9.01 Town Authority.

(1) The Town shall have and exercise with regard to all utilities, public services, and franchises, including water and water rights and acquisition thereof and bonded indebtedness in connection therewith, all municipal authority and functions now existing and that may be hereafter provided by the Colorado Constitution and Colorado Revised Statutes.

(2) The Town shall have authority, within or without the territorial limits of the Town, to construct, condemn, purchase, acquire, lease, and operate public works, utilities and assets, equipment, and everything in relation to or in connection therewith, in whole or in part, for the use of the Town, its inhabitants, and those it serves.

{3} Except as otherwise provided by the Colorado Constitution or this Charter, all authority concerning the granting, amending, revoking, or otherwise dealing in franchises shall be exercised by the Council.

9.02 Grant of Public Utility Franchise. Grants of public utility franchises and all extensions and amendments shall be granted only by ordinance. The granting of franchises by the Town shall be limited only by the provisions of the Colorado Constitution and statutes that are applicable to home rule municipalities as now in effect or as hereafter amended.

9.03 Water Rights. The Town shall have the authority to buy, exchange, lease, sell, own, control, and otherwise deal in water rights.

9.04 Utility Rates. The Council shall by resolution establish rates, rules, and regulations for services provided by municipally owned utilities.

9.05 Extraterritorial Utility Service. If the Council desires to extend the municipal utilities beyond Town boundaries, it shall do so by ordinance.

9.06 Term, Compensation, and Restriction.

(1) No franchise, lease, or right to use the streets or the public places or property of the Town shall be granted for a term that exceeds fifteen {15} years. Every grant of a franchise shall fix the amount and manner of payment of compensation to be paid by the grantee for the use of the same. Such compensation shall be paid as provided and be subject to mutual periodic renegotiation, and failure to pay shall result in forfeiture of the franchise at the option of the Council. This provision shall not except the grantee from any lawful

taxation upon grantee's property nor from any license, charges, or other impositions levied by the Council or not levied on account of the use granted by the franchise.

(2) Every public utility not owned by the Town, whether it has a franchise or not, shall pay such part of the cost of improvement or maintenance of streets, alleys, bridges, and other public places as shall arise from their use thereof and shall protect and hold the Town harmless from all damages arising from said use.

(3) Every such public utility may be required by the Town to permit joint use of its property and appurtenances located in the streets, alleys, or other public places of the Town by the Town and by other utilities insofar as such joint use may be reasonably practicable.

9.07 Assignment of Franchise. Any assignment or leasing of a franchise shall be considered forfeiture unless consent is given by the Council by ordinance.

9.08 Existing Franchises. All franchise ordinances of the Town in effect at the time that this Charter is adopted shall remain in full force and effect according to their provisions and terms until the expiration date provided in such ordinance or until modified by another franchise.

9.09 Revocable License. The Council may grant a license at any time for the temporary use, control, or operation of any Town-controlled property, provided such licenses shall be revocable at the will of the Council regardless of whether or not such right to revoke is expressly reserved in such license.

**ARTICLE X
TAXATION**

10.01 Power to Tax. The Town shall have all powers of taxation available to municipalities in the Colorado Constitution or any other enabling law.

10.02 Certification of Tax Levy.

(1) As required by law, the Council shall fix the amount of tax levy that shall be assessed, if any, upon each dollar of assessed valuation of all taxable property within the incorporated limits of the Town, and the Council shall cause the same to be certified to Weld County as required by law.

(2) If the Council fails in any year to make such levy, the rate last fixed shall be the rate for the ensuing fiscal year and shall be levied as provided by law.

10.03 Expenditure of Revenues.

(1) The Town shall be authorized to collect, retain, and expend all of the sales and use tax revenues and all revenues generated by the Town, subject only to those limitations previously approved by the voters, notwithstanding any limitation contained in Article X, Section 20 of the Colorado Constitution or any other law.

**ARTICLE XI
INITIATIVE, REFERENDUM, AND RECALL**

11.01 Initiative.

(1) The initiative power, reserved by Article V, Section 1(9) of the Colorado Constitution, is hereby extended to the registered electors of the Town as to that Town legislation that is subject to the initiative power reserved in said Constitution.

(2) Procedures for initiative shall be governed by the Colorado Constitution and the Colorado Revised Statutes, except as otherwise provided in this Charter and in ordinances not inconsistent with this Charter.

(3) An initiative petition shall be signed by registered electors of the Town equal in number to at least ten percent (10%) of the total number of registered electors of the Town as of the date of filing the petition.

(4) The Town Clerk shall not count as valid any signature on an initiative petition if the date of the signature is prior to the date that the form of the petition was approved by the Town Clerk.

(5) A complete initiative petition shall be filed within one hundred eighty {180} days of the Town Clerk's approval of the form of petition.

11.02 Referendum.

(1) The referendum power, reserved by Article V, Section 1(9) of the Colorado Constitution, is hereby extended to the registered electors of the Town as to those ordinances that are subject to the referendum power reserved in said Constitution. Such ordinances shall be referred pursuant to the Colorado Revised Statutes that establish procedures for a municipal referendum, except as otherwise provided in this Charter and in ordinances not inconsistent with this Charter.

(2) Procedures for referendum shall be governed by the Colorado Revised Statutes, except as otherwise provided in this Charter and in ordinances not inconsistent with this Charter.

(3) A referendum petition shall be signed by registered electors of the Town equal in number to at least ten percent (10%) of the total number of registered electors of the Town as of the final date of publication of the ordinance at issue.

(4) The Town Clerk shall not count as valid any signature on a referendum petition if the date of the signature is prior to the date that the form of the petition was approved by the Town Clerk.

(5) Complete referendum petitions must be filed within thirty {30} days after

adoption by the Council of the ordinance sought to be reconsidered.

(6) When a valid referendum petition is filed with the Town Clerk, the ordinance to be reconsidered shall remain in effect until such time as one of the following occurs:

(a) The Council, at its discretion, suspends the ordinance pending an election.

(b) A majority of the registered electors voting against the ordinance at an election held for that purpose.

(c) A court order reverses the ordinance.

11.03 Petitioners' Committee. Any two (2) registered electors of the Town may commence initiative or referendum proceedings by filing an affidavit with the Town Clerk during regular business hours, stating the following:

(1) Identification of the ordinance that may be subject to a referendum or initiative petition;

(2) They will constitute the Petitioners' Committee; and

(3) Their names and mailing address to which all notices to the Committee are to be sent.

11.04 Form and Content of Petitions.

(1) The petition shall set out in full the proposed initiative or cite the ordinance sought to be reconsidered. All pages of the petition shall be uniform in size and style and shall be assembled as one (1) instrument for filing. Each signature shall be executed in nonerasable ink and shall be followed by the printed name, street address of the person signing, and date of signature. Petitions shall contain or have attached thereto throughout their circulation the full text of the ordinance or proposed Charter amendment sought to be reconsidered.

(2) The form of petition shall be submitted to the Town Clerk during regular business hours for review and approval. The Town Clerk shall approve or reject the form of petition no later than five (5) business days following the date on which the Clerk received the petition for review.

11.05 Affidavit of Circulator. Each page of a petition shall have attached an affidavit executed by the circulator thereof stating the following:

(1) The affiant's name and address and the date of the affiant's signature.

(2) That the affiant has read and understands the laws governing the circulation

of petitions.

(3) That the affiant was eighteen {18} years of age or older at the time of circulating the petition.

(4) That the affiant personally circulated the petition.

(5) That all signatures were affixed in their presence.

(6) That the affiant believes the signatures to be the genuine signatures of the persons whose name they purport to be.

(7) That to the best of affiant's knowledge, all signatures are of persons who are registered electors of the Town of Severance.

(8) That the affiant has not paid or will not in the future pay-and that the affiant believes that no other person has paid or will pay, directly or indirectly- any money or other thing of value to any signer for the purpose of inducing or causing such signer to affix their signature to the petition.

11.06 Procedure After Filing. Within thirty (30) days after a petition is filed, the Town Clerk shall complete a certificate as to its sufficiency and the validity of the signatures thereon, specifying any insufficiencies. The Town Clerk shall promptly mail a copy of the certificate to the Petitioners' Committee.

11.07 Action by Council. When an initiative or referendum petition has been determined sufficient, the Council shall, within thirty (30) days, either:

(1) Adopt the ordinance as submitted by the initiative petition;

(2) Repeal the ordinance, or part thereof, subject to the referendum petition; or

(3) Submit the proposal in a petition to the registered electors of the Town, provided that the Council shall have power to change the detailed language of any proposed initiated ordinance and to affix the title thereto without changing the meaning of the initiated ordinance.

11.08 Results of Election.

(1) Initiative. If a majority of the registered electors voting on a proposed initiated ordinance vote in its favor, it shall be considered adopted upon certification of the election results. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.

(2) Referendum. If a majority of registered electors voting on a referred ordinance

vote for repeal, it shall be considered repealed upon certification of the election results.

(3) Amendment or repeal. An ordinance adopted by the electorate may not be amended or repealed for the period of six (6) months after the date of the election at which it was adopted, and an ordinance repealed by the electorate may not be reenacted for a period of six (6) months after the date of the election at which it was repealed, provided that any ordinance may be adopted, amended, or repealed at any time by appropriate referendum or initiative procedure in accordance with the foregoing provisions of this Article or if submitted to the electorate by the Council on its own motion. A proposed ordinance or proposed Charter amendment that fails at the election that was held to consider it shall not be refiled as an initiative petition for at least six (6) months after the election held to consider said ordinance or Charter amendment.

11.09 Council Referral. The Council shall have the power to submit any proposed ordinance or any question to a vote of the registered electors of the Town without receipt of any petition.

11.10 Withdrawal of Petition. No initiative or referendum petition may be withdrawn once it has been certified as sufficient by the Town Clerk.

11.11 Exceptions. Notwithstanding these provisions for initiative and referendum, the following ordinance matters shall not be subject to initiative or referendum:

(1) Ordinances addressing budgets, capital programs, appropriations, levies of taxes, and salaries or terms of employment of Town officers or employees shall not be subject to initiative.

(2) Ordinances addressing budgets, capital programs, appropriations, levies of taxes, salaries of Town officers or employees, special elections, emergencies, authorization of issuance of improvement district bonds payable in part from special assessments, levying special assessments, or contractual obligations of the Town shall not be subject to referendum.

11.12 Recall.

(1) A petition to recall the Mayor or any Council Member may be filed at any time after the Mayor or Council Member has been in office for six (6) months, pursuant to C.R.S. § 31-4-501, et seq., as amended, except as otherwise provided in this Charter and in ordinances not inconsistent with this Charter.

(2) A recall petition must be presented to the Town Clerk for review and shall name no less than three (3) and no more than five (5) registered electors who shall represent the recall effort and specify a mailing address where notices related to the

petition shall be sent.

(3) The recall petition shall include a statement of the grounds on which the recall is sought, in two hundred (200) words or less.

(4) No recall petition shall be circulated until the Town Clerk approves the form of the petition. The Town Clerk shall approve or disapprove the form of the petition by the close of the third business day following submission of the proposed petition and the Clerk shall mail notice of their action to the person sought to be recalled on the day that any such petition is approved.

(5) A recall petition shall be signed by registered electors of the Town. Each signature shall be executed in nonerasable ink and shall be followed by the printed name, street address of the person signing, and date of signature. The signers shall number at least twenty-five percent (25%) of the number of eligible electors of the Town at the last preceding regular election.

(6) The Town Clerk shall not count as valid any signature on a recall petition if more than thirty (30) days have elapsed between the date the petition was approved and the date of the signature.

(7) The signed recall petition shall be submitted to the Town Clerk during regular business hours. The Town Clerk shall issue a statement of the number of valid signatures and whether the recall petition is sufficient or insufficient by the close of business on the fifth business day after the petition is filed and shall send it to the mailing address provided for in Section 11.12(2) of this Charter and to the incumbent.

(8) Written protests to the determination of sufficiency may be filed by registered electors of the Town within fifteen (15) days after the filing of the petition. Protests shall be processed in accordance with the Colorado Revised Statutes.

(9) If a recall petition is determined sufficient, the Town Clerk shall submit it to the Council at the first regular meeting of the Council after the close of the protest period.

(10) The recall election shall be held no less than thirty (30) days nor more than ninety (90) days from the date of the determination of sufficiency of the petition. However, if a regular municipal or statewide general election is scheduled to be held within one hundred eighty (180) days after submission of a recall petition, even though that election is not the one at which the office held by the person sought to be recalled would otherwise be filled, the recall election shall be held at the same time as that regular municipal or statewide general election.

(11) After one (1) recall petition and election, no further petition shall be filed against the same person during the term for which they were elected or appointed

unless the signers number at least fifty percent (50%) of the number of registered electors at the last preceding regular election.

ARTICLE XII
MISCELLANEOUS PROVISIONS

12.01 Purchase, Sale, or Lease of Real Property. Except as otherwise expressly provided herein, the Council by resolution may purchase real or personal property. The sale, exchange, or disposal of real or personal property shall be approved by ordinance and require the affirmative vote of six (6) council members. The Council by resolution may lease any real property to any person, firm, or corporation, public or private, for such term as the Council shall determine.

12.02 Eminent Domain. The Town shall have the right of eminent domain for all municipal purposes, either within or without the limits of the Town.

12.03 Contracts with Other Governmental Entities. The Council may by resolution enter into contracts or agreements with other governmental or quasi-governmental entities.

12.04 Bequests, Gifts and Donations.

(1) The Council, on behalf of the Town, may receive or refuse bequests, gifts, and donations of all kinds or property in fee simple or in trust for public, charitable, or other purposes and may do all things and acts necessary to carry out the purposes of such bequests, gifts, and donations, with the power to manage, lease, sell, or otherwise dispose of same in accordance with the terms of the bequests, gifts, or donations.

(2) The Council may provide in each annual budget for the amount, if any, of money that the Council may have available to donate for public, charitable, or other purposes. The Council may delegate the responsibility for such bequests, gifts, and donations to such persons as the Council may deem advisable.

12.05 Contracts for Purchases, Leases, and Construction of Public Works.

(1) The Council may establish procedures for entering into contracts for purchases, leases, and construction of public works.

(2) Purchases of, or contracts for, supplies, material, equipment, or improvements shall be made under requirements regarding competitive bidding as prescribed by the Council.

12.06 Amendment.

(1) In addition to the provisions otherwise stated in this Charter, this Charter may be amended in the manner provided by Article XX of the Colorado Constitution at any general election or special election called for the purpose of proposing such amendments either when:

(a) Referred to the town electors by a majority of the Council.

(b) Submitted by electors pursuant to the initiative process.

(2) If provisions of two (2) or more (2) proposed amendments adopted or approved at the same election conflict, the amendment receiving the greatest number of votes shall prevail on the conflicting issue.

12.07 Effect of the Colorado Revised Statutes. The power to supersede any law of the state of Colorado now or hereafter in force, insofar as it applies to local or municipal affairs, shall be reserved for the Town acting by ordinance, subject only to restrictions of the Colorado Constitution and subsequent amendments to this Charter. Unless otherwise provided by this Charter or by ordinances adopted by the Council hereunder, the statutes of the state of Colorado shall be in effect.

12.08 Severability. If any provision, article, section, sentence, clause or part of this Charter, or the application thereof to any person or circumstance, is adjudged by any court of competent jurisdiction to be unconstitutional or invalid, such adjudication shall not affect, impair, or invalidate the Charter as a whole or any part hereof other than the parts so adjudged to be invalid, and to this end, the provisions of this Charter are declared to be severable.

12.09 Titles and Subheadings. The Article titles and subheadings in this Charter are inserted for convenience and reference only and shall not be construed to limit, describe, or control the scope or intent of any provision herein.

12.10 Construction of Words. Except as otherwise specifically provided or indicated by the context hereof, all words used in this Charter indicating the present tense shall not be limited to the time of the adoption of this Charter but shall extend to and include the time of the happening of any event or requirement for which provision is made herein. The singular number shall include the plural, the plural shall include the singular, and the masculine gender shall extend to and include the feminine gender and neuter. "Person" may extend to and be applied to bodies politic and corporate and to partnerships and individuals.

12.11 Indemnification of Mayor and Council. The Council shall indemnify any Council member, the Mayor, any employee, or any appointed official who was or is a party or is threatened to be made a party to any threatened, pending, or completed action, suit, or proceeding, by reason of the fact that they are or were an officer of the Town, against expenses (including attorney fees), judgments, fines, and amounts paid in settlement actually and reasonably incurred by them in connection with such action, suit, or proceeding if they acted in good faith within the scope of their employment, with no reasonable cause to believe their conduct was unlawful, and in a manner they reasonably believed to be in the best interest of the Town.

**ARTICLE XIII
TRANSITION PERIOD**

- 13.01 Purpose of Transitional Provisions. The purpose of this Article is to provide for an orderly transition from the present Town government to a home rule Town government under the provisions of this Charter. The provisions of this Article shall constitute a part of this Charter only to the extent necessary to accomplish that purpose.
- 13.02 Effective Date of Charter. This Charter shall become effective immediately upon final certification of the election at which a majority of the registered electors of the Town approve this Charter.
- 13.03 Continuation of Appointed Officers and Employees.
- (1) All appointed officers and employees of the Town at the time this Charter is adopted shall continue in that office or employment that corresponds to the Town office or employment that they held prior to the effective date of this Charter.
- (2) All appointed officers and employees of the Town shall, in all respects, be subject to the provisions of this Charter, as though they had been appointed or employed in the manner provided in this Charter, except that any officer or employee who holds a position that this Charter provides to be held at the pleasure of Council shall hold such position only at such pleasure regardless of the term for which they were originally appointed or hired.
- 13.04 Continuation of Prior Town Legislation. All bylaws, ordinances, resolutions, contracts, rules, and regulations of the Town that are in force at the time this Charter becomes effective shall continue in full force except insofar as they conflict with the provisions of this Charter or are subsequently amended or repealed by ordinance enacted under authority of this Charter.
- 13.05 Savings Clause. This Charter shall not affect any suit pending in any court or any document heretofore executed in connection therewith. Nothing in this Charter shall invalidate any existing contracts between the Town and any person.
- 13.06 Current Trustee Terms. Trustees in office as of the date of adoption of this Charter shall become Council Members instead of Trustees. The term of any Trustee that would end in April 2022 shall be extended until the first regular Council meeting in January following the November 2023 election. Trustees elected in April 2020 shall become Council Members instead of Trustees, and their terms shall be extended until the first regular Council meeting in January following the November 2025 election. The term of the Mayor elected in April 2018 shall continue until the first regular Council meeting in January following the November 2023 election.

13.07 Time Limitation. All acts required by this Charter to be performed by the new Town Council shall be performed within one hundred eighty (180) days of the effective date of this Charter.

**THE TOWN OF SEVERANCE CHARTER COMMISSION
CERTIFICATE OF FINAL ADOPTION**

We, the undersigned, current members of the Town of Severance Home Rule Charter Commission who were duly elected by the people of Severance, Colorado, at a regular election held on November 2, 2020 under the authorization of Article XX of the Colorado Constitution to frame a Home Rule Charter for the Town of Severance, hereby certify that the foregoing is the proposed Charter as finally approved and adopted by the members of the Charter Commission on the first (1st) day of March 2021 for submission to the Town of Severance Board of Trustees for referral to the people of Severance at the special election on September 7, 2021.


Respectfully submitted to the Board of Trustees at Severance, Colorado, the sixth (6th) day of April 2021.



Matthew Fries, Chair



Jennifer Nethery, Vice-Chair



Joe Pirrone, Secretary



Frank Baszler, Commissioner




Janet Deason, Commissioner



Josh Greer, Commissioner




Rodney Simpson, Commissioner



David Bruen, Commissioner



Dan Meyers, Commissioner



Julie Stout, Commissioner



Kerri Iserman, Commissioner



OUR MISSION...

is to be a welcoming community in the heart of Northern Colorado, with small town character surrounded by agriculture with opportunities to visit, play, and grow.



OUR VISION...

to create a safe, thriving, desirable community by honoring the values and goals of our growing population. To encourage positive community engagement and involvement through the voice and rights of all our residents. To maintain a family-friendly community with opportunities for local economic growth.

OUR GOALS

GOOD GOVERNANCE

- Oath of Office
- Fiscally Responsible
- Transparent
- Responsible Economic Development

INFRASTRUCTURE AND SECURITY

- Water-Independence
- Wastewater
- Transportation
- Safe Passageways

COMMUNITY ENGAGEMENT

- Public Safety
- Emergency Management Preparedness
- Communication

CORE VALUES

Accessible

Responsive

Honest

Accountable

Professional

Responsible

Neighborly

Quality
of Life

CODE OF CONDUCT AND ETHICS¹

1. Intent.

This Code of Conduct and Ethics (“Ethics Code”) is adopted in accordance with Section 3.06 of the Home Rule Charter for the Town of Severance (the “Charter”) and is intended to govern the conduct of elected and appointed officials of the Town with respect to conflicts of interest and the performance of their official duties on behalf of the Town and its residents.

2. Purpose.

- A. The Town Council recognizes that the holding of public office is a public trust and that public officials have a fiduciary duty to carry out the responsibilities of their office for the benefit of the Town. The Town Council finds that ethical standards among its members and the members of the Town’s boards and commissions are essential to the public affairs of the Town. In pursuit of such goals, the Town Council adopts the following rules, regulations, standards, and procedures as set forth in this Ethics Code.
- B. The purposes of this Ethics Code are to foster public trust and promote public confidence in the integrity of the Town government, and to provide guidance in the event of conflicts of interest to members of the Town Council and to the boards and commissions operating on behalf of the Town. This Ethics Code is further intended to foster public trust by ensuring that government decisions and policy be made in proper channels of the government structure; and by prohibiting the use of public office for private gain.
- C. This Ethics Code establishes guidelines for standards of conduct by setting forth those acts or actions that are incompatible with the best interests of the Town; by directing disclosure of private, financial, or other substantial interests in matters affecting the Town; and by imposing appropriate sanctions upon elected or appointed officials who violate the provisions of this Ethics Code.
- D. While it is critical that elected and appointed officials of the Town follow both the letter and spirit of this Ethics Code, it is equally important that they strive to avoid situations that may create public perceptions of violations of this Ethics Code. Perceptions of such violations can have the same negative impact on public trust as actual violations.

3. Scope of coverage.

The provisions of this Ethics Code shall be applicable to all members of the Town Council and all appointed members of the Town's boards.

4. Definitions.

As used in this Ethics Code, the following terms shall have the following meanings, except where the context clearly requires a different meaning:

"Appear on behalf of" means to act as a witness, advocate, or expert, or otherwise to support the position of another person.

¹ Adopted Feb. 22, 2022, Res. 2022-08R; amended _____, 2022, Res. 2022-15R (adding § 12).

"Board" means the Town planning commission, the Town tree board, and any other appointed board or commission, including advisory and appeal boards, created by ordinance of the Town Council or as set forth in the Town Charter or Town Code.

"Board member" means an appointed regular or alternate member of a Town board.

"Business" means any corporation, limited liability company, trust, partnership, association, sole proprietorship, firm, venture, or other legal entity carrying on a business, whether or not operated for profit.

"Confidential information" means any information that is not available to the general public or is deemed confidential in accordance with local, state or federal law, and which is obtained by reason of a Council member's or board member's official position or under circumstances by which a reasonable person could anticipate that such information not be disclosed. Confidential information shall also include matters discussed in executive sessions; however, information otherwise available to the general public does not become "confidential" merely because it was discussed in executive session.

"Conflict of interest" means a financial interest or personal interest of the Council or board member or of any relative of such member that interferes with or influences or may interfere with or influence the conduct of the duties or the exercise of the powers of the Council or board member on behalf of the Town. The term "conflict of interest" includes the restrictions set forth in Section 6 of this Ethics Code.

"Contract" means an arrangement or agreement, including the bidding or negotiation process therefor, pursuant to which any land, goods, materials, services, or other thing of value is to be furnished to the Town for a valuable consideration to be paid by the Town or is to be sold or transferred by the Town, provided the amount involved is more than one hundred dollars. The term "contract" shall include any subcontract thereof.

"Council" means the Town Council of the Town of Severance.

"Council member" means a member of the Town Council of the Town of Severance, including the Mayor.

"Day" means working days.

"Financial interest" means a pecuniary, property, or commercial interest or any other interest, the primary significance of which is economic gain or the avoidance of economic loss, held by a Council or board member or his or her relative. A "financial interest" includes, without limitation:

1. An ownership interest in a business, including ownership of securities of a corporation, or of any beneficial interest in a business, the aggregate amount of which interest or securities owned by the Council or board member and the Council or board member's relative is five (5) percent or more of any class of securities of such business or five (5) percent or greater ownership in such business;
2. A creditor interest in an insolvent business;
3. Employment or a prospective employment for which negotiations have begun, or a contractual relationship that directly relates to a matter under consideration;
4. An ownership interest in real or personal property;
5. A loan or any other debtor interest; or
6. A position as a director, manager, or officer in a business.

However, the term "financial interest" shall not include any matter involving the common public good or necessity or any matter in which a similar benefit is conferred to all persons or property similarly situated.

"Matter" or "matters" includes, without limitation, any contract, any sale, lease, or purchase of an interest in land, goods, materials, supplies, or services, and any processing or granting of a development right, license, permit, application, inspection, or administrative approval.

"Official act" or "official action" means any vote, decision, discussion, determination, recommendation, approval, disapproval, or other action, including inaction, of any Council or board member or of the Town Council or of any board of the Town.

"Pending" means those matters before the Town for an official act or action. Such matters shall not be considered "pending" if no application or request for such official act or action has been filed with or received by the Town.

"Person" means any individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, limited liability company, partnership, association, or other legal entity.

"Personal interest" shall mean a direct or indirect interest, not shared by the general public, having value peculiar to a particular Council or board member, whether or not the value is related to monetary, financial, commercial, or property matters, which value may accrue to such Council or board member or result in such Council or board member deriving or potentially deriving a personal benefit as a result of the approval or denial of any ordinance, resolution, order, or other official action, or the performance or nonperformance thereof, by the Town. Personal interest does not include any matter in which a similar benefit is conferred to all persons or property similarly situated to that of the Council or board member.

"Relative" means a Council or board member's spouse, domestic partner, child, parent, brother, sister, any dependent, or any person assuming a relationship being the substantial equivalent of those listed herein. "Domestic partner" shall mean an unmarried adult, unrelated by blood, with whom an unmarried Council or board member has an exclusive, committed relationship, maintains a mutual residence, and shares basic living expenses.

"Town" means the Town of Severance, Colorado, a Colorado home rule municipal corporation.

5. General duties.

All Council and board members have a duty to use their public positions to contribute to the public good. This Ethics Code shall not preclude such persons from acting in any manner consistent with their official duties or from providing assistance or public services to anyone who is entitled to them. All Council and board members, however, also have a fiduciary duty to refrain from using their positions in any manner for personal or private gain or which is detrimental to the public good. Council and board members must be mindful that the appearance of impropriety can be as corrosive of public confidence as an actual impropriety and must strive to avoid situations that may create an appearance of impropriety.

6. Rules of conduct for Council members and board members.

A. Confidential information.

1. No Council or board member may disclose to third parties any confidential information unless authorized to do so by a two-thirds vote of the applicable Council members and board members in office, except as required by law.

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2. No Council or board member may waive any confidence or privilege of the Council or the board unless authorized to do so by a two-thirds vote of the applicable Council or board members in office, except as required by law.
 3. The obligations and requirements of this subsection A. continue to apply to Council members and board members after leaving office.
 3. Whether or not it shall involve disclosure, no Council or board member shall use or permit the use of any confidential information to advance his or her personal or financial interest or those of any other person, unless such information is available to the public at large.
- B. *Gifts.* No Council or board member may solicit or accept from any one person or entity a present or future gift, favor, loan, service, honorarium, or thing of value, whose cumulative value is more than sixty-five dollars (\$65) per annum, or of any value whatsoever under circumstances that would lead a reasonable person to believe that such gift, favor, loan, service, honorarium, or thing of value was made or given primarily for the purpose of influencing or attempting to influence such Council or board member in connection with an official act, or as a reward for official action he or she has previously taken. This prohibition shall not apply to:
1. Campaign contributions and contributions in kind reported in full compliance with the Colorado Fair Campaign Practices Act.
 2. Admission and reasonable expenses for attendance at conferences, meetings, seminars, training sessions, cultural events, award ceremonies, or conventions related to or in connection with Town business.
 3. Acceptance of food and refreshment at conferences, meetings, seminars, training sessions, luncheon and dinner meetings, special occasions and other instances in conjunction with Town business.
 4. An unsolicited item of trivial value less than fifty dollars (\$50), such as a pen, calendar, plant, book, note pad, or other similar item, or an unsolicited token or award of appreciation in the form of a plaque, trophy, desk item, wall memento, or similar item.
 5. A gift given by an individual who is a relative or personal friend of the recipient on a special occasion.
 6. Payment of salary from employment, including other government employment, in addition to any that may be earned from being a Council or board member, and reimbursement of necessary and reasonable expenses directly related to such employment.
- C. *Conflict of interest.* No Council or board member may participate in any discussion of, or take any official action on, any matter in relation to which the Council or board member has a conflict of interest, as provided in Section 7 of this Ethics Code. In addition, a Council or board member must not perform an official act that directly and substantially affects to its economic benefit a business or other undertaking in which such Council or board member has a substantial personal or financial interest, or that directly and substantially affects to its economic detriment any business or other undertaking when such Council or board member has a substantial personal or financial interest in a competing business or undertaking.
- D. *Appearances before Council and boards.* No Council or board member may appear on behalf of a private party before the Council or board, unless otherwise permitted by the Town Code, except that any Council or board member may appear before the Council or any board to address that Council or
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board member's own personal interest. Nothing in this subsection shall preclude a Council or board member in the same manner and under the same circumstances as any other person from appearing before the Council or any board on an application of the Council or board member for a permit, license, or other approval of the Council or board required by law.

- E. *Civil litigation.* No Council or board member may appear on behalf of or represent any private interests, other than the Council member's or board member's own interest, against the interests of the Town in any civil litigation to which the Town is or may become a party, unless the consent of the Council or applicable board is first obtained, except that any Council or board member may testify under oath if subpoenaed.
- F. *Service on other governmental entities or associations.* A Council or board member may serve on a board of another governmental entity or association as long as the Council or board member (1) first requests the consent of the Council to apply for, run for, or seek appointment to the board of the other governmental entity or association and a majority of the Council members in office approve the request, (2) does not receive any personal pecuniary benefit from such service, other than reimbursement for expenses directly related to such service, (3) explicitly discloses such service through a conflict-of-interest disclosure as to type of position, compensation, and role, to be kept on file with the Town and with the other governmental entity, (4) discloses a conflict and recuses themselves from an official act of the Council or board that may directly or substantially affect the other governmental entity or association, and (5) discloses a conflict and recuses themselves from an official act of the other governmental entity or association that may directly or substantially affect the Town.
- G. *Personal benefit.* No Council or board member may use any Town property, equipment, or employee services for personal or private purposes, gain, or advantage except in the same manner and under the same circumstances as any other person who is not a Council or board member of the Town.
- H. *Special consideration.* No Council or board member may request or grant to any person any special consideration, treatment, or advantage beyond that which is available to every other person in similar circumstances or need.
- I. *Voting on matters involving own conduct.* No Council or board member may take any official action on or vote on any question concerning the member's own conduct.
- J. *Other conduct.* It shall be a violation of this Code of Conduct for any Council or board member to engage in other conduct which threatens the public confidence in the integrity of the Town government, including but not limited to illegal conduct, conduct which puts self-interest before public interest, willful or persistent failure to perform his or her duties, engaging in any form of harassment or unlawful discrimination, or any other conduct involving dereliction of duties.

7. Conflict of interest—Disclosure; Recusal.

- A. No Council or board member may vote on any matter if the member has a conflict of interest as defined above. In the event that a Council or board member has a conflict of interest in any matter proposed or pending before the Council or board of which he or she is a member, the member shall disclose the conflict of interest in a public meeting and shall not vote, participate in, or take any official action on the matter.
- B. In the event that any Council or board member is aware that he or she could reasonably be perceived as having such a conflict of interest or is unsure of the existence of such a conflict, the member shall

nevertheless disclose the possibility of such conflict of interest to the Council or board. The member may request an advisory opinion pursuant to Section 9 of this Ethics Code and if it is determined that such member has a conflict of interest, the member shall disclose such conflict of interest to the Council or board and shall not vote, participate in, or take any official action on the matter.

- C. A Council or board member with a conflict of interest shall physically remove himself or herself from the room in which the Council or board is meeting and shall refrain from attempting to influence the decisions of the other members of the Council or board of which the person is a member. No vote shall be recorded for a Council or board member who refrains from voting due to a conflict of interest. After the Council or board has completed consideration of the matter, the member may return and resume his or her duties as a member of the Council or board.
- D. A Council or board member who has a conflict of interest may vote notwithstanding the requirements and restrictions of this section if his or her participation is necessary to obtain a quorum or otherwise enable the Council or board to act and if he or she complies with the disclosure procedures under subsection A or B of this section.

8. Quasi-judicial decisions.

- A. *Duty to remain impartial.* Each Council and board member shall be and remain impartial when making any quasi-judicial decision. Any Council or board member who cannot be impartial in making a quasi-judicial decision shall follow the disclosure and recusal procedures in Section 7 of this Ethics Code.
- B. *No investigation or ex parte communications.* No Council or board member shall receive nor shall any Town employee or member of the public provide to any Council or board member any substantive oral or written information, except for legal advice, regarding a matter which is pending before the Council or board on which the member sits, and which is the subject of a quasi-judicial hearing before the Council or board, outside of the quasi-judicial hearing process. The term "quasi-judicial hearing process" includes, but is not limited to, preparations necessary for such hearing such as written staff reports, scheduling, agendas, proposed resolutions and ordinances, posting or publishing notice, and legal advice. The Town Attorney shall provide affected Council or board members advice on what constitutes a quasi-judicial decision.
- C. *Disclosure.* In the event a Council or board member shall inadvertently or unintentionally receive any substantive oral or written information outside of the quasi-judicial hearing process, as prohibited in this section, the Council or board member shall fully and completely disclose such substantive oral or written information received at the start of the quasi-judicial public hearing process. By making such full and complete disclosure, the Council or board member shall be deemed to be in compliance with the requirements of this section. Failure to make such full and complete disclosure shall be a violation of this section.

9. Advisory opinions.

- A. Any Council or board member may request from the Town Attorney an advisory opinion whenever a question arises as to the applicability of this Ethics Code to a particular situation. In determining whether or not a Council or board member has a conflict of interest, consideration may be given to the following:
 - 1. The purposes and provisions of this Ethics Code;
 - 2. Whether the potential conflict of interest would impede independence of judgment;

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3. The effect of the member's participation on public confidence in the integrity of the Council or board and of the Town government;
 4. Whether the member's participation is likely to have any significant effect on the ultimate disposition of the matter; and
 5. The member's fiduciary obligations to the Town.
- B. Should the Town Attorney at any time determine that he or she has a conflict of interest in carrying out the duties of this section, the Town attorney shall request that the Town Council appoint special counsel to undertake such duties. Special counsel must be engaged by a majority vote of the Council and his or her reasonable fees and expenses shall be paid by the Town.

10. Enforcement.

- A. *Council to enforce.* The Town Council shall have the responsibility for the enforcement of this Ethics Code and the Town's Charter as to Council and board members. The Council shall have the power to investigate any complaint and to initiate any civil action on behalf of the Town where it believes such action is appropriate. If the accused is a Council member, the procedures in Subsection 7.C. shall apply, except that the accused Council member may participate as a party in a hearing on a complaint under this section. Further, the Council shall have the power to appoint a hearing officer to carry out all duties assigned to the Council in this section, except that only the Council may impose sanctions under subsection I. of this section and determine whether to reimburse attorney fees under subsection K. of this section.
- B. *Verified complaint.* Any person who believes that a Council or board member has violated any of the provisions of this Ethics Code or the Charter and wishes to initiate proceedings on such alleged violation shall file a written complaint with the Town Clerk, who shall forthwith forward the complaint to the Council. The Town Clerk shall within ten days of a receipt of a complaint cause to be personally served a copy of the complaint to the Council or board member who is the subject of the complaint. The complaint must state in detail the facts of the alleged violation, must specify the provisions of this Ethics Code or the Charter alleged to have been violated, and must contain a sworn or verified statement signed by the complainant and stating under penalty of perjury that the information in the complaint is true and accurate, and that the complaint is filed in good faith and not out of malice or any other improper motive or purpose. Any complaint that does not contain such a signed statement shall be returned forthwith to the complainant without action.
- C. *Dismissal.* If the Council determines that the verified complaint does not allege facts sufficient to constitute a violation of this Ethics Code or the Charter, it shall dismiss the complaint and notify the complainant and the accused.
- D. *Investigation.* Following the receipt of a complaint or upon the receipt of other information, whether or not under oath, that provides a reasonable basis to believe that a violation of this Ethics Code or the Charter has been committed or that an investigation of a possible violation is warranted, the Council may cause an investigation to be made of the circumstances concerning the possible violation. An investigation shall be conducted by a special investigator, who shall be a qualified disinterested party recommended by the Town Attorney, and who shall be engaged by a majority vote of the Council. The reasonable fees and expenses of the special investigator shall be paid by the Town. Before invoking its investigatory powers, the Council shall approve a motion which shall state the nature and purpose of the investigation, the actions or activities to be investigated and the persons who are the subject of

the investigation. The Council shall, within five days, serve a copy of the motion on the accused together with a notice informing the person that he or she is the subject of the investigation and a general statement of the applicable provisions for which violations are being investigated.

- E. *Special investigator.* The special investigator may interview witnesses and request documents that may be relevant to the investigation. Before completing the investigation, the special investigator shall provide the Council or board member against whom the complaint is made an opportunity to provide information concerning the complaint. Such information must be provided in writing. Upon completion of the investigation, the special investigator shall provide a written investigation report to the Council stating whether there is probable cause to believe the violation(s) alleged in the complaint occurred, whether the investigation revealed that there is probable cause to believe that different or additional violations of this Ethics Code or the Charter occurred, or recommending dismissal of the complaint, and the basis for the special investigator's conclusions. A copy of the investigation report shall be provided to the Council and served on the accused.
- F. *Dismissal or hearing.* Upon completion of the investigation, the Council shall review the investigation report and dismiss the complaint if it determines there was no violation of this Ethics Code or of the Charter. If the Council determines, based on the investigation report, that there is probable cause that a violation occurred, it shall by motion set a hearing date, time and place. The investigative report and notice of the hearing shall be served on the accused not less than thirty days prior to the hearing.
- G. *Hearing.* The mayor or mayor pro tem shall preside over the hearing on the complaint and shall determine all procedural issues with the assistance of the Town Attorney. The special investigator shall present the case against the accused. The accused may be represented pro se or by any person of the accused's choice. The hearing shall be conducted so as to provide fundamental fairness, although strict rules of procedure and evidence need not be followed. All witnesses shall be subject to cross-examination. Documentary evidence that can be reasonably authenticated shall be admitted for consideration. A violation of this Ethics Code or the Charter shall be proven by a preponderance of the evidence as determined by two-thirds of all the voting members of the Council. Upon finding that the accused violated this Ethics Code or the Charter, the Council may continue the hearing to discuss and, in its discretion, to receive additional evidence regarding the appropriate penalty.
- H. *Findings.* At the conclusion of the hearing regarding the alleged violation, the Council shall dismiss the charges or find that the accused violated this Ethics Code or the Charter. The Council shall serve on the accused a written findings and order within thirty days after conclusion of the hearing.
- I. *Sanctions.* Upon finding that a Council or board member has violated this Ethics Code or the Charter, the Council may impose an oral or written reprimand, a public censure, non-financial restorative justice measures, or other sanctions as the Council deems just and appropriate depending on the seriousness of the violation and any mitigating circumstances. The Council may also remove any board member from such person's appointed position. The Council may also remove a Council or board member from any committees, boards, or other special or ex officio appointments. If a hearing officer appointed by the Council issued the findings and order, the hearing officer may provide a recommendation regarding sanctions for the Council's consideration.
- J. *Service.* Service of any notice or other document pursuant to this section or this Ethics Code is complete upon mailing certified mail to the person's last known address, or upon personal service.

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- K. *Reimbursement of attorney fees.* If the final outcome of any complaint filed pursuant to this section is dismissal or in the event the Council or board member against whom a complaint is filed is found by the Council not to be in violation of the provisions of this Ethics Code or the Charter, then, in that event, the Council or board member may request and the Town may reimburse the Council or board member for any attorney fees actually expended by the Council or board member in his or her defense of the complaint, in an amount determined by the Council in its sole discretion, subject to appropriation. The Council or board member seeking such reimbursement of attorney fees as provided for herein shall file a complete and detailed request for reimbursement with the Council showing amounts expended and specific legal services received. The Council shall then review the request and determine its appropriateness hereunder. In the event the Council has determined by resolution to reimburse such fees, the Town shall reimburse such fees within 60 days of receipt of the request for reimbursement, subject to appropriation therefor.
- L. *Other actions not precluded.* Nothing in this section or this Ethics Code shall be construed to preclude other actions that may be available at law against a Council or board member for violations of this Ethics Code or the Charter.

11. Compliance with other laws.

The requirements of this Ethics Code shall be in addition to the applicable requirements of the Town Charter, the Town Code, the Colorado Constitution, and the laws of the state. To the extent any conflict exists between the requirements of this Ethics Code and the requirements of the Town Code, the Colorado Constitution, or the laws of the state, the more restrictive provision shall apply.

12. Conduct with Town Staff.

- A. For purposes of this section, "staff" shall mean employees of the Town, the Town Manager, and contract consultants performing services for the Town. "Staff" does not include the Town Attorney or the Town's Municipal Judge.
- B. In interacting with Town staff, Council members and board members shall:
1. Treat all staff members as professionals;
 2. Not disrupt staff in the performance of their duties;
 3. Not publicly criticize individual staff members;
 4. Direct all questions of staff through the Town Manager; and
 5. Not attend staff meetings unless invited by the Town Manager.
- C. Individual Council members and board member are prohibited from giving a direct order to any staff member, and from soliciting political support from any staff member for any Council member's or board member's campaign for any elected or appointed office.
- D. If a Council member wishes to discuss matters relating to Town operations and administrative services with Town staff, the Council member must first advise the Town Manager. The Town Manager

may either arrange a time and place for the Council member to discuss the matter with the appropriate staff, or arrange for the appropriate staff to attend a Town Council meeting to discuss the matter with the entire Council, as appropriate.

E. Council members and board members may only request information from staff through the Town Manager. If, in the Town Manager's determination, more than 60 minutes of staff time per calendar week will be required to obtain or compile the requested information, the request will not be processed unless the matter is placed on the Town Council's agenda for consideration at an upcoming regular or special meeting. The Town Manager will proceed to direct staff to fulfill the request only if so directed by a vote of the majority of the Council present.



Introduction/Experience/Disclaimer

COUNCIL / MANAGER FORM OF GOVERNMENT

The Council-Manager form of government is the predominant form of Town government in the United States. Its origins can be traced back as far as 1915.

The Council-Manager form of government is based on the separation of roles and responsibilities between the Town Council and the Town Manager for the effective and efficient investigation, deliberation, and delivery of services to the citizen of your Town.

Its goals are best achieved when there is an open, dynamic, and cooperative working relationship built on trust between the Town Council as a body politic, the Town Council as individuals, and the Manager. It is further enhanced by the understanding that each person is conducting themselves in their role(s) in a reasonable, responsible, and accountable manner working together in the best interest of the citizens of the Town of Severance.

ROLES AND RESPONSIBILITIES

What is the role of the Town Council of Severance?

What is the role of a Trustee on the Town Council of Severance?

What is the role of the Manager of the Town of Severance?

THE WORK OF THE TOWN COUNCIL:

The Town Council has the exclusive responsibility for policymaking, which is the most important aspect of local government. Basically, setting policy is the process of deciding what is to be done. This should not be confused with how it is to be done.

In Simplest Terms, “WHAT TO DO” is policymaking, and “HOW TO DO IT” is administration.

In determining “WHAT TO DO” a basic framework of making a determination might be helpful.

- Determining what is needed.
Personal observations, citizen requests, or recommendations from the Town Manager.
- Determining the will of the people.
Ongoing discussion with citizens, election issues, and personal views.
- Determining what can be done, financially and practically.
Reliance on the Town Manager and Town staff for the technical and operational advice.
- Taking action.
Passing, modifying, or defeating an ordinance or resolution.

The second major part of the Town Council’s job is the general responsibility for requiring effective administrative action on the part of the Town Manager. The Manager is responsible to the Town Council for the day-to-day operations of the Town and the proper administration of Town policy. Because of the difference in responsibilities, it is essential that the Council seek to develop a working relationship with the Manager.

RELATIONSHIP OF THE TOWN COUNCIL TO THE MANAGER:

Of all the relationships existing throughout the Council-Manager form of government, none is more important than that between the Council and the Manager. The success or failure of the Council-Manager form of government depends in large measure on the working relationship.

The Manager is responsible to the Council for the proper conduct of all Town activities under the direction of his or her office, providing information and advice and making recommendations. The Manager is the Council's technical advisor and consultant, but only the Council can make laws and establish policies.

WORKING THROUGH THE MANAGER:

The best course of action when a citizen expresses concern is to listen, express compassion, and suggest that you will have the Manager look into the matter. Or when a matter arises that a Council Member is not well versed in mention that "we have an excellent staff that can look into that and I'm glad you're interested, let me see how we can get more information for you. Bottom line, the Council is hearing from folks which is a great thing, but please remember the Manager and staff is here to make sure the Town is running efficiently.

Most Council-Manager form of government has an understanding to the effect that a Town Council and its Council, except for the purpose of inquiry, shall deal with the administrative officers and employees under the jurisdiction of the Town Manager. The intent is to have the Council limit its contact with city officers and employees to request information and to issue directives *only as a body* to the Manager. Communicating the matter to the Town Manager increases the knowledge of all involved. It allows the Manager to manage and ultimately makes the organization stronger by focusing on a consistent manner of investigation and resolution.

RELATIONS WITH COLLEAGUES:

Much of the success of the Council-Manager form of government depends on how well the Council functions as a team. Being a member of a team requires tolerance, understanding, and excellent communication skills.



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Rules and Procedures	Brittany Vandermark, Mayor Pro-tem Lindsay Radcliff-Coombes, Deputy Town Manager	Mayor Pro Tem Vandermark
ACTION REQUESTED		
None at this time.		<u>Presentation</u>
BRIEF HISTORY OF ITEM		
BRIEF SUMMARY		
<ul style="list-style-type: none"> • Review Youth Council Bylaws • Explain meeting decorum, speaking turns, and voting • Introduce Robert's Rules of Order (how to make motions, second motions, vote, and adjourn). • Discuss attendance expectations and communication (group email/chat, adult contacts, etc.) 		
PUBLIC SUPPORT/CONCERN		
None at this time.		
ANALYSIS AND RECOMMENDATION		
None at this time.		
MATERIALS SUBMITTED		
<p>The following materials were submitted and included in this packet:</p> <ol style="list-style-type: none"> 1. Ord 2025-23 Creation of Youth Council 2. Roberts Rules Cheat Sheet 		

**TOWN OF SEVERANCE, COLORADO
ORDINANCE NO. 2025-23**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SEVERANCE,
COLORADO, ADDING ARTICLE 7, YOUTH COUNCIL, TO CHAPTER 2 OF THE
SEVERANCE MUNICIPAL CODE**

WHEREAS, the Town of Severance, Colorado (the “Town”) is duly organized and validly exists as a Home Rule Town under Article XX, Section 6 of the Colorado Constitution and the Town’s Home Rule Charter; and

WHEREAS, the Severance Town Council (the “Council”) desires to establish and maintain a council of young people to advise and consult on the issues facing the community; and

WHEREAS, the Town Council of the Town of Severance (the “Council”) finds that providing opportunities for youth residents to participate in municipal government strengthens civic engagement, encourages leadership development, and fosters a greater sense of community responsibility; and

WHEREAS, the Council further finds that establishing a Youth Council will create a formal advisory body to represent the interests and perspectives of the community’s youth and promote communication between young residents and the Town; and

WHEREAS, the Council deems it in the best interests of the health, safety, and welfare of the community to amend the Severance Municipal Code to establish such a Youth Council.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SEVERANCE, COLORADO:

Section 1. The above and foregoing findings are hereby incorporated by this reference as specific findings and determinations of the Council.

Section 2. Chapter 2 of the Severance Municipal Code is hereby amended by the addition of a new Article 7, to read in its entirety as follows:

ARTICLE 7 – YOUTH COUNCIL

Sec. 2-7-10. Creation.

There is hereby created and established a Youth Council for the Town of Severance, Colorado.

Sec. 2-7-20. Purpose.

The Youth Council shall serve as an advisory body to the Town Council by representing the interests and perspectives of the community’s youth. The Youth Council shall provide recommendations on policies, programs, and initiatives impacting young residents, promote civic engagement, leadership, and community service among youth, and foster communication between young people and local government.

Sec. 2-7-30. Composition.

The Youth Council shall consist of five (5) regular members appointed by majority vote of the Town Council. All members must be bona fide residents of the Town and must have resided in the Town for at least one (1) year.

Sec. 2-7-40. Membership requirements.

- (a) Members shall serve without compensation and at the pleasure of the Town Council.
- (b) Members must be at least thirteen (13) years of age and no older than seventeen (17) years of age.
- (c) Members must maintain a 2.0 or higher GPA.

Sec. 2-7-50. Term of office; vacancies; removal.

- (a) Each appointment shall be for a one (1) year term.
- (b) Vacancies shall be filled by appointment for the unexpired term.
- (c) Attendance Expectations. All members are expected to regularly attend scheduled meetings and fully participate in their roles.
- (d) Definitions.
 - 1. Excused Absence: An absence is excused when a member notifies the Chair or staff liaison at least 24 hours in advance and provides a valid reason, including personal illness or family emergency, pre-approved vacation or travel, work or school-related conflict, or other extenuating circumstances approved by the Chair.
 - 2. Unexcused Absence: An absence is unexcused if no prior notice is given, the reason is not deemed valid by the Chair, or the member is habitually late or leaves early without good cause.
- (e) Removal for Attendance. A member shall be subject to removal if within a calendar year:
 - 1. The member accrues three (3) unexcused absences;
 - 2. The member accrues four (4) total absences (excused or unexcused), unless extenuating circumstances exist as determined by the Town Council; or
 - 3. The member fails to attend any required training or orientation sessions without prior approval.
- (f) Notice Requirement. After a second unexcused absence, the Mayor or Mayor's designee shall provide written notice outlining the attendance policy and warning that a subsequent unexcused absence may result in removal.
- (g) Removal Process. Any member meeting the above criteria may be removed by majority vote of the Town Council. Prior to removal, the member shall receive written notice at least seven (7) days in advance stating the reasons for removal and shall have an opportunity to respond in writing or in person before final action.
- (h) Discretion of the Council. Nothing in this section limits the Council's authority to remove members for other reasons, for any reason deemed in the public interest.

Sec. 2-7-60. Officers.

The Youth Council shall annually elect a Chair, Vice Chair, Secretary, and Treasurer from among its members.

Sec. 2-7-70. Meetings.

The Youth Council shall hold meetings as necessary. Three (3) members shall constitute a quorum.

Section 3. Severability. The provisions of this Ordinance are severable and the invalidity of any section, phrase, clause, or portion of the Ordinance as determined by a court of competent jurisdiction shall not affect the validity or effectiveness of the remainder of the Ordinance.

Section 4. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 5. This ordinance is deemed necessary for the immediate protection of the health, welfare and safety of the community.

Section 6. In accordance with Section 6.03(6) of the Severance Home Rule Charter, this Ordinance shall take effect thirty (30) days after publication.

INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED IN FULL THIS 9TH DAY OF SEPTEMBER, 2025.

TOWN OF SEVERANCE, COLORADO

Matthew Fries, Mayor

ATTEST:

Sarah Jacobsen, Town Clerk

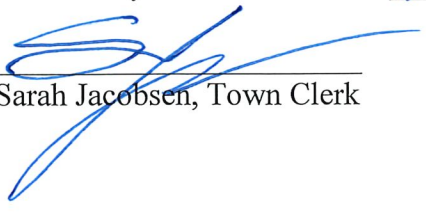


AFFIDAVIT OF PUBLICATION

STATE OF COLORADO)
)
COUNTY OF WELD)

I, Sarah Jacobsen, Town Clerk for the Town of Severance, Colorado do solemnly swear and affirm that I published in full a true and correct copy of Ordinance No. 2025-23 enacted by the Town Council on September 9 2025, on the Town of Severance’s website, <https://www.townofseverance.org/255/Oridinances> , on the 12 day of September, 2025.

Witness my hand and seal this 12 day of September, 2025.



Sarah Jacobsen, Town Clerk



Robert's Rules of Order Cheat Sheet

TYPES OF MOTIONS

1. **Main Motion:** Introduce a new item
2. **Subsidiary Motion:** Change or affect how to handle a main motion (vote on this before main motion)
3. **Privileged Motion:** Urgent or important matter unrelated to pending business
4. **Incidental Motion:** Questions procedure of other motions (must consider before the other motion)
5. **Motion to Table:** Kills a motion
6. **Motion to Postpone:** Delays a vote (can reopen debate on the main motion)

EVERY MOTION HAS 6 STEPS

1. **Motion:** A member rises or raises a hand to signal the chairperson.
2. **Second:** Another member seconds the motion.
3. **Restate motion:** The chairperson restates the motion.
4. **Debate:** The members debate the motion.
5. **Vote:** The chairperson restates the motion, and then first asks for affirmative votes, and then negative votes.
6. **Announce the vote:** The chairperson announces the result of the vote and any instructions.

TIP! If the board is in obvious agreement, the chairperson may save time by stating, "If there is no objection, we will adopt the motion to..." Then wait for any objections. Then say, "Hearing no objections, (state the motion) is adopted." And then state any instructions. If a member objects, first ask for debate, then vote and then announce the vote.

REQUESTING POINTS

Certain situations need attention during the meeting, but they don't require a motion, second, debate or voting. It's permissible to state a point during a meeting where the chairperson needs to handle a situation right away. Board members can declare a [Point of Order](#), Point of Information, Point of Inquiry or Point of Personal Privilege.

Point of Order: Draws attention to a breach of rules, improper procedure, breaching of established practices, etc.

Point of Information: A member may need to bring up an additional point or additional information (in the form of a nondebatable statement) so that the other members can make fully informed votes.

Point of Inquiry: A member may use Point of Inquiry to ask for clarification in a report to make better voting decisions.

Point of Personal Privilege: A member may use Point of Personal Privilege to address the physical comfort of the setting such as temperature or noise. Members may also use it to address the accuracy of published reports or the accuracy of a member's conduct.

* A member may make a [Motion to Reconsider](#) something that was already disposed; however, the reconsidered motion may not be subsequently reconsidered. A Motion to Reconsider must be made during the same meeting and can extend to a meeting that lasts for more than one day.

Robert's Rules of Order Cheat Sheet

ACTION	WHAT TO SAY	CAN I INTERRUPT SPEAKER?	NEED A SECOND?	CAN BE DEBATED?	CAN BE AMENDED?	VOTES NEEDED
Introduce main motion	"I move to..."	No	Yes	Yes	Yes	Majority
Amend a motion	"I move to amend the motion by..." (Add or strike words or both)	No	Yes	Yes	Yes	Majority
Move item to committee	"I move that we refer the matter to committee."	No	Yes	Yes	No	Majority
Postpone item	"I move to postpone the matter until..."	No	Yes	Yes	No	Majority
End debate	"I move the previous question."	No	Yes	Yes	No	Majority
Object to procedure	"Point of order."	Yes	No	No	No	Chair decision
Recess the meeting	"I move that we recess until..."	No	Yes	No	No	Majority
Adjourn the meeting	"I move to adjourn the meeting."	No	Yes	No	No	Majority
Request information	"Point of information."	Yes	No	No	No	No vote
Overrule the chair's ruling	"I move to overrule the chair's ruling."	Yes	Yes	Yes	No	Majority
Extend the allotted time	"I move to extend the time by ___ minutes."	No	Yes	No	Yes	2/3 vote
Enforce the rules or point out incorrect procedure	"Point of order."	Yes	No	No	No	No vote
Table a motion	"I move to table."	No	Yes	No	No	Majority

Robert's Rules of Order

Tips and Reminders

Robert's Rules of Order, which is also widely known as parliamentary procedure, was developed to ensure that meetings are fair, efficient, democratic and orderly. The following [tips and reminders](#) will help chairpersons to run a successful and productive meeting without being run over or running over others.



Follow the agenda to keep the group moving toward its goals.



Let the group do its own work; don't over-command.



Control the flow of the meeting by recognizing members who ask to speak.



Let all members speak once before allowing anyone to speak a second time.



When discussions get off-track, gently guide the group back to the agenda.



Model courtesy and respect, and insist that others do the same.



Help to develop the board's skills in parliamentary procedure by properly using motions and points of order.



Give each speaker your undivided attention.



Keep an emotional pulse on the discussions.



Allow a consensus to have the final authority of the group.

TIPS TO MAINTAIN GOOD GOVERNANCE DURING ELECTRONIC MEETINGS

1. The clerk should post the date and time, URL, and any meeting passcodes in the agenda well before the meeting starts. Ideally the agenda is stored within a secure board management platform, like **CivicClerk**. The clerk should also set up an alternative audio connection to the internet meeting platform along with the phone number and access codes for those that can only participate by phone. **(Part of Zoom feature)**
2. The clerk should set up the meeting time for at least 15 minutes before the actual meeting start time to allow members time to enter the platform and resolve any technical difficulties.
3. Members should identify themselves upon entering the meeting and plan to remain on the platform for the duration of the meeting. If they need to leave early, they should sign out of the platform as they leave the meeting.
4. Each member is responsible for their own audio and internet connections. **Councils and Boards** shouldn't invalidate any actions because an individual member's electronic connection prevented them from participating in the meeting.
5. The chair may mute or disconnect a member's connection if it's causing interference with the meeting. If the chair makes this decision, it's subject to any member requesting an undebatable appeal. The decision and the appeal should be announced during the meeting and be recorded in the meeting minutes.
6. If the chair recognizes a member to speak on the floor, the chair should clear the queue of members who also sought recognition. Members can seek recognition again and the chair should recognize a member for the purpose of determining whether the member is entitled to preference in recognition.
7. Certain groups are too large for everyone to be seen on video. The chair, secretary or tech assistant should arrange the platform so that the chair's video is pinned to the screen throughout the meeting. Also, the person handling tech issues should arrange the platform so that a member being recognized to speak has that person's video displayed.
8. At the close of the meeting, the board chair may choose to summarize discussions and ask if they missed anything.



AGENDA ITEM SUMMARY

AGENDA ITEM	SUBMITTED BY	PRESENTED BY
Youth Council Goals & Next Steps	Brittany Vandermark, Mayor Pro-tem Lindsay Radcliff-Coombes, Deputy Town Manager	Mayor Pro-Tem Vandermark
ACTION REQUESTED		
None at this time.		<u>Presentation</u>
BRIEF HISTORY OF ITEM		
BRIEF SUMMARY		
<ul style="list-style-type: none"> • Discuss and refine goals for the Youth Council's first year • Discuss Youth Officers (Action will be taken at the December Meeting) <ul style="list-style-type: none"> ○ Explain officer roles (Chair/Vice-Chair/Secretary/Treasurer) 		
PUBLIC SUPPORT/CONCERN		
None at this time.		
ANALYSIS AND RECOMMENDATION		
None at this time.		
MATERIALS SUBMITTED		
The following materials were submitted and included in this packet: None		