

San Miguel County



Administrative Policy Manual

San Miguel County, Colorado
Board of County Commissioners

Adopted: November 19, 2014

The Administrative Policy Manual integrates policies regarding county administration and records, business meetings, technology, facilities, vehicles, and financial affairs into one document readily accessible to county personnel and the public.

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ADOPTION

**RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF
SAN MIGUEL COUNTY, COLORADO
ADOPTING AN ADMINISTRATIVE POLICY MANUAL
AND REPEALING AND SUPERSEDING THE FOLLOWING COUNTY RESOLUTIONS
#1997-35, #1997-43, #2002-9, #1998-10, #2001-71 and #2008-2,
FOR THAT PURPOSE**

Resolution #2014 - 26

WHEREAS, it is in the best interest of San Miguel County, Colorado (“County”) to establish and follow policies and procedures governing the management of the County’s resources; and

WHEREAS, policies and procedures adopted by the Board of County Commissioners (BOCC) pursuant to §30-11-107, C.R.S., Powers of the board, direct the use of the County’s resources by County officials, employees and the public; and

WHEREAS, it is in the best interest of the County to establish and maintain a manual containing all BOCC administrative policies and procedures, and

WHEREAS, the BOCC does hereby find and determine that it is both appropriate and necessary that it establish and adopt an Administrative Policy Manual, a copy of which is attached hereto and incorporated herein by reference as Attachment “A”; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Attachment “A” attached hereto, is hereby adopted as the “San Miguel County Administrative Policy Manual”.
2. The adopted “Administrative Policy Manual” shall become effective on January 1, 2015 and shall remain in full force and effect until and unless amended, repealed, and/or superseded by the BOCC.
3. The Clerk to the Board is hereby authorized and directed to make Attachment “A” available to members of the public, county officials and staff, by publishing such adopted “Administrative Policy Manual” on the County’s official website.
4. The policies set forth in the attached Administrative Policy Manual shall apply to other San Miguel County elected officials’ offices to the extent such elected officials adopt the provisions of such Administrative Policy Manual for use in their offices. Any such County elected officials who adopt any of such Policy Manual’s provisions shall provide written notification of such adoption to the BOCC. The Financial Affairs policies contained in the attached Policy Manual shall apply to all San Miguel County elected officials and employees without exception, pursuant to §30-11-107(2), C.R.S.

San Miguel County Administrative Policy Manual

5. County Resolutions #1997-35, #1997-43, #1998-10, #2001-71, #2002-9, and #2008-2, are hereby repealed and superseded by the provisions in Administrative Policy Manual, Attachment A, effective January 1, 2015.

DONE AND APPROVED by the Board of County Commissioners at a regular meeting held at Telluride, Colorado, on November 19, 2014.

SAN MIGUEL COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS

/s/ Art Goodtimes

Art Goodtimes, Chair

Vote:	Art Goodtimes	<u>Aye</u>	Nay	Abstain	Absent
	Joan May	<u>Aye</u>	Nay	Abstain	Absent
	Elaine R.C. Fischer	<u>Aye</u>	Nay	Abstain	Absent

ATTEST:

/s/ John Huebner

John Huebner, Chief Deputy Clerk

Attachment: "A" – San Miguel County Administrative Policy Manual

INTRODUCTION

FOREWORD TO THE ADMINISTRATIVE POLICY MANUAL

The Administrative Policy Manual (Manual) integrates county policies regarding administration and records, business meetings, technology, facilities, vehicles, and financial affairs into one document readily accessible to county personnel and the public. The policies and procedures contained herein are necessary for the efficient, effective operation of the county government. The Manual will be made available on the official county website and internal county network.

The Manual is a resource to be used by county staff; rather than a collection of inflexible rules. It does not provide guidance to cover every circumstance that county staff might encounter. Rather, county personnel are expected to apply good judgment and common sense in their decision making.

If county personnel should have any questions concerning policies or procedures contained within the Manual; they should consult with their direct supervisor, department head or elected official. Department heads or elected officials should contact the County Administrator.

SCOPE

These policies and procedures contained herein apply to the extent that elected county officials adopt the Administrative Policy Manual for use in their respective Offices. The Financial Affairs Section policies set herein apply to all county employees and elected county officials without exception.

CHANGES AND UPDATES

The Manual will be updated on a regular basis, and the County reserves the right to change, modify or supersede any of these policies and procedures with or without notice at any time.

To report a policy in need of revision, or to ask questions about policies, contact the San Miguel County Administrator.

- a) The San Miguel County Administrator, Lynn Black. She can be reached at 970-728-3844; or by email at lynnb@sanmiguelcounty.org.

REVISION HISTORY

Additions and revisions to the Manual are recorded in the following Revision History.

SECTION 1 COUNTY ADMINISTRATION POLICIES

1-1 ESTABLISHMENT OF ADMINISTRATIVE POLICY MANUAL

PURPOSE

The Administrative Policy Manual (the “Manual”) integrates county policies regarding county administration and records, business meetings, technology, facilities, vehicles, and financial affairs into one document readily accessible to county personnel and the public. The Manual will be made available on the official county website and internal county network.

SCOPE

These policies and procedures contained herein apply to the extent that elected county officials adopt the Administrative Policy Manual for use in their respective Offices. The Financial Affairs Section policies set herein apply to all county employees and elected county officials without exception.

POLICY

The Board of County Commissioners (BOCC) establishes policies concerning the orderly administration and efficient operation of San Miguel County government. These policies establish powers, responsibilities, and rules for the county staff.

1. The BOCC hereby established Administrative Policy Manual shall contain all administrative policies adopted by BOCC resolution or BOCC action.
2. All policies shall be adopted by the BOCC at a public meeting.
3. All policies shall be in accordance with state and federal law.
4. Any action taken by the BOCC on any matter, which is considered by the BOCC to be in the nature of board policy, upon instruction by the BOCC, will be included in the Manual.
5. All policies shall be maintained in the Manual. The Manual will be continually updated to reflect current policy.
6. All policies may be revised administratively to make format changes, corrections to reflect organizational changes, or similar non-material changes without BOCC review.
7. All employees shall acknowledge receiving notice of the approved Manual.

Submission of New Policies

1. Elected county officials or department heads may initiate and prepare policy proposals to the BOCC for their formal consideration.
2. Prior to BOCC consideration all proposed policy items will be submitted to the BOCC Office and reviewed by the County Attorney. The County Administrator will prepare an action recommendation to the BOCC.

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3. After adoption of policy items by the BOCC, the Clerk to the Board shall be responsible for updating the Administrative Policy Manual.

ACKNOWLEDGMENT OF NOTICE

I HAVE RECEIVED NOTICE OF APPROVED ADMINISTRATIVE POLICY MANUAL. I UNDERSTAND THAT I AM TO BECOME FAMILIAR WITH ITS CONTENTS. FURTHER, I UNDERSTAND:

- The Administrative Policy Manual is a resource to be used by county staff; rather than a collection of inflexible rules. It does not provide guidance to cover every circumstance that county staff might encounter. County personnel are expected to apply good judgment and common sense in their decision making.
- The Administrative Policy Manual describes important information about San Miguel County and I understand that I should consult with my direct supervisor, department head, elected official or the Board of County Commissioners (BOCC) Office regarding any questions not answered in the Manual. Remember, county personnel are fiscally responsible to and serve the residents of San Miguel County and its visitors.
- Since the information, policies, procedures and benefits described here are necessarily subject to change, I acknowledge that revisions to the Administrative Policy Manual may occur. I understand that new policies and procedures may supersede, modify, or eliminate existing policies and procedures.
- Furthermore, I have received notice of approval of the Administrative Policy Manual and know an electronic copy of the Manual can be obtained on the official county website and on the SMCwide network. I understand it is my responsibility to read and comply with the policies contained in this Manual and any revisions made to it.

DEPARTMENT / OFFICE (printed)

EMPLOYEE'S NAME (printed)

EMPLOYEE'S SIGNATURE

DATE

PLEASE RETURN SIGNED FORM TO THE HUMAN RESOURCES DEPARTMENT

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1-2 POLITICAL ACTIVITIES AND CAMPAIGN-RELATED POLICY

PURPOSE

To explain the limitations on political activities in the workplace found in the Colorado Fair Campaign Practices Act (CRS § 1-45-101), United States Hatch Act (5 U.S.C. § 1501–1508) and Hatch Act Modernization Action of 2012.

POLICY

1. San Miguel County encourages its employees to participate in matters of responsible citizenship, and does not by this policy intend to interfere with the political activities of employees. However, elected officials and employees are not permitted to engage in campaign activities while at work, nor use public funds for advocacy.
2. In general, employees of San Miguel County may not participate in political activities while on-duty. In addition, employees may not use County resources such as telephones, faxes, mobile phones, computers, computer and user accounts, email, and bulletin boards for political activities.
3. Elected officials and employees during working hours and while on county premises shall not:
 - a) Ask employees to support or endorse any candidates for elected office in San Miguel County;
 - b) Circulate or ask employees to circulate any nominating petitions for such office;
 - c) Distribute or ask employees to distribute campaign literature or materials;
 - d) Display political stickers on county vehicles;
 - e) Display placards, posters or other materials on county premises on behalf of any candidate for elected office or ballot issue in San Miguel County; nor
 - f) Devote any time during work hours for any campaign activity.
4. Elected officials, department heads or supervisors shall not ask employees nor should employees engage in any political activities that give the appearance that the political activity is endorsed by the County or which interfere with the performance of the employee's regular duties.
5. A County employee should specify that any statement of endorsement he or she is making is not on behalf of the County unless there is an official county policy on the issue and that any opinion stated is solely theirs.
6. Elected officials, department heads or supervisors shall not ask employees to make contribution to a political party, to elected officials, to a candidate, or to an issue committee and a refusal shall not be used to penalize the employee in any way. An employee, while on duty or on County property, shall not request any campaign-related contributions from any other employee.
7. The County Attorney should be consulted whenever the possibility of a Fair Campaign Practices Act complaint arises or Hatch Act violation exists or may exist. All violations

and complaints received will be reviewed on a case-by-case basis by the County Attorney.

8. Employees who are elected to a San Miguel County office shall resign from the employment of the County as of the commencement of the term of elected office.
9. The Board of County Commissioners and employees are also prohibited from spending public moneys from any source in support of or in opposition to a campaign, whether involving nomination, retention, or election of any person to public office or to urge electors to vote for or against any state-wide ballot issue, local ballot issue, referred measure, or recall of any elected official.
10. The Board of County Commissioners and employees are permitted to engage in the following activities in support of or in opposition to a campaign, whether involving nomination, retention, or election of any person to public office or to urge electors to vote for or against any state-wide ballot issue, local ballot issue, referred measure, or recall of any elected official:
 - a) Take a position and pass a resolution urging the electorate to vote for or against any matter. Background research by county staff for such a resolution is also permissible, as is distribution of the resolution through the same means by which other county information is regularly provided to the public.
 - b) Elected officials may express an opinion on any issue.
 - c) Employees may expend personal funds and/or use personal time to urge electors to vote in favor of or against any issue.
 - d) Employees may respond to questions about any campaign issue if the employee has not solicited the question.
 - e) A commissioner or employee with policy-making responsibilities may spend not more than \$50.00 of public funds in the form of letters, telephone calls or other activities incidental to expressing opinions on campaign issues.

1-3 MEDIA AND PUBLIC AFFAIRS POLICY

PURPOSE

To establish rules for county staff when responding to media requests and issuing news releases.

POLICY

1. Elected officials and department heads are the only county staff designated to respond to media requests and issue news releases.
2. Media requests should be forwarded to the appropriate elected official or department head.
3. The elected official or department head most informed and knowledgeable about a particular request is the best spokesperson for the County.
4. An elected official or department head may authorize an employee that has the necessary knowledge to respond to a media request.
5. County staff must notify their elected official or department head if contacted by the media.
6. Employees should understand that their comments on public issues may be interpreted as the County's point of view.
7. Only those employees or officials who are duly authorized to speak in public gatherings on behalf of the County may speak, or write in the name of San Miguel County on the Internet.
8. Any county employee who speaks to the media about a sensitive or controversial issue without authorization or prior approval by the appropriate elected official or department head will be subject to disciplinary action.
9. News releases issued by the County should serve to inform the people who live, work, play, and do business in the county and to keep the public informed of important events in our county.
10. Elected officials are encouraged to develop their own media affairs policies.

1-4 OPEN RECORDS AND INFORMATION REQUESTS POLICY

PURPOSE

To ensure that any member of the public will be provided reasonable access to public records covered under the Colorado Open Records Act (CORA).

POLICY

San Miguel County is a public entity and its business documents and records are generally public in nature and are available to the public for inspection. The majority of requests by the public can be handled by staff when a member of the public walks in and makes the request to review a document or records.

In order to maintain the integrity of public records, or the effective functioning of a county office or department, and for security reasons, certain conditions for reviewing or obtaining copies of records may apply.

In addition to this policy, elected officials may also develop their own policies and procedures regarding public records in their custody.

1. Requesting Public Records

- 1.1. To request public records contact the county office or department that is the designated custodian for that specific information. The office or department can help you with the request and provide information about any applicable fees for obtaining copies of the public records. (See [3. Contact Information](#) for a list of county records custodians).
- 1.2. The public may be required to submit the request in writing if the records custodian believes it is reasonable and appropriate based on the specific and unique circumstances of the request or will help better identify the records requested.
- 1.3. A response to a written request for public records will also be in writing and will be made within three working days or, when extenuating circumstances apply, within seven working days, (§ 24-72-230(3)(b), CRS). You will be notified within three working days if there are extenuating circumstances that do not allow us to respond to your request within three working days.
- 1.4. County staff should pursue a diligent response to public requests for information / records.

2. Fees

- 2.1. Applicable fees for obtaining public records are to be charged based on the specific office or department procedures and actual costs to provide the requested record(s). Offices or departments are directed to publish and post a written policy and to inform the public up front concerning, the fee(s) to be charged § 24-72-205(6)(a), CRS. The public should request an estimate of the

cost of its information request if they are requesting a substantial number of copies or extensive research by the record custodian.

- 2.2. Costs for standard black and white photocopies will not exceed the limit set by state statute of \$.25 per page. The first hour of county staff time expended for research and retrieval of a public record is free, thereafter the charge per hour will not exceed thirty dollars, § 24-72-205(6)(a), CRS. San Miguel County seeks to meet public information requests in the most economical method possible, and may request prior payment for large requests.

3. Contact Information

- 3.1 This list may be helpful when contacting the County to request copies of public records. Keep in mind that not all records are legally “public” and each office or department can inform the requestor about any records that are not required to be made public. Each office may have different statutory requirements regarding their responsibilities as custodians of specific documents. A great deal of public information regarding San Miguel County and public records is available on the official county website.

County Website: www.sanmiguelcounty.org

Assessor’s Office

Phone: 970.728.3174

Address: POB 506, 333 W Colorado Ave, Telluride, CO 81435

Custodian of these general records:

Property Records, Parcel Maps, Taxing Authority Information

County Administrator

Phone: 970.728.3844

Address: POB 1170, 333 W Colorado Ave, Telluride, CO 81435

Custodian of these general records:

Information Technology, Open Space Parks & Trails, Facilities

County Attorney

Phone: 970.728.3879

Address: POB 791, 333 W Colorado Ave, Telluride, CO 81435

Board of County Commissioners

Phone: 970.728.3844

Address: POB 1170, 333 W Colorado Ave, Telluride, CO 81435

Custodian of these general records:

BOCC Meeting Records, Correspondence, Ordinances, Contracts, Agreements

County Building Department

Phone: 970.728.3923

Address: POB 2676, 333 W Colorado Ave, Telluride, CO 81435

Custodian of these general records:

Building Permits, Addressing

Clerk and Recorder's Office

Phone: 970.728.3954

Address: POB 548, 305 W Colorado Ave, Telluride, CO 81435

Custodian of these general records:

Elections, Motor Vehicle, Recording, Vital Records and Certificates

Coroner's Office

Phone: 970.369.5480

Address: POB 1170, 335 W Colorado Ave, Telluride, CO 81435

Custodian of these general records:

Coroner's Reports, Autopsy Reports

County Finance Department

Phone: 970.327.4885

Address: POB 486, 1120 Summit, Telluride, CO 81423

Custodian of these general records:

Budget Documents, Payables, Audit Documents

County Human Resources

Phone: 970.369.5471

Address: POB 1170, 335 W Colorado Ave, Telluride, CO 81435

Custodian of these general records:

Personnel Records

County Planning Department

Phone: 970.728.3083

Address: POB 548, 333 W Colorado Ave, Telluride, CO 81435

Custodian of these general records:

Development / Special Use Permits, Planning Commission Minutes, PUD / Subdivision Applications

County Road and Bridge Department

Phone: 970.327.4835

Address: POB 426, 1120 Summit, Norwood, CO 81423

Custodian of these general records:

County Road Information, Highway Users' Data, Driveway Permits

Sheriff's Office

Phone: 970.728.4442

Address: POB 1170, 684 CR 63L, Telluride, CO 81435

Custodian of these general records:

Criminal Justice Records, Criminal Reports, Traffic Tickets, Sex Offender List

Treasurer and Public Trustee's Office

Phone: 970.728.4451

Address: POB 488, 305 W Colorado Ave, Telluride, CO 81435

Custodian of these general records:

Property Tax Records, Investment Portfolio, Tax Lien/Treasurer's Deed, Foreclosures

SECTION 2 BOCC PUBLIC MEETING POLICIES

2-1 NOTICING OF BOCC PUBLIC MEETINGS

PURPOSE

To ensure the appropriate public notice of Board of County Commissioners meetings that is required under Colorado law.

POLICY

1. Pursuant to state law the San Miguel County Board of Commissioners (BOCC) is authorized and required to conduct its official business in duly noticed regular and special meetings that are open to the public.
2. The BOCC shall adopt its annual regular public meeting schedule by resolution and post requisite legal notice of schedule in the County paper of record.
3. The BOCC shall annually designate posting places for BOCC public meeting notices.
4. The **designated posting places** for BOCC notices are:
 - a) Front entrance to the San Miguel County Courthouse, Telluride, CO.
 - b) Front entrance to the County Offices, located in the Miramonte Building Second Floor, 333 West Colorado Avenue, Telluride CO.
 - c) Entrance hall in the County Offices, located in the Glockson Building, 1120 Summit Street, Norwood CO.
5. BOCC staff shall post meeting agendas at the designated BOCC posting places and on the County's official website at least two working days prior to meeting. Posted meeting agendas are subject to change prior to the meeting or at the meeting.

2-2 SCHEDULING BOCC AGENDA ITEMS POLICY

PURPOSE

To ensure consistency and uniformity in accepting written documents and scheduling agenda items for Board of County Commissioners meetings.

POLICY

The Board of County Commissioners (BOCC) conducts its official county business at regularly scheduled meetings open to the public. The agenda is the official guide from which the BOCC conducts its meetings. In order to make intelligent and informed decisions, it is essential for the BOCC to have sufficient time prior to a meeting to become informed about and to review written materials pertaining to items scheduled on an agenda.

1. Agenda items requiring BOCC approval will be received in the BOCC Office with all supporting documents and written information, if any, at least seven (7) days in advance of that meeting at which they will be considered. The deadline is 4:45 p.m. on Wednesday preceding the regular Wednesday meeting.
2. All county staff must include a written memo providing pertinent information for each agenda item submitted. No memo is required for monthly department reports.
3. All contracts and agreements, should be reviewed by the County Attorney's office prior to submittal for BOCC approval.
4. Public hearings (agenda items that require formal published notice) shall be scheduled to provide adequate legal notice before the public hearing.
5. Applicants shall submit all land use items directly to the Planning Department. Planning staff will coordinate with the Clerk to the Board to schedule those land use items requiring BOCC review.
6. Exceptions to the submittal deadlines will be referred to the County Administrator and Board Chair and may not be granted unless an emergency can be clearly demonstrated.
7. An elected official, department head or member of the public may request a matter within the jurisdiction of the BOCC be placed on an agenda of a regular meeting. The request must be in writing and be submitted to the BOCC office with any supporting documents at least seven (7) days before the scheduled meeting date. Items submitted less than a week before the scheduled meeting date may be scheduled to a later meeting in order to allow sufficient time for consideration and research of the issue.
8. The BOCC Chair and County Administrator shall decide whether a request is within the subject matter jurisdiction of the BOCC. Items not within the subject matter jurisdiction of the BOCC may not be placed on the agenda.
 - a) In addition, the BOCC Chair and County Administrator will determine if the item is merely a request for information or whether the issue is covered by an existing policy or administrative regulation before placing the item on the agenda.
 - b) The BOCC Chair and County Administrator shall also decide whether an agenda item is appropriate for discussion in an open or closed session in accordance with Colorado Open Meetings Law, and whether the item should be an action,

discussion (i.e. staff direction, update, presentation, information) or consent agenda item.

9. BOCC meeting agendas and written materials pertaining to agenda items are available prior to BOCC regular meetings on the County's official website or in the BOCC office upon request.

2-3 BOCC PUBLIC MEETING AND PUBLIC HEARING POLICY

PURPOSE

To establish rules to govern the transaction of Board of County Commissioners business, specifically and including guidelines for the conduct of public meetings and public hearings.

POLICY

1. Pursuant to Colorado law the Board of County Commissioners (BOCC) is authorized and required to conduct its official business in duly noticed regular and special meetings open to the public. It must also hold and conduct duly noticed public hearings in accordance with the requirements of Colorado law and duly enacted County rules and regulations.
2. Section 30-10-302, Colorado Revised Statutes specifically provides that “the board of county commissioners shall meet in open session and all persons conducting themselves in an orderly manner may attend meetings. The board may establish rules to govern the transactions of its business.”
3. To ensure its public meetings are conducted in an orderly manner and comply with applicable constitutional and statutory requirements, the BOCC established rules and regulations to govern the transaction of its business. The *Public Meeting and Hearing Guidelines* shall remain in full force and effect unless amended, repealed, and/or superseded by the BOCC.
4. The Clerk to the BOCC is authorized and directed to make copies of the *Public Meeting and Hearing Guidelines* available for members of the public, county officials and staff, and to publish such adopted copy on the County’s official website.

**San Miguel County, Colorado
Board of County Commissioners
Public Meeting / Hearing Guidelines**

- I. **BOCC Chair calls Meeting/Hearing to order and notes attendance.**
 - A. Chair identifies purpose/subject matter of meeting/hearing as stated in meeting notice.
 - B. Chair sets forth rules/protocol for meeting/hearing. Chair announces any changes to rules/protocol applicable to specific meeting/hearing.
 - 1) Members of the public who address the Board shall first sign-in. When speaking they should come forward and identify themselves for the record, stating their name and place of residence.
 - 2) Chair may set time limits on speakers. Any time limits on presentation and/or speakers should be announced in advance.
 - 3) Participants to be advised of any limitations on cross-examination of witnesses. All cross-examination by applicant/public shall be addressed to the Chair. The Board may limit direct or cross-examination which it determines to be producing cumulative or repetitive evidence, or in order to protect witnesses from harassment or embarrassment.
- II. **Staff Report presentation**
 - A. Proposed exhibits, as described in staff prepared Exhibit List, shall be entered into the record. Staff has discretion on reading the Exhibit List into the record.
 - B. Staff summarizes the application, its report, and supporting documentation, to be submitted into the record.
 - C. BOCC puts questions to staff regarding its report.
 - D. Outside agency staff/officials introduced. Outside agency/staff officials are given an opportunity to present any comments/reports they may have on the application, and may be subject to questioning from BOCC.
 - E. Staff introduces the applicant, and applicant's representatives.
- III. **Applicant's presentation**
 - A. Applicant to be advised not to repeat staff presentation, and any time limitations. Purpose of presentation is to supplement staff report and address issues not covered by staff, or to respond to issues and/or concerns raised by staff report. Applicant may enter additional exhibits not previously made part of the record.
 - B. Applicant may put questions to staff regarding its report, the applicant may respond to any comments/reports from outside agency staff/officials, as well as respond to public comments in the hearing record.
 - C. BOCC puts questions to applicant regarding the application and presentation.

IV. Public input

- A. Remind audience of any applicable time limits or restrictions on testimony. Representatives of organized groups may be asked to speak first. Attorneys or other agents are requested to identify on whose behalf they are appearing.
- B. Members of the public may address the BOCC on an application; may present written or oral evidence/testimony not previously entered into record; are advised to refrain from cumulative or repetitive evidence/ testimony.
- C. Members of the public, when recognized by the Chair, may put questions to BOCC, staff, and applicant, regarding their presentations, the application, staff reports, and public comment in the record. BOCC may place limits on cross-examination. Questions by the public of the applicant and/or other agencies/county staff should be made through the Chair.
- D. Persons engaging in disruptive behavior during the course of a public meeting/hearing, including, but not limited to, making offensive statements, engaging in offensive conduct, continuing to speak when the chair has not recognized them, or who engage in harassment or embarrassment of persons present, including arguing with or badgering of witnesses and/or members of the BOCC, may be ruled out of order by the Chair, and, if they persist in such conduct, may be ordered by the Chair to leave the meeting. In which event such persons may be forcibly removed should they fail or refuse to voluntarily leave the meeting. The Chair may suspend/recess the public meeting/hearing until the disruption ceases. The Chair determines the good of the order at a public meeting.

V. Close/adjourn the public hearing/meeting

- A. Upon completion of testimony, presentation of evidence, by staff, any outside agency staff/officials, the applicant, and members of the public, Chair announces that the hearing is closed to receipt of further evidence, except as otherwise specified, e.g. to receive further written evidence or legal argument.
- B. If record is incomplete, the BOCC shall continue the public meeting/hearing to a date, time, and place announced at the conclusion of the hearing/meeting, for the purpose of receiving further evidence and rendering its decision.

VI. BOCC decision

- A. When record is complete, all evidence which staff, applicant, or members of the public desire to submit has been received, Chair should announce that the public hearing/meeting record is closed. BOCC should proceed to deliberate and render its decision or it may take the matter under advisement to an announced date, time, and place, at which it will publicly deliberate and render its decision. Should BOCC request additional information/documentation from staff/applicant during deliberations, the meeting/hearing record should be reopened, with notice to interested parties.
- B. If BOCC decision is to be reflected in a written resolution, applicant and members of the public should be so advised at time oral decision is rendered. If a written resolution is to serve as the final and binding BOCC decision, Chair should so advise.

SECTION 3 TECHNOLOGY RESOURCES POLICIES

3-1 INFORMATION TECHNOLOGY RESOURCES POLICY

PURPOSE

To ensure the appropriate use of Information Technology resources owned by San Miguel County and provided for employee use.

POLICY

1. Definitions

Information Technology (IT) resources: include data servers, clouds, desktop computers (PC's), laptop computers, electronic mail (email), Internet, mobile operating devices (including but not limited to mobile phones, tablets, smartphones, etc.), network accounts, storage media, web browsing systems, and software.

2. Use of County IT Resources

2.1 County IT resources shall serve the business needs of San Miguel County.

2.2 County-held electronic information regarding the constituents of San Miguel County may not be disclosed without a clear business need, or public disclosure request.

2.3 Limited Personal Use: County IT resources may be used for personal purposes on a limited basis providing the following requirements are met:

- a) No marginal cost to the County.
- b) No interference with work responsibilities.
- c) No disruption to the workplace.
- d) No risk of damage to county-owned equipment.

2.4 Workstation Security:

- a) User workstations shall not be left unattended when logged into sensitive systems or accessing sensitive data.
- b) Automatic log out or password protected screen savers that activate in 15 minutes should be deployed as necessary to ensure this requirement is met.
- c) No unauthorized persons are allowed to use county IT resources.

2.5 Password Security:

- a) All user-level passwords are to be treated as sensitive, confidential information that must be protected by elected county officials and staff.

- b) Password composition/complexity: minimum of 8 characters, including a mixture of upper and lower case letters that do not spell a word or name, at least one numeral and one symbol or special character.
- c) The IT Department is responsible for developing and implementing password security procedures and compiling of county passwords.

2.6 File Storage:

- a) Personal data files (including, but not limited to: documents, photos, music, audio, video, etc.) should not be stored on county IT resources.
- b) Do not use encryption technology that has not been approved for use by the IT Department.

2.7 Software:

- a) Employees shall not transfer to any third party any software owned or licensed by the County without the explicit written authorization from IT Department and /or the appropriate department head or elected official.
- b) Employees shall not transfer to any third party any data owned or licensed by the County without explicit written authorization from the IT Department, County Attorney's Office, and information custodian whose data is to be disclosed. Employees who transfer from one department or elected official's office may have their work-related files and email transferred with them if all entities agree.
- c) No unlicensed software may be stored, shared, or used on county IT resources.

2.8 Use Standard IT Resources Only:

- a) All digital equipment and applications must be authorized and installed by appropriate personnel only. Only software, hardware, devices and communication protocols that meet county defined standards will be authorized for installation unless an exception is documented in writing.
- b) IT resources that incur a cost to the County, whether accessed via the Internet, mobile device, email or other applications, must not be accessed or downloaded without prior approval. It is the department head or their designee's responsibility to assure the business need, applicability, and safety of new resource.
- c) The use of personally owned IT resources for conducting county business is permitted. If official county records are created, these should be properly transferred to county domain (server, computer) as soon as possible.

2.9 No Expectation of Privacy:

- a) Nothing in this policy confers an individual right or can be construed to provide an expectation of privacy. Employees do not have any right of privacy of Internet usage and should hold no such expectation.
- b) Department heads or their designees, the IT Department, or County Administrator may access an employee's email and digital files if

necessary for county business purposes while an employee is on leave of absence, vacation, or transferred to a different county department.

- c) The County reserves the right to monitor and record county Internet usage at any time.

- 2.10 Specific Prohibitions and Limitations: Acceptable behavior by county employees shall apply to use of county IT resources. Employees that violate any of these specific prohibitions and limitations may be subject to disciplinary action.

Specifically prohibited use includes but is not limited to:

- a) The County's IT resources must not be knowingly used to violate the laws and regulations of the United States, or any state, city, county, or other local jurisdiction in any way.
- b) Conducting a private business, political campaigning, soliciting or proselytizing to others for religious or political causes, outside organizations, or other non-job related solicitations.
- c) Obtaining or disseminating material or communications which would normally be prohibited in the county workplace including but not limited to: sexually explicit images, ethnic slurs, racial epithets, anything that may be construed as harassment or disparagement of others based upon race, national origin, sex, sexual orientation, age, disability, or religious or political beliefs.
- d) Accessing Internet sites which contain adult content, online gambling or gaming, and dating services.
- e) Accessing Internet sites which promote illegal activity, copyright violation, or that violate the County's ethical standards.
- f) Using security exploit tools (hacking) to elevate user privileges or to obtain unauthorized IT resources.
- g) Posting to the Internet any confidential information, constituent data, trade secrets, and any material whose distribution is restricted by existing county policies.
- h) Excessive use of Internet during work hours such as streaming media for entertainment, online shopping, and social networking.

- 2.11 Employee Responsibilities:

- a) Monitor personal use of the Internet and other applications to ensure that the county business is being appropriately served.
- b) Adhere to county standards and relevant policies as discussed in this policy.
- c) Request IT Department to download and install software unless express written consent has been granted to employee to download and install software.

- 2.12 Employee Termination or Layoff: Employees who are terminated or laid off have no right to the contents of their computers, network drives or electronic mail and are not allowed access to the county's IT resources.

3-2 ELECTRONIC MAIL (EMAIL) POLICY

PURPOSE

To define the appropriate use of electronic mail and accountability required by the Colorado Open Records Act (CORA)

POLICY

1. Definitions

Electronic Mail (email): is any message that is transmitted electronically between two or more computers or terminals, whether stored digitally or converted to hard (paper) copy. Under § 24-72-203 C.R.S., email communications are considered public records and may be subject to public inspection pursuant to CORA.

2. Use of County Email System

2.1 The email system is to be used for county business by elected officials and staff.

2.2 Limited Personal Use: County email system may be used for personal purposes on a limited basis, providing the following requirements are met:

- a) No marginal cost to the County.
- b) No interference with work responsibilities.
- c) No disruption to the workplace.
- d) No risk of damage to county-owned equipment.

2.3 Employee Conduct:

All county policies regarding employee conduct also apply to the use of the county email system.

- a) Use of email should be consistent with conventional standards of ethical behavior and professional conduct.
- b) Should not be used to create, forward, or display any offensive or disruptive messages.
- c) Shall be free of comments that would offend someone on the basis of his or her age, race, sex, religion, political beliefs, national origin, sexual orientation or disability.
- d) Should not be used to solicit or lobby others for commercial, religious, political, or other ventures unrelated to county business.

2.4 No Expectation of Privacy:

- a) All email is assumed to be county business and therefore the County has the right to inspect and review any email on the county system.
- b) Nothing in this policy confers an individual right or should be construed to provide an expectation of privacy. Employees do not have any right of privacy of Internet usage and should hold no such expectation. This does

not preclude the use of electronic mail for minimal personal purposes that would otherwise be similar to telephone use.

- c) Authorized county network administrators and County Administrator may, from time to time and without prior notice, access an employee's email records and digital files when necessary for conducting county business, or if there are indications of impropriety by an employee.

3. Retention of Email Records

- 3.1 Email that relates to county business shall be retained as a public record. Email records have the same retention rules as other correspondence. Elected county officials and staff are responsible for properly retaining their email in accordance with CORA.
- 3.2 With the approval of the appropriate custodian, authorized network administrators and County Administrator may access any email of elected officials and staff in order to comply with a CORA request.

3-3 MOBILE PHONE USE POLICY

PURPOSE

To outline necessary criteria for the purchase and use of county mobile phones and other hand held devices, and to provide for the use and reimbursement of employee owned mobile devices that are used for county business.

POLICY

1. Definitions

Mobile Phone: A hand held electronic telecommunications device that has at least the same functions of a standard telephone but is portable. Also includes mobile devices known as smartphones that provide voice communications, text messaging, email, Internet browser, social Internet site access, and functions as a personal digital assistant, gaming device, and portable media player, etc.

2. Mobile Phone Assignment

The assignment of a county mobile phone shall be limited to situations in which there is a need for such communications equipment to perform essential county business or to improve safety, increase productivity, increase service to the public, or in instances in which necessary communications cannot be provided by any other means. It should not be based upon an employee's title or position.

Approval of a county mobile phone must be based on a valid county related need, actual job requirements and meeting at least one of the following criteria.

- 2.1 On-Call Availability: Employee is required to be on call a majority of the time to be contacted in the event of an emergency or service need. Department heads may consider consolidating to a single on-call mobile phone where multiple employees take turns on call.
- 2.2 Frequent Mobility: The job requires considerable time outside the office during working hours and it is imperative to the functioning of the County that the employee be immediately accessible to receive and/or make frequent business calls during those times.
- 2.3 After Hours Availability: The job requires the employee to be immediately accessible to receive and/or make frequent business calls outside of working hours. Employee must be readily available for emergency responses or time sensitive consultation after normal hours.

3. Acquisition

The purchase of mobile phones for county use shall be subject to approval and will be processed through the Information Technology (IT) Department.

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- 3.1 Establishing New Service: Department heads or an elected official shall approve all requests for county mobile phones, mobile phone service plans and/or data service plans. The IT Department shall be responsible for the purchase and maintenance of county mobile phones, mobile phone service plans and data service plans on behalf of all county departments. All mobile phones and associated plan costs are to be charged to the requesting department's budget.
 - 3.2 IT Department shall ensure appropriate controls are in place for checkout, return, security and maintenance of equipment.

4. Phone Holder Responsibilities

- 4.1 All mobile phone numbers should be included on the County's phone list, referenced as a contact point on employee's voice mail message and provided to the County webmaster for inclusion on the staff directory. Employee's mobile phone voice mail message shall identify the employee as a county employee.
- 4.2 Use county email for official county business communications instead of texting so communication records may be stored.
- 4.3 Limited Personal Use: County owned mobile phones shall serve the official business needs of San Miguel County. County mobile phones may be used for personal purposes on a limited basis, providing the following requirements are met:
 - a) No marginal cost to the County.
 - b) No interference with work responsibilities.
 - c) No disruption to the workplace.
 - d) No risk of damage to county-owned equipment.
- 4.4 It is the responsibility of the department head or designee to provide for a routine examination of mobile phone and data usage billing detail to ensure proper use of such equipment.
- 4.5 Returning County Mobile Phones: Employees are responsible for the mobile phones that have been issued to them. All mobile phones purchased by the County remain the property of the County. An employee must return mobile phone to County when leaving the county employment.

5. County Paid Monthly Stipend for use of employee personal mobile

The purpose of this stipend is to provide for the use of and reimbursement of employee owned mobile phones that are used for county business - in lieu of using a county owned device. The stipend is a regular amount that is included in employee's paycheck for use of a personal mobile phone.

Under the assumption that the mobile phone will be used for both personal and business purposes by most employees, the stipend is intended to reimburse the employee for the county business use of the phone only. The amount of the stipend must be justified by county business use.

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- 5.1 The County requires that employees, approved to use a personal mobile phone for county business purposes, purchase and maintain a mobile phone and a service plan in exchange for a taxable stipend provided by the County.
 - 5.2 Employee must maintain an active service contract for the duration of the stipend. Employee must notify the IT Department, Finance Office and their department head within five business days if eligibility criteria are no longer met, service is cancelled or phone number is changed.
 - 5.3 The County is not responsible for any additional costs associated with the employee's mobile phone (i.e. data, shipping, taxes, insurance, accessories, overages, etc.).
 - 5.4 County stipends for employee owned devices are not to be based upon a particular title or position. Approved stipend amounts must be based upon actual job requirements of the individual employee or elected official.
 - 5.5 All monthly stipends and associated costs are charged to the employee's department budget. Per IRS regulations mobile phone stipends are fully taxable as a fringe benefit to employees under a non-accountable plan through payroll.
 - 5.6 All mobile phone numbers should be included on County Offices Phone List, referenced as a contact point on an employee's voice mail message, and provided to the county webmaster for inclusion on the employee directory. Employee's mobile phone voice mail message shall identify the employee as a county employee.
 - 5.7 Public Records: All county business generated on personal mobile phones is subject to Colorado Open Records Act (CORA). County email sent and received on a personal mobile phone is archived in the county system for retention.
6. **Restrictions on use of mobile phones in vehicles, while operating equipment, at work sites or county offices**
- 6.1 Effective December 1, 2009, it is illegal in the state of Colorado to send and/or receive text messages while operating any vehicle (§ 42-4-239, CRS).
 - 6.2 US Department of Transportation regulations effective January 3, 2009 prohibit drivers of Commercial Motor Vehicles (CMVs) from use of hand-held mobile devices while operating commercial motor vehicles. CMV drivers are prohibited from making phone calls, texting, web surfing, or any other electronic text retrieval or entry on a mobile phone while driving. Drivers are prohibited from reaching for a mobile device in a way that takes them out of a seated driving position. An exception to the rule exists for contacting law enforcement or other emergency services.
 - 6.3 DO NOT engage in the use of mobile phone while at any work site during which the operation of mobile phone will be a hazard to user and/or may create an unsafe work environment. Such work sites include but are not limited to: road repair, maintenance and construction; operating or repairing energized equipment such as electrical panels, or motorized circuits. Mobile phones may only be used by an employee while out of harm's way at such work sites.

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- 6.4 DO NOT engage in use of a mobile phone while operating a moving motorized off-road (maintenance/construction/all-terrain type) equipment. Only when equipment has been properly stopped, taken out of gear or turned off is mobile phone use be authorized.
 - 6.5 The excessive use of personal mobile phones at county offices or any other work site is disruptive to co-workers and the public: Excessive use of personal mobile phones at county offices or any work site is prohibited.

7. Disciplinary Action for abuse of *Mobile Phone Use Policy*

Failure by an employee to adhere to the above *Mobile Phone Use Policy* may result in disciplinary action. The following disciplinary actions may be imposed upon employees found to be in violation of this policy:

- 7.1 Payment by employee of determined personal calls/data usage on county owned mobile phone.
- 7.2 Loss of use of county owned phone or of county paid stipend by the employee.
- 7.3 Employee dismissal if determined that employee has made inappropriate calls to (900) numbers or sent or received inappropriate images during course of county business.
- 7.4 Verbal or written reprimand, in accordance with the County Employee Handbook for excessive use of personal mobile phone during work hours.

SECTION 4 FACILITY AND VEHICLE OPERATIONS POLICIES

4-1 COUNTY OFFICES HOURS OF OPERATION

PURPOSE

To designate hours of operation of the county offices.

POLICY

1. C.R.S §30-10-109 as amended authorizes the Board of County Commissioners (BOCC) to designate by resolution the days and hours during which county offices shall be open for the transaction of county business.
2. All county offices, except Sheriff’s Office and Road and Bridge, shall be open and staffed appropriately for business Monday - Friday from 9:00 a.m. to 5:00 p.m., except for county holidays as set by the BOCC. You can find a list of departments and contact information under the heading County Offices page on the county website: (<http://www.sanmiguelcounty.org/>)

County Offices	Business Hours	Staff Contact
Miramonte Building Offices 333 W Colorado Avenue 2nd and 3rd Floors Telluride, CO 81435	9:00 A.M. to 5:00 P.M. Monday – Friday (except holidays)	(970) 728-3844 bocc@sanmiguel county.org
County Courthouse Building Offices 305 W Colorado Avenue Telluride, CO 81435	9:00 A.M. to 5:00 P.M. Monday – Friday (except holidays)	(970) 728-3844 bocc@sanmiguel county.org
County Annex Building Offices 335 W Colorado Avenue Telluride, CO 81435	9:00 A.M. to 5:00 P.M. Monday – Friday (except holidays)	(970) 728-3844 bocc@sanmiguel county.org
County Glockson Building Offices 1120 Summit Street Norwood, CO 81423	9:00 A.M. to 5:00 P.M. Monday – Friday (except holidays)	(970) 327-4885
County Sheriff’s Building Offices 684 County Road 63L Telluride, CO 81435	8:00 A.M to 5:00 P.M. Monday – Thursday (except holidays)	(970) 728-4442 Dispatch available 24 hours a day

3. County residents and visitors should be able to rely on regular business hours at county offices. County offices may be closed under the following conditions:
 - a) Approval of the BOCC 10 days prior to closing.
 - b) Notice published prior to closing in the County's paper of record (approved by the BOCC) and a Telluride newspaper.
 - c) Notice posted at the Courthouse notice board, Miramonte Building 2nd floor notice board, Annex Building door, and Glockson Building door.
 - d) Emergencies such as severe weather, fires, or power failures.
 - e) Designation for closure by the County Administrator.
4. All county offices located in the Annex, Courthouse, Miramonte, and Glockson Buildings shall be kept open to fulfill office hours established on previous page. If conditions for closure are not met, department heads or elected officials shall report in writing, within five working days to County Administrator, as to why these conditions could not be met.

**4-2 REASONABLE ACCOMMODATION - ACCESSIBILITY - AMERICANS WITH
DISABILITIES ACT (ADA) POLICY**

PURPOSE

To provide reasonable accommodations for qualified individuals with disabilities to ensure equitable access to services and participation in programs and activities in county buildings that are inaccessible to the disabled.

POLICY

It is the policy of San Miguel County that all facilities, programs and services are accessible and usable by disabled individuals, unless providing access results in undue hardships to the County or causes fundamental alterations of the programs and services. Members of the public should not experience discrimination or harassment based upon disability.

8. Definitions

- 1.1. Accessibility: The ability to gain physical and service access to county buildings, sidewalks, parking, public telephones, parks and other various programs; the ability to participate in programs and services; and the ability to communicate with and receive communication from county staff.
- 1.2. Accessibility Process: An organized procedure that is documented, maintained and in place to answer citizen questions and address complaints pertaining to the accessibility of county facilities, programs and services.
- 1.3. ADA Coordinator: Employee designated with the responsibility of and coordinating all ADA compliance issues.
- 1.4. Auxiliary Aids or Services: Assistive devices that allow persons with impaired sensory, manual or speaking skills to gain an opportunity to benefit from and participate in programs and services. Examples of auxiliary aids include, but are not limited to, extra staff assistance, electronic mail, paper and pen, audio tapes, computer CDs, telecommunications devices for the deaf (TDD), sign language interpreters, assistive listening headsets, readers, large print materials, easy grip utensils, Braille signs, note takers, and assistance filling out forms.
- 1.5. Disability: with respect to an individual:
 - a) A physical or mental impairment that substantially limits one or more of the major life activities of such individual; or
 - b) A record of such impairment; or
 - c) Being regarded as having such impairment.
 - d) Major life activities include, but are not limited to, functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

- 1.6. **Reasonable Accommodation:** Steps that may be taken to allow a disabled citizen or customer access to and participation in county facilities, programs and services. Reasonable accommodation includes, but is not limited to: providing auxiliary aids and services and other actions taken to enable qualified individuals with disabilities to participate in services and programs offered by the County.

5. Requests for Reasonable Accommodations

Individuals who are disabled may request reasonable accommodation to assist the individual in accessing county facilities, programs, or services. No one will be turned away because of a disability, and no one will be charged for reasonable accommodations.

In anticipation of accommodation requests, the County will identify county resources that could provide auxiliary aids and other disability-related services.

The County will respond to request for reasonable accommodations in a timely manner that will not result in an unreasonable delay or an unreasonable denial of services.

6. How to Request Reasonable Accommodations

Disabled individuals who require assistance to access facilities, programs or services should contact the appropriate county department or elected official's office or one of the following:

- a) The ADA coordinator for San Miguel County, Human Resources Manager, Laura Kyriakakis. She can be reached at 970-369-5471; or by email at laurak@sanmiguelcounty.org.
- b) The San Miguel County Administrator, Lynn Black. She can be reached at 970-728-3844; or by email at lynnb@sanmiguelcounty.org.

Please allow 48 hours advance notice, if possible, so arrangements can be made to provide the requested auxiliary aid or a reasonable accommodation.

7. How to Access Services Required from the County Courthouse

Individuals who are disabled and require service from county offices located in the County Courthouse, 305 W Colorado Ave, Telluride, CO 81435 will be directed to the Miramonte Building, 333 W Colorado Ave and to take the elevator to the 3rd floor. Please ask a county employee on the 3rd floor to contact the requested office in the courthouse for assistance.

- a) Treasurer and Public Trustee's Office Phone: 970-728-4451
- b) Clerk and Recorder's Office Phone: 970-728-3954

8. How to File a Complaint

If you feel that you have not been able to access a county facility, program or service because of lack of accessibility, or that you have been discriminated against because of your disability, please submit a verbal or written complaint.

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- a) Resolve complaint informally with the county department or elected official's office.
 - b) In the event a complaint cannot be resolved informally with the department or elected official's office, a complaint may be filed in writing to:

9. San Miguel County ADA Coordinator

Laura Kyriakakis
Human Resources Manager
POB 1170
Telluride, CO 81435
970-369-5471
laurak@sanmiguelcounty.org

Complaints should contain the name and address of the person filing the complaint, description of alleged violation of Title II of the Americans with Disability Act, and the remedy the person believes is appropriate. Please file within 30 days of alleged violation.

The County will investigate following receipt of a complaint and will issue a determination within 30 days. A copy of the written determination will be sent to complainant and affected department or elected official's office.

Filed complaints and associated files shall remain confidential, unless disclosure is authorized or required by law.

4-3 COUNTY OFFICES FIRE/ALARM EVACUATION PLANS

1. The emergency exit floor plan maps for county buildings are created for a fire/alarm evacuation, which are initiated by the sound of the fire alarm in response to a fire or possible smoke in the building.
2. Post the emergency exit floor plan in a prominent location(s) in each county building. Each plan should emphasize the two exit strategies, one primary and one secondary if the primary route is impassable.
3. One or two staff members of each department should be designated to ensure that members of the public in a building are helped to exit the building in the event of an evacuation. Remember, children, elderly or handicapped individuals will require special attention.
4. Determine methods to communicate calmly and clearly during the emergency.
5. In the event of an emergency **do not attempt to use the elevator.**
6. **All** county staff is required to meet in the chosen safety location designated for your building (below), bringing members of the public with them.
 - a) Annex Building – Elks Park
 - b) Miramonte Building – Elks Park
 - c) Courthouse Building – Elks Park
 - d) Glockson Building – West side of building parking lot
 - e) Sheriff’s Building – parking lot
7. Perform a check/roll call to make sure all staff has exited the building safely. If any staff is missing immediately notify an emergency responder.
8. **No one should attempt to re-enter a building in the event of an emergency!**

4-4 LIMITED PUBLIC USE OF COUNTY FACILITIES POLICY

PURPOSE

To establish a policy for the limited public use of certain county facilities. County parks and fairgrounds are subject to separately adopted use policies and fee structures.

POLICY

1. Limited Public Use

- 1.1 County business use receives first priority for the use of available facilities.
- 1.2 Certain county facilities are available for limited public use when the proposed use does not interfere with county business, pose a safety threat to the public or to county employees, or cause undue strain on county resources.
- 1.3 Limited public use of certain county facilities is available to any non- profit organization, governmental or quasi-governmental organization, civic organization, religious group or community oriented group, on a reservation basis, so long as the user complies with any applicable use guidelines.
- 1.4 Qualified users may reserve space with the understanding they may be asked to find alternative space if the facility is needed by the County. Reserved events will not be displaced without prior notice and the County will endeavor to relocate the reserved event within county facilities, if available.
- 1.5 The responsible county staff shall establish and maintain guidelines for permitted uses, including space and equipment availability, available hours, use fees, length of use, and any special requirements such as insurance.
- 1.6 The following county facilities (in bold) are available for limited public use:

2. Facilities

	Business Hours	Staff Contact
Miramonte Building Offices 333 W Colorado Avenue 2nd Floor Meeting Room Telluride, CO 81435	9:00 A.M. to 5:00 P.M. Monday – Friday (except holidays)	BOCC Office (970) 728-3844 bocc@sanmiguel county.org
County Courthouse Building Offices 305 W Colorado Avenue Historic Court Room Telluride, CO 81435	9:00 A.M. to 5:00 P.M. Monday – Friday (except holidays)	BOCC Office (970) 728-3844 bocc@sanmiguel county.org

County Annex Building Offices 335 W Colorado Avenue Conference Room Non-profit retail space Telluride, CO 81435	9:00 A.M. to 5:00 P.M. Monday – Friday (except holidays)	BOCC Office (970) 728-3844 bocc@sanmiguel county.org
County Glockson Building Offices 1120 Summit Street Columbine Room Norwood, CO 81423	9:00 A.M. to 5:00 P.M. Monday - Friday (except holidays)	Finance Office (970) 327-4885
County Fairgrounds 1165 Summit Street Norwood, CO 81423	10:00 A.M. to 6:00 P.M. Monday, Wednesday, Friday (except for Holidays)	Fairgrounds Office (970) 327-4321 smcfairgrounds@ yahoo.com
County Down Valley Park 22855 HWY 145 Placerville, CO 81430	6:00 A.M. to 9:00 P.M. Year round subject to weather conditions	Open Space Office (970) 369-5472 (970) 369-5469 openspacerec@ sanmiguelcounty.org
County Placerville Park County Placerville Schoolhouse 400 Front Street Placerville, CO 81430	6:00 A.M. to 9:00 P.M. Year round subject to weather conditions	Open Space Office (970) 369-5472 (970) 369-5469 openspacerec@ sanmiguelcounty.org

3. User Responsibilities

- 3.1 The user is responsible for complying with all laws of the United States, State of Colorado, County of San Miguel, and all local codes and ordinances applicable to the proposed use and obtaining all necessary permits and related items at its own expense.
- 3.2 The user may be required to complete an application form and enter into a user agreement provided by the responsible county department.
- 3.3 Indemnification: The applicant agrees to release and indemnify the County for all claims arising out of applicant’s use of the facilities, including personal injury, bodily injury and property damage claims.

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- 3.4 Lease Agreements: All necessary lease agreements shall be negotiated, outlining at a minimum the responsibilities of the user for utilities, rent payment, duration and a maximum 30 day without cause termination clause.
 - 3.5 Clean-Up: Facilities must be returned to an orderly and clean condition, with furniture returned to the standard room arrangement. The user agrees to return county-owned property to the County in the same condition as the property was received prior to use, including, picking up litter and other materials.
 - 3.6 Non-Discrimination: All county facilities within San Miguel County shall be equally available to all persons without regard to race, color, religion, gender, age, national origin, disability, marital status, sexual orientation, or military status.

4. Fee Waiver

Fees may only be waived upon written request to and approval by the Board of County Commissioners (BOCC).

5. County Fairgrounds and Park(s) Use Policies

- a) The BOCC adopted Revised County Fairgrounds Policies and Procedures on April 20, 2009. (BOCC Contracts / Agreements #2009-055)
- b) The BOCC adopted Amended Use Policy and Fee Structure for Down Valley Park on March 17, 2010. (BOCC Resolutions #2010-005)
- c) The BOCC adopted Use Policies and Fee Structure for Placerville Schoolhouse on January 7, 2014. (BOCC Resolutions #2014-001)

4-5 COUNTY FACILITIES / VEHICLES WEAPONS POLICY

PURPOSE

To preserve the public safety and welfare of employees and visitors on county property.

POLICY

1. Prohibition of Firearms and Deadly Weapons on County Property

The possession and/or use by any person or persons of any deadly weapon(s) and/or firearm(s) on or within any San Miguel County real property, buildings, or offices is prohibited. This prohibition shall not apply to any peace officer, or any duly authorized county official or employee.

Notice of the prohibition is authorized to be posted at public entrances to San Miguel County property.

Prohibition on the possession and use of firearms on San Miguel County property is waived for persons with physical possession of current concealed weapons permit lawfully issued in compliance with Title 18, Article 12, Part 2, CRS, Permits to Carry Concealed Handguns. Permit must be presented upon demand to any county official, employee, or peace officer.

2. Limited Waiver(s) for Use of Firearms at County Gravel Pit

Specified members of the public (including those participating in the Sheriff Office's concealed weapons training program, members of 4-H Shooting Sports Club) and specified county employees may use Sheriff's Office shooting range, located at county gravel pit, CR 44ZN, Norwood, Colorado subject to the authorization, supervision, and control of the County Sheriff or his authorized designee(s).

Prohibition on the possession and use of firearms on San Miguel County property is waived for persons with physical possession of current concealed weapons permit lawfully issued in compliance with Title 18, Article 12, Part 2, CRS, Permits to Carry Concealed Handguns. Permit must be presented upon demand to any county official, employee, or peace officer.

3. Prohibition of Firearms and Deadly Weapons in County Vehicles

County employees who are not peace officers, under Colorado law, or employees who the BOCC has specifically authorized to possess a firearm within the scope and course of their employment with San Miguel County are prohibited from possessing any firearm(s) while operating or riding in any county-owned or county rented motor vehicle or mechanized construction equipment.

4-6 COUNTY VEHICLE USE POLICY

PURPOSE

To establish requirements related to staff vehicle assignment and regulations for appropriate usage of county vehicles by employees.

POLICY

1. Vehicle Assignment

The assignment of vehicles used to conduct county business will fall into one of the three (3) following categories. When a conflict or question arises as to which category is appropriate, the decision of the County Administrator will be final.

- 1.1 Take-Home Vehicle Assignment: A take-home vehicle will be provided to those employees who are routinely expected to respond to operational emergencies from the employee's residence during off-duty hours, and to those employees who are routinely engaged in field work, the nature of whose duties make such transportation necessary. Typically these employees occupy positions where it is impractical to implement a requirement to proceed to a central dispatch point to obtain a county vehicle, particularly in the event of an emergency. These vehicles are provided for official business use during the normal work week, in addition to those employees using them for commuting between a residence and a work location. Department heads must annually submit a listing of staff assigned a take-home vehicle, for approval by the County Administrator. These vehicles provided to county staff shall be equipped with a 2-way radio allowing the driver to communicate with other employees and other agencies.
- 1.2 Department Vehicle Assignment: Certain department(s) may be authorized to purchase departmental vehicle(s), to allow its employees daily access to certain county vehicle(s) necessary for conducting official county business during normal work hours. These vehicles must be parked during the workday and overnight, at a county facility, unless the employee is traveling on official county business, or has received specific approval for temporary storage or basing of the vehicle. The department shall be responsible for maintaining the usage of the vehicle(s) and ensuring each individual using a department vehicle complies with the guidelines of this policy.
- 1.3 Fleet Vehicles or Private Vehicles: The County will maintain fleet vehicles to allow access, as available, to other employees having less than daily needs, for official county business travel. Certain department(s) will be assigned responsibility for maintaining the usage of the vehicle(s) and ensuring each employee using a fleet vehicle complies with this policy. Should a fleet vehicle be unavailable, employees will be reimbursed, at the IRS approved rate-per-mile, for the use of privately-owned vehicles for official county business. It will be the responsibility of the employee to submit accurate records of such usage to the Finance Office.

2. Vehicle Use Regulations

- 2.1 All employees who operate county vehicles must have a valid driver's license and have received, read and understood the *Driving on County Business Policy*.
- 2.2 All employees provided with a take-home vehicle shall complete a (Take-Home Vehicle Use Agreement) and submit it to the Finance Office.
- 2.3 Employees assigned a take-home vehicle, are authorized to drive such vehicles to and from work. These employees are prohibited from using these vehicles during non-work hours for personal use (e.g., weekends or holidays), except in response to an operational emergency. Personal use, other than for commuting, is restricted to incidental stops for personal errands between the place of business and the employee's residence.
- 2.4 A taxable, non-cash fringe benefit of \$3.00 per day (\$1.50 each way to and from work), shall be included in the employee's pay each pay period for those commuting to work. Employees provided with a vehicle are responsible for maintaining proper documentation of use and for submitting use records to the Finance Office at the end of each pay period.
- 2.5 All employees who use a county vehicle on a take-home basis are subject to the documentation reporting and personal use restrictions of this policy.
- 2.6 Generally, employees who are provided a take-home vehicle should not house their vehicles outside of the County, even if their residence is located in another county. However, the County Administrator may grant an exception to this rule, if operational requirements necessitate.
- 2.7 Employees are authorized to park personal vehicles at any county facility in order to pick up department or fleet vehicles.
- 2.8 Employees found to be in violation of the above policy are subject to disciplinary action, which may include dismissal, and employees may be required to substantiate all business and personal use of the vehicle (including commuting) by submitting appropriate documentation to the County.

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TAKE-HOME VEHICLE USE AGREEMENT

Pursuant to *County Vehicle Use Policy* all employees assigned a take-home vehicle, are required to complete and sign this form:

Employee Name: _____ Department:_____

Vehicle Number: _____ License Number:_____

Make/Model: _____ Date Assigned to Employee:_____

1. San Miguel County has provided you with the use of a take-home vehicle, which allows you to commute to and from work in this vehicle. You may not use said vehicle for personal purposes other than commuting and incidental personal purposes as defined in this policy.
2. San Miguel County will include a taxable, non-cash fringe benefit of \$1.50 per one-way commute (\$3.00 for a round trip commute per day) at the end of each month as part of the compensation for each employee commuting with a county vehicle. You must maintain and submit documentation of the number of commutes per month. This information shall be included on your monthly time report form submitted to Finance Office.
3. Employees found to be in violation of the above policies are subject to disciplinary action and may be required to substantiate all business and personal use of vehicle (including commuting) by submitting appropriate documentation to San Miguel County. Such documentation will be used to compute the taxable, non-cash fringe benefit to be added to the employee's compensation at the end of the year. It is likely that the fringe benefit computed in the case of violation of these policies will be in excess of the \$3.00 per day. If adequate documentation related to personal use is not provided to San Miguel County, the IRS requires the County to assume that all use of the vehicle is entirely personal.

I have read the above policy statement, understand the implications of personal use (other than commuting) of county vehicles, and agree to follow all aspects and regulations of the policy.

EMPLOYEE'S SIGNATURE

Date:_____

DEPARTMENT HEAD APPROVAL:

Date:_____

COUNTY ADMINISTRATOR APPROVAL:

Date:_____

PLEASE RETURN SIGNED FORM TO THE FINANCE OFFICE

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4-7 DRIVING ON COUNTY BUSINESS POLICY

PURPOSE

To set standards for driving county vehicles or personal vehicles while on county business. This policy applies to all drivers of county vehicles or of personal vehicles while on county business. It does not apply to law enforcement personnel of the Sheriff's Office. Departmental policies and procedures are established that apply to those personnel.

POLICY

It is the policy of San Miguel County to ensure that all operators of motor vehicles, while on official county business, are qualified to drive and to drive safely. This policy applies to employee driving of both county vehicles and personal vehicles while on county business. The purpose of this policy is to promote the safety of county drivers and the protection of employees, public, and county resources from vehicular harm or incident.

1. County Driving Privileges

Driving for the County is a privilege and with that comes the expectation that our drivers will operate vehicles in a safe and responsible manner. This requires that county drivers be familiar with and adhere to the guidelines and expectations that are outlined in the County's *Driving on County Business Policy*. County employees are expected when driving county vehicles or their own vehicles (on approved county business) to comply with speed limits, to drive defensively, and to exhibit courtesy and consideration towards their passengers, pedestrians and other drivers.

2. Authorization to Drive on County Business

2.1 Authorization must be received from the Human Resources Department prior to:

- a) An employee driving on county business in a county vehicle or personal vehicle.
- b) A department extending an offer of employment to a new employee, if driving on county business is a requirement of the position.

2.2 Employees and applicants for employment are subject to an evaluation of their driving record.

Human Resources Department shall review employees and applicants for county employment's motor vehicle records for compliance with *County Driving Standards* herewith (see section 3 of this policy).

2.3 Employees who drive on county business in either a county or personal vehicle must possess a Colorado driver's license. Newly hired employees who have an out-of-state license must obtain a Colorado driver's license within 30 days of hire.

2.4 If an employee does not meet the *County's Driving Standards*, the employee can no longer drive on county business. Revocation of driving privileges could lead to dismissal from employment.

3. County Driving Standards

- 3.1 Driver must possess a current and valid license of the proper class for the vehicle(s) they will be permitted to operate.
- 3.2 Must have no restrictions that would prevent them from legally or safely operating the assigned vehicle.
- 3.4 To be eligible to drive on county business, in the past three years an employee shall not have a major violation(s) listed on their motor vehicle record. Major violations include but are not limited to:
 - a) DUI, DWI, or DWAI (including driving while under the influence of a controlled substance) and/or refusal to take a blood alcohol content test.
 - b) Reckless driving.
 - c) Homicide, manslaughter or assault arising out of use of vehicle.
 - d) Leaving the scene of an accident.
 - e) Reckless driving, speed contests, fleeing or attempting to elude police.
 - f) Any felony involving use of a vehicle.
 - g) Violation of state or local laws relating to vehicle traffic control arising in connection with a fatal accident.
- 3.5 Must have no more than two at-fault or chargeable accidents within the previous three year period.
- 3.6 Must have no more than three moving violations in the previous 12 month period.

4. Responsibilities of Employee Drivers

- 4.1 Be knowledgeable of County's *Driving on County Business Policy*.
- 4.2 Adherence to the Colorado Vehicle Code, all applicable laws of Department of Transportation, and local laws and regulations.
- 4.3 Prompt reporting of accidents, violations, and tickets issued while driving a county vehicle to supervisor and to Human Resources Department.
- 4.4 Maintain a Colorado driver license, and a commercial driver license, if applicable, in valid and good standing.
- 4.5 Be familiar with and follow department specific policies and procedures related to driving.
- 4.6 Report any unsafe condition(s), mechanical problems, and any damage to your supervisor immediately.
- 4.7 Employees shall not let non-employees or unauthorized employees drive county vehicles.
- 4.8 Seatbelts must be worn at all times in county vehicles including passengers. Use child safety seats and seatbelts in accordance with state law when transporting children.
- 4.9 While driving a county vehicle, employees must comply with the prohibition on talking/listening to or using a mobile phone as outlined in County's *Mobile Phone*

Use Policy. If you need to make a call during an emergency, pull the vehicle over and stop away from traffic. Effective December 1, 2009, it is illegal in the State of Colorado to send and/or receive text messages while operating any vehicle.

- 4.10 Drivers must carry their driver's license at all times when operating county vehicles. Suspension or loss of driving privileges may result in full-time drivers being temporarily reassigned until such time as their driving privileges are reinstated. Reassignment will be provided only if an appropriate position is available. If no appropriate position is available, then termination of employment may result. Each employee who operates a county vehicle is required to report any suspension or revocation of his/her license to their supervisor. Failure of an employee to report a change in license status will result in disciplinary action.

5. Personal Vehicles Used for County Business

- 5.1 An employee who is approved to drive their personal vehicle to conduct county business will be required to report any claims to their personal insurance. The employee's personal insurance shall cover damages. The County will not reimburse employees for deductibles on insurance policies.
- 5.2 If a personal vehicle is to be used for county business, the employee shall:
- a) Maintain auto insurance in accordance with state law;
 - b) Provide proof of insurance to Human Resources Department upon request; and
 - c) Maintain the vehicle in safe operating condition.
- 5.3 Motorcycles may not be used for county business.

6. When to Report a Vehicle Accident

- 6.1 Employees must immediately notify their supervisor or manager of any accident involving a county vehicle or personal vehicle while conducting county business. For county vehicles the employee is to contact Human Resources Department and complete a Vehicle Accident Report to document the details of the accident and to report to the local law enforcement agency when required. An incident report is to be completed for accidents that involve personal vehicles.
- 6.2 Failure to report an accident may result in disciplinary action.

7. Employees Who Receive a Citation While Driving a County Vehicle

- 7.1 An employee who receives a citation while driving a county vehicle or personal vehicle (for approved county business) is responsible to pay any and all related penalty fines and to make any and all court appearances.
- 7.2 Employees are to immediately report any citations received while conducting county business to their supervisor.
- 7.3 County employees are not exempt from receiving tickets for violations while driving county vehicles.

- 7.4 Any employee who is required to drive on county business must immediately report to their supervisor all major violations (see section 3.4 of this policy) received while driving on county business or while driving on personal time.
- 7.5 Supervisors shall immediately report all known major violations to Human Resources Department.
- 7.6 Employees who fail to report such major violations will be subject to disciplinary action that may include revocation of driving privilege or dismissal from employment.

8. Mileage Reimbursement

- 8.1 The intent of the mileage reimbursement is to compensate the employee for out-of-pocket cost incurred (i.e. fuel, oil, wear and tear) while using their personal vehicle for county related business.
- 8.2 Mileage for use of an employee's personal vehicle will be reimbursed to the employee at the IRS' mileage allowance for business travel. The request for reimbursement must include the date, destination and purpose and mileage traveled.
- 8.3 A private vehicle may not be used to travel if the estimated mileage will exceed the cost of round trip airfare.
- 8.4 Employees may not use a county Purchasing Card to purchase fuel for their personal vehicle without advance, specific approval.
- 8.5 The County will pay/reimburse for fuel, oil and maintenance costs associated with the use of a county vehicle. The County will not reimburse for mileage when a county vehicle is used.

9. Employees holding a Commercial Driver's License

- 9.1 All employees who are required to hold a Commercial Driver's License (CDL) as a requirement of their position must pass all requirements of Department of Transportation (DOT) physical.
- 9.2 All employees holding a required CDL must present a current DOT Examination Card and a Certification of a Road Test.
- 9.3 Employees holding a CDL must follow all DOT and Colorado Department of Transportation regulations.

10. Department Responsibilities

- 10.1 To make sure each county vehicle has a current proof of insurance card and registration prior to allowing employees to drive said vehicle.
- 10.2 To maintain each county vehicle to its proper condition.
- 10.3 To report to Finance Office all necessary fleet mileage as required, and to coordinate vehicle fueling at county shops.

11. Safe Operation of County Vehicles

- 11.1 Safe driving is the responsibility of the driver. There are safety considerations a driver must be aware of to enhance their personal safety and the safety of others. Such considerations include:
- a) How to drive defensively;
 - b) How to avoid aggressive and distracted driving;
 - c) How to recognize the warning signs of fatigue; and
 - d) How to adjust driving behavior for weather conditions.
- 11.2 Smoking is prohibited in all county vehicles.
- 11.3 Before initial use of any vehicle, the driver will inspect the vehicle for damage, inoperable lights, under-inflated tires or any defect that may create an unsafe condition. Drivers will insure that the windows, headlights, taillights, and windshield wipers are clean and operational at all times. Any defect that the driver cannot remedy prior to using the vehicle will be reported to a supervisor. It will be the supervisor's responsibility to insure that appropriate action is taken to correct the problem(s).
- 11.4 Backing vehicles without a clear view of the area directly behind the vehicle will only be done with the assistance of a guide. If a second person is in the vehicle, he/she will get out and guide the driver using appropriate hand signal and voice signal. If the driver is alone he/she will get out of the vehicle and inspect the area behind before backing. Always back with caution.
- 11.5 During periods of limited visibility or any time windshield wipers are in use, vehicle headlights will be turned on.
- 11.6 No more than three (3) persons will ride in the front seat of any vehicle. Where only two single seats exist, there is to be only one rider per seat. Drivers shall not permit vehicles to be loaded beyond the recommended capacity for passengers or materials.
- 11.7 Drivers shall use extreme caution when moving vehicles into, out of, or around county buildings, parking lots and shop areas.
- 11.8 Drivers should avoid talking on the mobile phone while driving. If you must use your mobile phone while driving, do so safely. When available use a hands-free device while driving. If you need to make a call during an emergency, pull the vehicle over and stop away from traffic. Effective December 1, 2009, it is illegal in the State of Colorado to send and/or receive text messages while operating any vehicle.
- 11.9 An item or items that may slide, shift or move around during vehicle operation must be properly secured.

12. Parking of County Vehicles

- 12.1 County vehicles are not to park in areas designated as "No Parking" except in emergency situations or as necessary in the performance of their official duties.

At those times when a vehicle is parked in a “No Parking” zone, hazard flashers will be turned on.

- 12.2 Unattended vehicles should be properly parked and locked with the key in the driver’s possession. Under no circumstances should the key be left in the vehicle ignition. While parked, vehicles with automatic transmissions are to be placed in park, manual transmissions in first gear or reverse.
- 12.3 No vehicles or equipment shall stop or park on a traveled portion of the roadway when it is practical to stop or park off the roadway, except when required to do so in the performance of job assignment and then only when the area has been properly marked and protected by the use of approved safety devices.
- 12.4 No vehicles or equipment shall be parked or left close to or adjacent to the roadway in such a manner as to constitute a traffic hazard.
- 12.5 When parking trailers or other non-self-propelled equipment when parking brakes are not installed, the wheels of such equipment shall be blocked or fastened to prevent movement of the equipment.
- 12.6 No vehicles or equipment shall be parked with raised moldboards, buckets or beds.

13. Safe Operation of Equipment

- 13.1 Trailers are to be fastened securely to hitches. Safety pins in pintel locks will be used. Safety chains will be crossed under the hitch and securely fastened before moving the vehicle.
- 13.2 Riding on the sides, running boards, tool boxes, tailgates or roof of any piece of equipment is prohibited. Further, standing in the back of any truck (except fire equipment) is not permitted. Passengers will be seated only in the intended area.
- 13.3 Operators shall not permit equipment to be loaded beyond the capacity of the unit nor shall they permit material, equipment or other cargo to be loaded in any manner that presents a hazard {i.e. extending beyond the legal limits of width or height, or the obstruction of vision of the operation}. An approved tarping system will be used when hauling fine material. No portion of any load or material shall be permitted to spill from any vehicle, including axles, bed rails or tailgate ledges.
- 13.4 Portable or detachable doors may not be removed from vehicles unless, a) it is necessary in order to perform the assigned job; and b) mirrors remain usable when the doors are off. Similarly, vehicle doors are not to be tied open.
- 13.5 Movement of motorized vehicles and equipment into, inside of, out of, or around buildings and shop areas shall be in low gear and at low speeds with extreme safety precautions.
- 13.6 Tailgates, when vehicles are so equipped, will be up and latched when the vehicle is in motion. If a vehicle’s function requires that the tailgate remain in the open position, red flags will be attached to the outward corners of the gate or to items hanging over the tailgate. If a loaded vehicle does not have a tailgate, the driver of the vehicle will insure the load is secure and that overhangs are properly marked.

14. Safe Operation of Construction and Special Equipment

- 14.1 Special equipment such as all-terrain or utility track vehicles (ATV and UTV), tractors, dump trucks, hi-lifts, high ranges, graders, plows, cranes or any such unit which has special devices added for specific types of work will require formal instruction prior to use by a driver. This special training will include the following:
- a) Explanation and demonstration of all control devices.
 - b) Explanation and demonstration of all safety equipment.
 - c) Knowledge of maintenance items such as fuel, water, oil and other minimum operating needs of the unit.
 - d) Demonstration of operation.
 - e) New driver operation under supervision with testing.
 - f) Instruction in driving to and from or on and off a trailer, parking procedures and method for security.
- 14.2 Passengers will ride only in seats or locations designed for passengers.
- 14.3 When backing, operators will maintain a clear view of the area directly behind the vehicle. If an unobstructed view does not exist, the operator will have a person guiding them.
- 14.4 Construction type equipment will travel at less than 25 mph without exception. This equipment will use the correct lane except when a left turn is required. Right-of-way will be given to all other motor vehicles. Headlights will be on at all times during highway driving. Triangular, orange colored slow moving vehicle signs will be displayed on the rear of the vehicle.
- 14.5 No inspection or repair work underneath dump truck boxes shall be permitted when the truck box is raised, unless the use of an approved prescribed safety device is provided to prevent it from suddenly lowering.
- 14.6 Use of special equipment without proper training and prior authorization may result in disciplinary action.

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ACKNOWLEDGMENT OF RECEIPT

I HAVE RECEIVED A COPY OF THE DRIVING ON COUNTY BUSINESS POLICY. I UNDERSTAND THAT I AM TO BECOME FAMILIAR WITH ITS CONTENTS. FURTHER, I UNDERSTAND:

- The *Driving on County Business Policy* set standards for driving county vehicles or personal vehicles on county business and I understand that I should consult with my elected official, department head or the Human Resources Department regarding any questions not answered in the *Driving on County Business Policy*.
- Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the *Driving on County Business Policy* may occur. All such changes will be communicated through official notices. I understand that revised information may supersede, modify, or eliminate existing policies.
- Furthermore, I have received the *Driving on County Business Policy* and I understand that it is my responsibility to read and comply with the policies contained in this *Driving on County Business Policy* and any revisions made to it.

DEPARTMENT / OFFICE (printed)

EMPLOYEE'S NAME (printed)

EMPLOYEE'S SIGNATURE

DATE

PLEASE RETURN SIGNED FORM TO THE HUMAN RESOURCES DEPARTMENT

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SECTION 5 FINANCIAL AFFAIRS POLICIES

5-1 COUNTY PURCHASING POLICY

PURPOSE

To promote responsible expenditures of public funds, adherence to the annual San Miguel County budget, compliance with state statutes, and support of environmentally and socially responsible purchasing. The *County Purchasing Policy* encompasses all purchases of goods and services necessary for the county government to function and to provide the public with certain services. It applies to all county offices, departments, boards, commissions, and spending agencies funded in whole or in part by county appropriation.

POLICY

1. **Purchasing Goals** defined by the County to increase the value and effectiveness of the County's purchasing process.
 - 1.1 Purchase the proper good or service to meet the needs of the County.
 - 1.2 Get the best possible price for the good or service.
 - 1.3 Demonstrate support for socially responsible purchasing to include local purchasing initiative and provision for green purchasing.
 - 1.4 Guard against any misappropriation of the purchased county assets.
 - 1.5 Responsible bidders are allowed a fair opportunity to compete for the county's business, through statutory requirements for competitive bids and proposals combined with the county's purchasing procedures.
 - 1.6 Public funds are protected; the County should attempt to receive the best value for public dollars expended.

2. **Purchasing Ethics** describe the conduct and ethics required of all county employees who participate in the purchasing process.
 - 2.1 Avoid the intent and appearance of unethical or compromising practice in relationships, actions, and communications.
 - 2.2 Violation of Policy. Employees who violate this policy may be subject to disciplinary actions.
 - 2.3 Personal Purchases. County employees shall not use county credit, purchasing power, or facilities to make purchases of goods or services for themselves or for non-county activities.
 - 2.4 Conflicts of interest. No county official or employee shall make, participate in, or attempt to influence any decision if the employee knows or has reason to know that he/she has a financial interest in the outcome of that decision. No employee of the County shall underestimate or exaggerate requirements to prospective

bidder or proposer, misrepresent the quality of a bidder or proposer's goods or services, or disclose the bid or proposal information to a competitor.

- 2.5 Gratuities. County employees shall not accept gifts, entertainment, favors or services from present or potential suppliers to the County that might influence, or appear to influence, purchasing decisions. Employees may accept trivial items as a matter of courtesy, but may not solicit them.
- 2.6 Confidential Information. Handle information of a confidential or proprietary nature to the County and/or suppliers with due care and proper consideration of ethical and legal ramifications and governmental regulations.

3. Compliance with State Statutes and County Policies

- 3.0 All purchases shall be made in compliance with the Colorado Revised Statutes as amended and all county policies issued relative to the purchase of goods and services and the expenditures of approved budget.
- 3.1 All County departments and operating funds must operate within the financial constraints of the annual budget, as adopted by the Board of County Commissioners. Exceeding the annual appropriation is a violation of state statutes.
- 3.2 County officials are accountable for their use and distribution of public funds, and therefore, must remain cognizant of their responsibilities to the public and of the availability of proper records for inspection by the public.
- 3.3 No centralized purchasing office has been established by the County. Elected officials, department heads and authorized employees are responsible for making purchases in the various departments and agencies. All county staff is responsible to ensure the most efficient use of purchasing dollars.
- 3.4 Any purchase made by any elected official or employee of the County that significantly and materially violates the terms and conditions of the *County's Purchasing Policy* may result in non-payment and the mandatory return of those items, and that person may be held personally liable.
- 3.5 Purchases by the County Department of Social Services are also subject to Colorado DHS Rule Volume 5: Finance and Accounting (Executive Director) Rules (11 CCR 2508-1) that will supersede this policy in circumstances where a conflict between the policies exists.

4. Purchasing Authority

- 4.1 Purchases under \$5,000 require elected official / department head approval.
- 4.2 Purchases of \$5,000 or greater require Board of County Commissioners approval.

5. Purchasing Process

- 5.1 **Purchases of \$1,000 or Less (Non-Competitive)**

If the price of goods or services is less than \$1,000 a purchase may be made on a non-competitive basis from the vendor that is the most convenient, without contacting other vendors. If time permits an additional vendor should be contacted to ensure the best value for the County. This \$1,000 price limit is per transaction not per item.

5.2 Purchases Greater than \$1,000 but Less than \$5,000 (Price Quotations)

If purchasing goods or services greater than \$1,000 but less than \$5,000, at least two qualified price quotations from two different sources is required; three if possible. A vendor’s refusal to offer a price quotation does count as one of two price quotations. The solicitation of telephone price quotations is acceptable in the absence of any specialized or complicated functional requirements that require detailed written explanations. In the event a telephone price quotation is used, the caller should make a notation of the vendor name, contact information, purchase price, and terms, etc. Departments may advertise these procurements on the county website and/or in the newspaper to attract further bids.

5.3 Purchases of \$5,000 or Greater but Less than \$25,000 (Request for Quotes)

If purchasing goods or services with an expected price of \$5,000 or greater but less than \$25,000 a Request for Quotes (RFQ) should be used. The RFQ must be sent via mail, email, fax, or personal delivery to at least three qualified vendors. A vendor who declines to quote shall not meet the requirements of a qualified vendor bid. At a minimum three quotes must be received from three separate sources; more if possible. These quotes must be received in writing. Departments should advertise these procurements on the county website and/or in the newspaper to attract further bids.

Exception: The Road and Bridge Department is required to use a competitive formal bid process if it solicits bids from private contractors for road and bridge projects greater than \$5,000 (§ 43-2-209, CRS).

5.4 Purchases of \$25,000 or Greater (Formal Competitive Sealed Bidding)

If the expected price of goods or services is \$25,000 or greater, the purchase must be made with a formal competitive sealed bidding process; either by Invitation to Bid (ITB) or Request for Proposal (RFP). Please see following reference table.

WHAT TO DO	WHO DOES IT
Notify Finance Office of an upcoming intent to purchase	County Dept. / Elected Official (EO)
Determine needs	County Dept. / EO
Develop specifications (scope of work if applicable)	County Dept. / EO & County Administrator
Prepare bid document	County Dept. / EO & County Attorney
Advertise Bid	County Dept. / EO
Bid opening	County Dept. / EO &/or Finance Office
Analyze bids	County Dept. / EO & County Administrator
Make award recommendations	County Dept. / EO & County Administrator
Draft purchase agreement & seek BOCC approval	County Dept. / EO & County Attorney
Notify unsuccessful vendors	County Dept. / EO

-
- 5.4.1 Invitation to Bid (ITB): This purchase method is used when the requirements are clearly defined, negotiations are not necessary and price is a major determining factor. Usually competition exists and product or service is available from multiple sources. The bid document must include specifications, scope of work (if applicable), insurance and bonding requirements, and all contractual terms and conditions applicable to the project. Award is made to the lowest responsive bidder providing the best value to County.
- 5.4.2 Request for Proposal (RFP): This purchase method allows for customized proposals suggesting different approaches to the same business need. Used when factors other than price are to be considered or when objective criteria cannot be defined. Negotiation with respondents is allowed in an RFP to obtain the best value for the County.
- 5.4.3 ITB or RFP documents must contain specifications, scope of work (if applicable), insurance and bonding requirements, all contractual terms and conditions applicable to the project, and the basis of award. Each ITB or RFP shall state in bid documents that the solicitation may be cancelled by County and any bid or proposals received by County may be rejected in whole or in part when in the best interest of County to do so. The County Attorney shall review all ITB or RFP documents for legal form and policy compliance.
- 5.4.4 Public Notice: ITBs and RFPs must be advertised in the County's newspaper of public record. Unless specified by applicable law or other requirement, bids and proposal must be advertised at least once weekly on two (2) separate occasions, and to allow a reasonable time for potential contractors/suppliers to respond to the respective bid. Public notices for construction work must be published at least fourteen days (14) days prior to the date set forth for the opening of such RFP. A public notice as defined in this paragraph is required for any purchase for goods or services that exceed \$25,000 in value. Additional notices may be placed in newspapers of general circulation or other publications. Departments should also post the public notice on the county website.

The public notice shall include:

- a) Brief description of the desired items or services.
- b) Directions to obtain a bid or proposal package.
- c) A county representative and contact information.
- d) Deadline for submitting questions (date and time).
- e) Pre-bid or pre-proposal conference (date, time, and location).
- f) Submission requirements of bids and proposals.
- g) Deadline for submitting bids or proposals (date and time).
- h) Award criteria.
- i) Stated location, date, time of bid opening or date of proposal recording.

- 5.4.5 Pre-Bid or Pre-Proposal Conferences: A conference may be conducted prior to the bid or proposed deadline to explain or clarify requirements. Notice of a pre-bid or pre-proposal conference shall be stated in the bid documents and in the public notice.
- 5.4.6 Receipt of Bids or Proposal: Upon receipt, each bid or proposal shall be dated and stored in secure place. None shall be opened upon receipt. The bid document may permit submission of bids or proposal by fax or electronic mail. Late submissions may not be accepted, unless there is conclusive evidence that a bid was submitted on time and to the proper location but was lost or misplaced by the County. All bids once accepted shall not be altered or corrected, except as specifically authorized elsewhere in this policy.
- 5.4.7 Modification or Withdrawal of Bids / Proposals Cancellation: A bid or proposal may be modified or withdrawn by written request prior to submission deadline. Any bid or proposal received by County may be rejected in whole or part when it is in San Miguel County's best interest to do so. Any ITB or RFP solicitation request may be canceled by County.
- 5.4.8 Public Bid Opening: The bid opening shall be held publicly at the time, date and place designated in the Invitation to Bid (ITB) document. The company name, amount, and other relevant information shall be read aloud, recorded, and witnessed by county department conducting the ITB.
- Proposal Recording: Proposals shall be opened and recorded at the time and date specified in the in the Request for Proposals (RFP). Proposals must be opened and recorded in the presence of a witness but are not publicly opened so competitive details are kept confidential.
- 5.4.9 Mistakes in Bids/Proposals: After opening, all information received will be verified for accuracy. If errors are discovered the County will use its discretion in handling of the mistakes.
- 5.4.10 Evaluation of Bids: Bids are evaluated primarily by price, with vendor responsibility and responsiveness as additional factors. All evaluation criteria must be clearly explained in the ITB, and only those criteria may be used to evaluate merits of a bid/proposal. If all bids received exceed available budgeted funds for project, the county department which issued ITB may be authorized to negotiate and adjust price and/or project specifications if warranted by economic or time considerations.
- Evaluation of Proposals: The RFP must identify those criteria determined by the using department to be relevant and material to properly evaluate a proposal. Evaluation of competing proposals is based on various criteria, one of which is price. The criteria may include the vendor's plan for providing the goods or services, qualifications, experience with similar projects, previous work experience with the County, availability, and

reputation and familiarity with the County. The County may request proposal clarifications from the respondents if necessary.

- 5.4.11 Award Process: An appropriate notice awarding contract to lowest bidder or proposer should be reasonably prompt. Bids requiring BOCC approval shall be awarded in a regularly scheduled Board meeting with a recommendation prepared by the requesting department. If award (or recommendation) is not made to the lowest responsive, responsible bidder, the originating department will provide well-documented and fully substantiated written reasons for the decision or recommendation.
- 5.4.12 Waiver of Formal Bid Requirements: The BOCC may waive formal ITB or RFP requirements outlined in policy when the same or similar supply or service has been put out to bid or proposal by county within last six months. A formal bid process may also be waived by the BOCC based upon determination that the ITB or RFP requirement would cause undue delay or hardship to county department, harm to public safety, and/or such waiver is deemed to be in best interest of the County.
- 5.4.13 The Finance Office will maintain a formal competitive sealed bid / proposal file. Each file will contain a copy of the bid document, a list of the vendors who received solicitation, a copy of the advertisement(s), copies of the bids / proposals received, and a bid analysis sheet that justifies the selection process. This record as well as each bid received is a public document.

6. Specifications and Scopes of Work

- 6.1 All specifications and scopes of work shall be prepared and drafted in a manner to promote overall economy for the purposes intended, encourage and maximize competition in satisfying County's requirements, and shall not be overly restrictive.
- 6.2 County reserves the right in preparing specifications and scopes of work, to include references to standardized goods, levels of product functionality, product performance requirements and necessary levels of professional experience and qualifications that have been determined to be in the best interests of the County.
- 6.3 Specifications will be made available to any vendor wishing to submit a proposal or bid.

7. Protested Solicitations and Awards

Any actual or prospective bidder, vendor, or contractor who is aggrieved in connection with the solicitation or award of a contract may protest to the Board of County Commissioners. The protest must be submitted in writing within seven (7) days after the award notification.

8. Sustainable Purchasing

- 8.1 San Miguel County will make every effort to purchase goods locally. Preference should also be given to vendors and service providers located in the county in the procurement of professional services and construction contracts.
- 8.2 Every effort shall be made to encourage environmentally and socially responsible purchasing in obtaining goods and services for use by departments.
- 8.3 The County strongly encourages the purchase of goods and services that have a reduced negative effect on human health and the environment when compared with competing goods or services that serve the same purpose.
- 8.4 Departments should buy recyclable and recycled goods whenever possible, and are authorized to spend more than the cost of non-recycled products in favor of recycled products.
- 8.5 Paper goods must meet or exceed the minimum requirement of 30% post-consumer recycled content.
- 8.6 County employees should be aware of environmentally damaging goods and avoid their purchase if at all possible.
- 8.7 Departments should responsibly dispose of their purchased goods that are at the end of their product life cycle.
- 8.8 Departments shall purchase Energy Star compliant office equipment, appliances, and other electronic devices and place energy efficiency as a high priority in lighting purchasing even if cost of such products is higher.
- 8.9 Construction of new county facilities, renovations and remodels will all emphasize energy efficiency and a high level of green building techniques and enlist the help of the County Energy Action Coordinator or other professionals in the field of energy efficiency to design and build to high standards.

9. Local Preference

- 9.1 If all other evaluation criteria set forth herein, or in the invitation for bids or requests for proposals, are equal to bidders located outside of county, preference should be given to vendors and service providers located in the County.
- 9.2 Criteria to be considered a “local” vendor or service provider:
 - a) Company maintains its principal and/or primary place of business in the County.
 - b) Company’s vehicles are registered in San Miguel County.
 - c) Majority of company’s owners reside in San Miguel County.
 - d) Local preference may not be in an amount to exceed five percent (5%) of the total price. Please see the following table for reference.

Local preference should be given as follows:	
Purchases under \$5,000	5%
Purchases between \$5,000 and 25,000	3%
Purchases over \$25,000	2%

10. Exceptions to Purchasing Process

The following list identifies certain purchases which by their nature or circumstances do not lend themselves to a competitive purchasing process and that are exempt from a competitive vendor selection.

- 10.1 Emergency Purchases – When there are threats to public health, welfare, or safety, County personnel may need to make emergency procurements of construction items, goods or services.
- 10.2 Intergovernmental Agreements – Contracts to receive specific services from other government entities which are qualified to provide the services required.
- 10.3 Sole Source Vendor - Non-competitive purchases made after soliciting and negotiating a specific product or services available from only one source.
- 10.4 State Pricing – Certain items common to government operations that are often bid by the state to obtain beneficial pricing for local governments.
- 10.5 Licensed Professionals – Short term contracts (less than one year) with licensed professionals such as attorneys, engineers, architects and medical professionals.
- 10.6 Newspaper Advertising – Legal notices placed in newspapers to meet obligations under Colorado statutes concerning public notice.
- 10.7 Utility Bills – Recurring charges for electrical, water, natural gas, sewer, and telephone utility services that are regulated through pricing schedules controlled by the Colorado Public Utilities Commission or other government entity.

11. Entering into Agreement for Services – Independent Contractor

- 11.1 For the placement of service contracts by authorized county personnel, such contracts must be prepared in a manner to include the county's standard contractual terms and must have required certificates of insurance attached.
- 11.2 All purchase and service contracts shall be reviewed by the County Attorney's Office to assure that proper contractual terms are included and that the contractor has provided adequate proof of insurance to maximize the transfer of risk to the contractor.
- 11.3 All computer purchases (hardware and software) shall be coordinated with County Information Technology Department.
- 11.4 The standard form of Agreement for Services – Independent Contractor (Agreement) shall be used by the county's departments for service contracts.
- 11.5 The standard form of Agreement will be updated by the County Attorney's Office and made available electronically to the county departments.
- 11.6 All service providers must agree to the standard terms and conditions required by County in Agreement.
- 11.7 All vendors must submit completed W-9 Form and the Affidavit Verifying Lawful Presence by sole proprietors with Agreement.

- 11.8 Written verification of requisite insurance coverage, compliance with Colorado Workers' Compensation, and professional certifications and references must be submitted if necessary.
- 11.9 All agreements greater than \$5,000 must be approved and signed by Board of County Commissioners.
- 11.10 A copy of all fully executed contracts (with any/all attachments), a copy of the bid documents/quotations received, and requisite Certificate of Insurance must be forwarded to the Finance Office.

12. Change Order(s) for Professional Services and Capital Construction Contracts

- 12.1 All agreements for services and contracts shall contain a defined procedure in which to document changes, resulting in an increase or decrease in the scope of work and/or contract price. In all cases the county employee identified as the contract representative in the contract shall be responsible for documenting the change(s) in the scope of work and any resulting changes in the contract value.
- 12.2 Change order(s) to an agreement for services approved by the BOCC that exceed 10% or \$5,000 (whichever is the lesser amount) of the initial contract amount must be approved by the BOCC at a public meeting prior to any associated work commencing.

13. Goods and Services Delivery

- 13.1 All goods and services purchased on behalf of San Miguel County must be delivered to a county business address or to county business property. **No materials may be sent or delivered to an employee's home address under any circumstances.**
- 13.2 All goods received are to be inspected by county personnel in a timely manner for conformance with an order. Any damaged goods or goods of unacceptable quality/quantity should be quickly returned to the vendor.
- 13.3 The Finance Office is to be notified as soon as possible of any exceptions to the payment of amounts invoiced by vendors.

14. Inventory of County Property

- 14.1 Individual items of equipment, fixtures, vehicles and building improvements with a purchase price of \$1000 or more and a useful life of more than one year are considered as capital purchases and must be included in the department's annual inventory. Such purchases must also be budgeted and appropriated.
- 14.2 The Finance Office will coordinate with all departments for completion of the required annual physical inventory of general fixed assets (§ 29-1-506, CRS). Finance will maintain the inventory records, to which the cost of new capital purchases is added.

15. Disposal of County Property

Capital assets and/or inventory items no longer being used by the acquiring department may be disposed of by the following methods:

- 15.1 Inventory items (items costing less than \$1,000 and typically not tagged by a SMC ID tag):
 - a) Department head may make the designation that the item is obsolete, not repairable, or no longer being used.
 - b) Other county departments have first priority in receiving any item that is being disposed of.
 - c) Department head will send a memo to all departments describing the available items, a deadline to respond, and name of the department head to which all requests are to be returned.
 - d) After items have been made available to county departments for a minimum of one week and have not been claimed, the department head shall dispose of the item at his/her discretion.
 - e) Disposal can be in the form of taking to the electronic recycling program, trash, sale, or given away. If the item has value and is in operable condition, the item should be sold for a reasonable fee.
- 15.2 Capital assets (items typically costing more than \$1,000 and assigned a SMC ID tag):
 - a) Department head needs to contact the Finance Office to discuss which disposition method will be used.
 - b) Other county departments have first priority in receiving any item that is being disposed of.
 - c) The Finance Office will send a memo to all departments describing the available items and the deadline to respond.
 - d) After items have been made available to county departments for a minimum of one week and have not been claimed; Finance Office will determine the best method of disposition. For larger items and vehicles, the online auction is the preferred method.
 - e) Large capital assets and vehicles must be declared surplus by the Board of County Commissioners before the items are made available to the public.
 - f) Any item disposed of shall not be purchased or acquired by the same department head (or his/her immediate family) that designated the item as surplus or inoperable.
 - g) Governmental accounting principles require that proceeds from the sale of these items be recorded in a revenue account, "sale of assets". Individual departments' budget accounts will not be directly credited for such sale proceeds.

16. Travel Costs – Transportation, Lodging, Meals, Beverages, Advances

- 16.1 Mileage for use of an employee's personal vehicle is reimbursed to the employee in accordance with the IRS mileage allowance for county business travel. The request for reimbursement must include destination, date, and purpose of travel.
- 16.2 Every effort should be made to carpool, to use public transportation or to use county vehicles when they are available for business travel.

- 16.3 Airline fares for authorized county business trips will be paid directly or reimbursed to employees. Only business, coach or economy class is authorized for airline travel.
- 16.4 Public transportation, reasonable taxi fares (plus tips) from airports and parking fees are considered acceptable county business costs.
- 16.5 Lodging costs for approved business travel, including seminars, conferences, training sessions, etc., will be reimbursed at the actual cost, provided the cost is reasonable for the geographic area.
- 16.6 Always request the “government rate” when making lodging reservations. The county’s tax-exempt status should be made known, and a copy of certificate shown at payout.
- 16.7 Business meals including appropriate tips will be paid, or reimbursed, upon authorization by the responsible elected official or department head. It may be appropriate under certain circumstances for elected county official or department head to pay for meals for other people when it furthers county business.
- 16.8 The County will not pay for alcoholic beverages, incidental snacks or beverages, either by direct purchase or reimbursement to employees.
- 16.9 County officials and employees remain accountable to the public for all expenditures, therefore all costs incurred should be considered “reasonable” and in the best interest of the County. All business charges, except mileage, must be supported by receipts.
- 16.10 Employees who incur expenses while on county business at approved meetings, seminars or conferences, may request advances for such expenses at the regularly scheduled vendor payment dates. The business purpose must be documented on all travel vouchers. An itemized accounting of all business costs incurred must be submitted.
- 16.11 In instances where the estimates for travel advances may have exceeded the actual travel costs, the department head will collect the difference from the employee and deposit with the County Treasurer. This amount will then be credited back to the proper revenue budget line item.
- 16.12 Failure to obtain necessary approvals or the inability to document expenditures may preclude reimbursement to county personnel.

17. Office Policies – Beverages, Meals, Social Events, Gifts

- 17.1 The purchase of coffee, tea, and bottled water if made available to all members of a department and to visitors is acceptable. The purchase of snacks for employees is not appropriate.
- 17.2 At the discretion of an elected official, meals may be provided to employees during extended working hours or emergencies. If schedules require that meetings be held over meal time the cost of meal is an allowable expense. The cost of meals should be reasonable, and is limited up to \$12.00 per employee.
- 17.3 Occasional office parties, picnics or other social gatherings for elected officials and staff are acceptable. The cost of food should be reasonable.

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- 17.4 A modest congratulatory gift to an employee is appropriate to recognize a professional accomplishment or to acknowledge a retirement. The cost of memento should be reasonable.
 - 17.5 The BOCC appropriates funds to provide modest gifts to recognize an employee's length of service with county. The initial amount is \$50.00 for a ten year anniversary, and an additional \$5 per year of service for ensuing anniversaries in five year increments (for example \$75.00 for a fifteen year anniversary).
 - 17.6 Gifts such as flowers are appropriate to recognize a personal event such as the birth of an employee's child, an extended illness, or the death of a family member.

18. Payment Methods – Finance Office, Purchasing Card

- 18.1 Invoices must be submitted to and approved by the appropriate county official and delivered to the Finance Office for payment.
- 18.2 Purchasing cards are utilized in order to establish a more efficient, cost-effective method of purchasing and paying for small dollar transactions within established usage limits. It is further intended to replace petty cash, and the use of personal funds reimbursed by accounts payable checks. **Under no circumstances will the Purchasing Card be used for personal purchases.**

5-2 COUNTY PURCHASING CARD POLICY

PURPOSE

To establish standards for the appropriate use of county Purchasing Cards.

POLICY

1. Introduction

San Miguel County adopted a Purchasing Card program (“Purchasing Card”) in order to establish a more efficient, cost-effective method of purchasing and paying for small dollar transactions within established usage limits. It is further intended to replace petty cash, and the use of personal funds reimbursed by accounts payable check. **Under no circumstances will the Purchasing Card be used for personal purchases.**

2. Audits

All transactions are subject to review by the Finance Office and external auditors for compliance with sound business practices, *Purchasing Card Policies* and *Purchasing Card Procedures*, and any applicable laws and regulations.

3. Tax Exempt Status

San Miguel County is exempt from paying Colorado sales and use tax. Information on the County’s tax-exempt status appears on front of the Purchasing Card. Cardholders are instructed to make every effort to ensure sales and/or use tax is not charged.

4. Limitation of Vendors

All vendors that accept Purchasing Cards are registered with their bank under a specific Merchant Category Code (MCC). These codes specify the type of business the vendor engages in (i.e. airlines, medical services, retail stores, restaurants, etc.). The Finance Office has blocked all categories deemed inappropriate for county business. Purchasing Cards cannot be used to make purchases from vendors that fall under a blocked category on the MCC list.

5. Eligibility for a Purchasing Card

Purchasing Cards will only be issued to elected officials and employees who are authorized by San Miguel County to purchase goods and services on behalf of the County. The name of the cardholder and the county both appear on the face of the card along with the department that they are associated with. The Purchasing Card carries corporate liability for the County but carries no liability for a cardholder unless there is intentional misuse by the cardholder.

6. Administrative Requests

All requests for or changes to credit limits, cardholder names, department/office change, termination of a Purchasing Card, use of Purchasing Card outside the United States or other VISA administrative requests can only be made by the department head, elected official or assigned designee. With the exception of elected officials and the County Administrator, cardholders may NOT make a request on behalf of themselves.

7. Lost or Stolen Purchasing Cards

If a Purchasing Card is lost or stolen, it is the cardholder's responsibility to refer to the Purchasing Card Procedures to ascertain the process for reporting the matter so that the lost/stolen card can be reported as soon as possible and a new card can be issued.

8. Account Termination

Upon resignation, termination or transfer of a cardholder to another department, the Purchasing Card administrator will cancel the card when he/she has been notified by applicable department.

9. Fraud and Failure to Follow Policies & Procedures

Fraudulent use of a county Purchasing Card is a serious matter that may result in disciplinary action up to and including termination of employment, and may subject the cardholder to legal action. It is the cardholder's responsibility to be knowledgeable of and follow the *Purchasing Card Policy* and the *Purchasing Card Procedures*. Participation in the Purchasing Card program is a privilege that may be revoked for repeated violations of the *Purchasing Card Policies* or of the *Purchasing Card Procedures*.

10. Responsibilities

Elected Official and Department Head Responsibilities: Elected officials and department heads are responsible for determining who will have a card within their department; reviewing and signing the department monthly statement; and advising the Purchasing Card administrator of any changes in their department cardholders (i.e. termination, change in departments, change in credit limits, etc.). These responsibilities may be designated to a supervisor or ("assigned designee") within the department.

Cardholder Responsibilities: Purchasing cardholders are issued a card associated with a specific department to make purchases on behalf of the county. Cardholders must not lend or share their purchasing card. They must keep their purchasing card secure and the card number confidential. The cardholder is responsible for obtaining itemized receipts with detail for the monthly billing process and turning them into their supervisor or assigned designee. Upon termination of employment, the cardholder will return their Purchasing Card to the county and immediately discontinue all use of the account.

Supervisor or Assigned Designee: Assigned designee is responsible for the electronic billing of the charges on the Purchasing Cards via email; organizing and matching receipts from the cardholders to the monthly statement; meeting the monthly deadline for the billing upload; and remitting hard copies of the statement and receipts to the Purchasing Card administrator.

Purchasing Card Administrator Responsibilities: The Purchasing Card administrator will be responsible for issuing and terminating Purchasing Cards; changing credit limits; and processing other administrative requests. These requests will be made by elected officials, department heads, or assigned designees. He/she will maintain records of cardholders and changes to those cardholder accounts; review billings; and pay the Purchasing Card statement for the entire county on a monthly basis.

5-3 COUNTY PURCHASING CARD PROCEDURES

PURPOSE

To establish procedures for the administration of county Purchasing Cards.

PROCEDURES

1. Introduction

San Miguel County adopted a Purchasing Card program (“Purchasing Card”) in order to establish a more efficient, cost-effective method of purchasing and paying for small dollar transactions within established usage limits. It is further intended to replace petty cash, and the use of personal funds reimbursed by accounts payable check. **Under no circumstances will the Purchasing Card be used for personal purchases.**

These procedures are separate from the *Purchasing Card Policy* and are subject to change as procedural efficiencies are identified. If a procedure changes, cardholders will be notified. It is the cardholder’s responsibility to be knowledgeable of and follow the *Purchasing Card Policy* and the *Purchasing Card Procedures*.

2. Assigned Designees

An elected official or department head may assign Purchasing Card responsibilities for making the determination of who is a cardholder within their department/office; reviewing and signing the department monthly statement; and advising the Purchasing Card administrator of any changes in cardholders (i.e. termination, change in departments, change in credit limits, etc.). These responsibilities may be designated to a supervisor or (“assigned designee”) within the department.

The process to delegate any of these responsibilities is for the department head or elected official to email the Purchasing Card administrator indicating the name of the assigned designee who is being assigned the duties.

3. Audits

All transactions should be reviewed by the elected official, department head or assigned designee prior to their signing the department monthly statement and sending receipts to the Purchasing Card administrator. Their signature on the department monthly statement indicates their review of charges made and agreement with the proper cost allocations.

Finance Office staff will compare each transaction with the receipt. Violations will be recorded using a spreadsheet and reviewed periodically. A determination will be made as to whether any violations and/or trends need to be addressed with a specific office, department or cardholder.

Purchasing Card transactions are also reviewed by the County’s external auditors each year for compliance with sound business practices, *Purchasing Card Policy* and *Purchasing Card Procedures*, and any applicable laws and regulations.

4. Tax Exempt Status

The County is exempt from paying Colorado sales and use tax. Cardholders can obtain a copy of the County's sales tax exemption certificate from the SMCwide network in VISA Purchasing Card folder. They are advised to carry it along with them when purchases are made. All cardholders are instructed to make every effort to ensure sales and/or use tax is not charged.

If a charge of tax appears on the receipt (regardless of amount), the cardholder is responsible for contacting the vendor and asking that the charge be credited to the card. If the sales tax exemption is denied, a note must be written on the receipt explaining why it was denied.

5. Limitation of Vendors

Purchasing Cards cannot be used to make purchases from vendors that fall under a blocked category on the Merchant Category Code (MCC) listing. Examples of some blocked categories are:

- a) Beer, Wine and Liquor stores
- b) Jewelry Stores
- c) Dry Cleaners
- d) Health & Beauty Spas
- e) Tax Preparation Services
- f) Doctors, Dentists, Hospitals
- g) Cash Advances
- h) Betting/Track/Casino/Lotto
- i) Dating and Escort Services
- j) Insurance Sales
- k) Fines, Tax Payments, Court Costs

If your card is declined and the decline should not have occurred, please contact the Purchasing Card administrator to determine if the decline was because of the merchant blocking or if the monthly cycle limit has been exceeded. Also, contact the Purchasing Card administrator if you believe your department should be exempt from a specific blocking due to certain departmental needs.

6. Card Issuance

Purchasing Cards will only be issued to elected officials and employees who are authorized by San Miguel County to purchase goods and services on behalf of the County. The name of the cardholder and the County both appear on the face of the card along with the department that they are associated with. The Purchasing Card carries corporate liability for the County but carries no liability for a cardholder unless there is intentionally misuse by the cardholder.

Application Process:

All requests for Purchasing Cards must be made by the department head, elected official or assigned designee (“requestor”). The requestor needs to complete a Purchasing Card Sign-up form and a Purchasing Cardholder Acknowledgement and Agreement form found on the SMCwide network in VISA Purchasing Card folder. The requestor is responsible to give to the cardholder a copy of the *Purchasing Card Policy* and *Purchasing Card Procedures*.

The requestor must complete a Purchasing Card Sign-Up form establishing the limits authorized and forward the completed form along with the employee’s signed Purchasing Cardholder Acknowledgement and Agreement form to the Purchasing Card administrator. The signature on the agreement form indicates that the cardholder has received, read and understands the *Purchasing Card Policy* and *Purchasing Card Procedures*, and agrees to abide by the terms explained within. The requestor should give a copy of the signed agreement to the cardholder.

The Purchasing Card administrator will acquire and activate the Purchasing Card and deliver it to the requestor for distribution to the employee/cardholder. Cardholders must sign the back of their Purchasing Card.

Card Sharing and Security:

Cardholders must not share, lend or delegate their Purchasing Card with or to anyone. A cardholder must never give their card to another individual. They must keep their card secure (treat it like cash) and keep the card number confidential. However, it is acceptable for a cardholder to place other employee charges other than their own on their card. For example, a cardholder may be at a conference with one or more co-workers. It is acceptable to use one card at dinner and then note on the receipt what employees were included.

The department head or elected official needs to determine how to secure the cards and card numbers in his/her areas. In some areas it is more appropriate for individuals to carry the cards. In other areas, the cards may be stored in a secure place in the department’s business office and given to the cardholder(s) on an as- needed basis. In either case, the account number must be protected.

7. Card Maintenance

Any request for change needs to be in writing via email to the Purchasing Card administrator. Verbal requests will not be accepted or processed. A request for change can be made only by the elected official, department head or assigned designee.

An email to the Purchasing Card administrator is to be completed when any of the following situations occur:

- a) Cardholder name change
- b) Cardholder department change (only if initially incorrect, NO department transfers)
- c) Credit limit change (temporary or permanent)
- d) Account termination because of employment change (resignation, termination, transfer)

- e) Unblocking specific Purchasing Cards for use outside the United States
- f) Lost or stolen Purchasing Card
- g) Employee placed on short-term or long-term disability

Change in Cardholder Name, Department or Credit Limit:

If changes need to be made for a cardholder's name, a wrong department listed on the card, or a change in the established credit limit, send the Purchasing Card administrator an email. All requests for change in account status must occur by a department head, elected official, or assigned designee. With the exception of elected officials and the County Administrator, cardholders may NOT make a request on behalf of themselves.

Account Termination:

If an employee resigns, terminates, transfers to another department, or assumes different duties that do not require the use of the Purchasing Card, the department head, elected official, or assigned designee is responsible for retrieving the card and sending it to the Purchasing Card administrator. If the card is retrieved and destroyed by the department, an email can be sent to the Purchasing Card Administrator instead of the card itself. The Purchasing Card administrator will cancel the Purchasing Card based on physical receipt of the card or the email stating resignation, termination or transfer.

NOTE: It is imperative that the Purchasing Card administrator receives this information within 24 hours of termination of employment so the card can be canceled with UMB.

If an employee moves to another department, the old department's card does not transfer to the new department and it must be terminated. The new department must initiate the card issuance process to obtain a new card for the transferred employee.

Lost or Stolen Purchasing Card:

If a Purchasing Card is lost or stolen, immediately notify the Purchasing Card administrator in the Finance Office by phone and follow-up with an email unless it occurs on the weekend. *If it occurs over a weekend, call UMB Bank Security at 1-800-821-5184; and inform the Purchasing Card administrator in the Finance Office so his/her records are kept accurate.*

The Purchasing Card administrator will order a new card for the employee to replace the lost/stolen card. A renewal card will be mailed to the Finance Office and they will forward card to the cardholder's department head, elected official or assigned designee.

Employee Placed on Short-term or Long-term Disability:

If an employee is placed on short-term or long-term disability, an email must be sent to the Purchasing Card administrator. Then, the card will be inactivated. When the employee returns to work, a second email must be sent to the Purchasing Card administrator with a request to reactivate the card.

8. Instructions for Card Use

The Purchasing Card is a method of payment for relatively small dollar transactions. The Purchasing Card may be used to make payments for goods and designated services that do not exceed the individual card limit and are not prohibited by the *Purchasing Card Policy* and *Purchasing Card Procedures*.

The department head, elected official or assigned designee will establish the card limit for the cardholder. Purchases must be for the use and benefit of San Miguel County.

Allowable Use: The following are examples of types of items that may be purchased with the card. This is not an all-inclusive list. If in doubt, call the Finance Manager.

- a) Travel-related expenses (airfare, hotel, meals)
- b) Conference/seminar registration fees
- c) Professional membership and license fees
- d) Work-related books, videos, periodicals and subscriptions
- e) Freight and package delivery fees
- f) Food for meetings (i.e. donuts/bagels for a morning meeting in conference room)
- g) Non-contract equipment maintenance and repairs
- h) Furnishings and fixtures
- i) Gifts or donations

Non-Allowable Use: At no time are the following purchases allowed with your Purchasing Card. This is not an all-inclusive list. If in doubt, call the Finance Manager.

- a) Cash advances or cash refunds of any type
- b) Personal use of any kind or for any non-county purpose. **Under no circumstances will the Purchasing Card be used for personal purchases.**
- c) Gasoline or any personal automobile-related purchases (gasoline is allowed for rental cars used for county business)
- d) Firearms
- e) Controlled substances
- f) Service and maintenance agreements
- g) Alcohol or alcoholic beverages of any kind
- h) Utilities
- i) Non-employee compensation

The Purchasing Card is not intended to avoid or bypass appropriate purchasing or payment procedures; rather to complement the existing processes available.

Purchasing with VISA Card:

Purchases may be made with the Purchasing Card by phone, fax, secured Internet site, or in person. When ordering, request that the vendor provide an itemized invoice or receipt. Generally accepted accounting principles require proof of payment through retention of receipts. Cardholders are responsible for obtaining receipts for **charges** and **credits** to their Purchasing Card. Receipts must be given to the designated supervisor for billing, reconciliation, and documentation purposes. If a receipt is lost and a replacement receipt cannot be issued, a Lost Receipt form must be filled out, signed, and given to designated supervisor in place of receipt.

For Internet/on-line purchases make sure that you use the following address otherwise your card will be declined: PO Box 486, Norwood, CO 81423

San Miguel County is exempt from paying Colorado sales or use tax. The County's tax exempt status appears on the front of the Purchasing Card. *Remind the vendor of our*

tax exempt status and carry a copy of the sales tax exemption certificate. If the sales tax exemption is denied, a note must be written on the receipt explaining why it was denied.

Receipt of Goods and Materials:

The cardholder is responsible for ensuring receipt of goods and will follow-up with the vendor to resolve any delivery problems or discrepancies.

Returns, Damaged Goods, Credits:

Items purchased with the Purchasing Card will periodically need to be returned for one reason or another. Credits listed on the statement must be documented with a note as to when the original charge was made and why we are receiving a credit if the credit invoice/receipt is not available.

Disputed Items:

Disputed items may result from failure to receive goods, fraud, misuse, defective merchandise, incorrect amounts being charged, duplicate charges, or credits not yet received. Most issues can be resolved by contacting the vendor directly. Contacting the vendor saves time and usually solves most issues. The designated supervisor is responsible for contacting and following up *with the vendor* on any erroneous charges and disputed items.

If you are not satisfied with the outcome from the vendor, it may be necessary to complete a Vendor Dispute form to be forwarded to the Purchasing Card administrator who will forward it to UMB Bank for resolution with the vendor. The bank must be notified of any disputed items within 60 days of the statement date. This can take 3-4 weeks for the bank to research and resolve.

A disputed charge must be paid with the current monthly payment to UMB but it will be credited back to our account if it is resolved on our behalf.

9. Record Keeping, Reconciliation, and Approval:

To assist the billing, reconciliation, and approval process, the cardholder is responsible for obtaining all credit card slips, cash register receipts, packing slips, and/or on-line order forms/ confirmations. The receipts must be given to the designated supervisor.

Lost Receipts:

Lost receipts represent lack of documentation to support charges or credits shown on the Purchasing Card statement. This can cause our external auditors to give an adverse audit opinion to county. It is the cardholder's responsibility to obtain credit card receipts and turn them into their designated supervisor so they can be matched to the statement.

If a cardholder loses a receipt he or she must contact the vendor to have a replacement receipt mailed, emailed or faxed to him/her. If a replacement receipt cannot be obtained after several attempts, a Lost Receipt form must be filled out, signed, and given to the designated supervisor. Cardholders that develop a history of lost receipts may have their Purchasing Card revoked on a temporary or permanent basis.

Reconciliation and Approval Process: The basic monthly reconciliation and approval process is as follows:

- a) Cardholder: turns in receipts to designated supervisor.

- b) Supervisor or assigned designee: does the electronic statement via email (matching receipts to charges); prints the department monthly statement; tapes receipts to blank sheets of paper; and forwards the statement and receipts to Purchasing Card administrator in the Finance Office.

10. Fraud and Failure to Follow Policies & Procedures

Fraud: Fraudulent use of a county Purchasing Card is a serious matter that may result in disciplinary action up to and including termination of employment, and may subject the cardholder to legal action. There are two types of fraud:

- a) The first type is true fraud where a card issued by San Miguel County is lost, stolen, or duplicate charges are made with the cardholder's account number. In this case, the County is protected through UMB's fraud protection and neither the County nor the cardholder is liable.
- b) The second type of fraud comes about when a cardholder intentionally purchases an item (i.e. a television or stereo) intended for personal use. In this case, the County is covered by the fraud protection **only** if the cardholder is terminated from employment with the County. If the cardholder's employment is not terminated, the County becomes liable. The County will pursue all available remedies to remedy such unauthorized use.

Failure to Follow Purchasing Card Policies and Procedures: Cardholders may have their Purchasing Card privileges temporarily or permanently revoked depending on the violation of policy or procedure that has occurred.

11. Contact Information

The following are the individuals who are responsible for the Purchasing Card administration. Only these employees are authorized to communicate Purchasing Card matters with the representative at UMB.

Purchasing Card administrator: Kenneth Reiva, 970-327-4885 ext. 308, kennethr@sanmiguelcounty.org, Fax: 970-327-4090

First backup: Terry Hatfield, 970-327-4885 ext. 309, terryh@sanmiguelcounty.org

12. Forms

- Appendix A: Purchasing Card Sign-Up Form
- Appendix B: Purchasing Cardholder Acknowledgement and Agreement Form
- Appendix C: Lost Receipt Form
- Appendix D: VISA Purchasing Card Dispute Form

The Finance Office has posted all necessary forms and the *Purchasing Card Policy* and the *Purchasing Card Procedures* on the SMCwide Network under Finance in Visa Purchasing Card folder.

SECTION 6 STAFF RESOURCES POLICIES

6-1 EMPLOYEE DOWN PAYMENT ASSISTANCE PROGRAM

PURPOSE

To offer employees a low interest loan towards the down payment to purchase or construct a home in San Miguel County. This program is designed to assist employees who are first time home-buyers and who lack the resources necessary to qualify for a home loan.

GUIDELINE

1. **Eligibility**

Eligible borrowers must have been employed with San Miguel County for at least two years and may not own other real estate at the time of closing. This program is not transferable. Employees are not eligible for a loan if there is an outstanding loan which has not been repaid.

2. **Loan Amount (Principal Sum)**

First time home-buyers can borrow up to a principal amount of \$10,000.

3. **Interest Rate**

An interest rate of 3% per annum will be charged on any unpaid principal balance.

4. **Repayment**

The principal sum together with the interest accrued on the unpaid balance will be due and payable to San Miguel County upon sale, refinance, transfer, when the home is no longer the primary residence or upon death of the buyer. Subsequent subordinate requests are not permitted. If the employee is continuously employed by San Miguel County for 10 years from the date of hire, the entire unpaid principal balance plus all accrued interest shall be deemed paid in full.

5. **Eligible Purchase**

Eligible purchases must be in San Miguel County for a primary residence or a construction loan (that will roll into a mortgage loan) for construction of a primary residence in San Miguel County. This program is not for the purchase of vacant land.

6. **Home-buyer Training**

An eligible employee must receive home-buyer training offered through SMRHA.

7. **Collateral**

Evidence of indebtedness by a promissory note will be secured by a deed of trust if approved for down payment assistance.

8. **Exceptions**

All aspects of the San Miguel County Down Payment Assistance Program eligibility criteria are subject to the discretion of the County Administrator.

6-2 GUIDELINE FOR EMPLOYEES WHEN SICK

PURPOSE

To introduce guideline for employees when sick to safeguard the county workplace from known health hazards.

GUIDELINE

1. Introduction

San Miguel County works to provide and maintain a healthy workplace for employees and the public. Sick workers can be a huge liability to the health and productivity of the entire county. Typically, an employee who is ill fails to be productive at work anyway. If an employee then comes to work when sick they also run the risk of spreading their cold or flu virus. This can become a big problem when others in the same department catch the cold; especially when there are only two to three in most departments.

It is not right if employees drag themselves to work when they're sick and infect others.

2. County Sick Time Benefit

The County provides paid sick leave to eligible employees who are temporarily absent due to illness or injury. This generous policy allows employees up to three days in a row without a doctor's note fully paid for all employees. (see County Employee Handbook, 3.06 Sick Time)

3. Guideline for Employees When Sick

- a) Stay home when you are sick. Give your body a chance to recover so you can return to work as quickly as possible.
- b) Encourage people to stay home when sick. It is okay to stay home if you are ill.
- c) When you can't stay home limit your contact with others. No one wants to get too close to someone who is coughing and sneezing.
- d) If an employee's attendance at work jeopardizes the health of others in the workplace they should go home.
- e) Make the appropriate arrangements if you will miss work. You know to call your boss per the department's set call-in policy, but don't forget to let your co-workers know if they're depending on you.

4. Flu Guidelines

The County Public Health and Environment Office and the Human Resources Department will make further guidelines available for employees and supervisors in the event of a flu outbreak.

6-3 GUIDELINE FOR EMPLOYEE PERSONAL SOCIAL MEDIA USE

PURPOSE

To introduce social media guidelines that apply to employees' publishing or regulating personal content on privately maintained social media platforms.

GUIDELINE

1. Employee Personal Social Media Use

- a) An employee's personal social media use shouldn't interfere with their responsibilities at work. The County's internet technology systems are to be used primarily for county business purposes. While incidental personal use of the county's systems at work may be acceptable under certain circumstances, excessive use of county's systems for personal use of social media and social networks is not and could result in the county limiting an employee's ability to engage in these activities during work time and/or taking disciplinary action.
- b) If needed, an employee should clarify in a post or comment that they are expressing their own views and opinions and not those of the County. It may be necessary depending on the topic to distinguish between personal views and county views. This type of clarification probably won't be needed for most posts and comments.
- c) Don't host personal blogs, websites or other online content on county property.

2. Basic Principles

These principles apply to employee personal use of social media, and are not intended to discourage nor unduly limit employees' personal expression or online activities.

- a) Use common sense and good judgment. You're accountable for your actions and your statements could have an impact on others. Remember that what you post or publish may be public information for a long time.
- b) Avoid social media during business hours. Do not conduct official county business communications, internal or external, using social media unless authorized by County Administrator or elected official.
- c) Employees have no right or expectation of privacy in any communication that is created, sent, or received either using employer property including but not limited to mobile phones, Internet, computer, and email accounts.
- d) Respect other employees right to privacy: Avoid sharing information regarding another employee's opinions, beliefs, thoughts and emotions; request permission of a co-worker before posting pictures or videos that feature co-workers.
- e) Recognize the importance of tone in personal communications on-line, and show respect to others on social medial sites.

Personally identifiable information is at risk if shared using social media technology. Information that is intended for friends, family, and colleagues may become available to individuals with malicious intent.