



**Morton County Commission**  
**Morton County Courthouse**  
210 2<sup>nd</sup> Ave NW  
Mandan, ND 58554  
(701) 667.3414

Stewardship of Public Trust | Respect for Diverse Voices & Ideas | Responsive & Comprehensive Customer Service | Leadership with Ethics and Integrity | Culture of Teamwork & Collaboration

# Morton County Policy Manual



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## **100 – Administrative**

## **100-001 – Morton County Mission and Vision Statements**

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Adopted - [4/26/2016/5/24/2016](#)

Revised - N/A

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### **Purpose**

A mission statement communicates Morton County's reason for being and how we aspire to serve our stakeholders. Our vision statement is a narrower, future-oriented declaration of Morton County's purpose and aspirations.

### **Mission Statement**

We believe in providing comprehensive, cost-effective and efficient services to our community, our constituents and our Team while providing these services in a collaborative, considerate, ethical and fiscally responsible manner.

### **Vision Statement**

To enhance, protect and support the community in which we serve.

## **100-002 – Code of Ethics**

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Adopted - [5/24/2016](#)/~~26/2016~~

Revised - N/A

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### **Purpose**

Employees, appointed Board members, elected officials, and/or any other agents of Morton County have an obligation to conduct themselves ethically when interacting with constituents, employees, peers and the public. This Code contains broad principles reflecting the types of behavior expected.

### **Scope**

This policy is not intended as a stand-alone policy. It does not embody the totality of ethical standards, nor does it answer every ethical question or issue that might arise. Rather, it is one element of a broader effort to create and maintain a quality organization that gives ethical conduct the highest priority.

### **General Policy**

Employees, appointed Board members, elected officials, and/or any other agents of Morton County should:

1. Listen to our stakeholders and make all reasonable efforts to satisfy their needs and concerns within the scope of our mission, and to strive for excellence and demonstrate professional respect and responsiveness to constituents, employees, peers and the public.
2. Respect the confidentiality of sensitive information.
3. Comply with applicable federal, state and local laws, regulations and fiduciary responsibilities in an effort to create transparency in all of our operations.
4. Provide credible and effective oversight to the organization's work without personal bias.
5. Not accept commissions, gifts, payments, loans, promises of future benefits or other items of value from anyone who has or may seek some benefit from Morton County.
6. Be accountable for adhering to this Code of Ethics.
7. Implement and follow a Conflict of Interest Policy.
8. Implement and follow a Whistleblower Policy.
9. Act at all times in accordance with the highest ethical standards and in the best interest of Morton County.
10. Be open and honest.
11. Honor our commitments and promises to the best of our abilities.
12. Appropriately acknowledge contributions from other individuals and organizations who help facilitate our mission, duties, and goals.
13. Make an effort to understand, respect and support our constituents from other cultures, and to contribute to an organizational culture that respects the diverse, individual contributions of all.

### **Responsibilities**

The Morton County Commission, through its Department Heads, is responsible for communicating this Code of Ethics to employees, appointed Board members, elected officials, and/or any other agents of Morton County.

## **100-003 – Conflict of Interest**

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Adopted - [5/24/2016](#)/~~26/2016~~  
Revised - N/A  
Legal Ref. - NDCC 44-04-09; NDCC 44-04-22

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Employees, appointed Board members, elected officials, and/or any other agents of Morton County have an obligation to conduct themselves in a manner that avoids actual or potential conflicts of interest. This policy establishes a framework within which Morton County expects employees, appointed Board members, elected officials, and/or any other agents of Morton County to operate. The purpose of this policy is to provide general guidelines on issues related to the subject of acceptable standards of conduct. Behaviors/actions that constitute an actual or potential conflict of interest include, but are not limited to the following:

1. An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of this organization's business dealings. For purposes of this policy, a relative is an employee's parent by birth or adoption, spouse, son or daughter by birth or adoption, stepchild, brother or sister by whole or half blood or by adoption, brother-in-law or sister-in-law, or son-in-law or daughter-in-law. It is imperative that employees disclose any relationship to an appropriate officer of the organization as soon as possible. Personal gain by an employee or a relative in the form of kickbacks, bribes, substantial gift or special consideration as a result of business transactions with the County is prohibited.
2. An employee of the County shall not hold any position, nor serve on any board in which such interest or position would conflict with the duties assigned to that individual and/or that individual's office either by constitution or statute.
3. An employee of the County shall not receive remuneration in any form from an individual, business, corporation, or any other entity for services rendered while acting as an employee or agent of the County.
4. An employee of the County may hold outside employment unless precluded by statute. Outside employment should not create a conflict of interest with constitutional duties, statutory duties and/or the performance level assigned to the individual or the individual's office.
5. In general, County positions shall be considered the primary employer with outside employment considered as secondary. The Department Head shall be made aware of secondary employment by the employee and confirm that a conflict of interest does not exist.
6. An employee engaged in political activity as defined in NDCC 39-01-04, may have a potential conflict of interest and should explain the duties and responsibilities to the Department Head to determine if a conflict of interest exists. The employee will be required to take annual leave for any time taken during normal working hours to carry on such political activity.

If, at any time, employees, appointed Board members, elected officials, and/or any other agents of Morton County believe they are in a situation that may constitute an actual or potential

conflicts of interest they must immediately disclose the actual or potential conflict to their supervisor, Department Head, Director of Human Resources, Board Chairperson, Commission Chairperson, or the Morton County State's Attorney.

## 100-004 – Whistleblower

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Adopted - [5/24/2016](#)/~~26/2016~~  
Revised - N/A  
Legal Ref - NDCC 34-01-20; NDCC 34-11.1-04

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### **Purpose**

This policy is intended to encourage employees, appointed Board members, elected officials, and/or any other agents of Morton County to report suspected or actual occurrence(s) of illegal, unethical or inappropriate events (behaviors or practices) without retribution.

### **General Policy**

A whistleblower as defined by this policy is an employee, appointed Board member, elected official, and/or any other agents of Morton County who reports an activity that he/she considers to be illegal or dishonest. The whistleblower is not responsible for investigating the activity or for determining fault or corrective measures; appropriate officials are charged with these responsibilities.

Examples of illegal or dishonest activities include, but are not limited to, violations of federal, state or local laws; billing for services not performed or for goods not delivered; and fraudulent financial reporting.

If an employee has knowledge of or a concern of illegal or dishonest fraudulent activity, the employee is to contact the Human Resources Director. The Human Resources Director will notify the Morton County State's Attorney if appropriate. The employee must exercise sound judgment to avoid baseless allegations. An employee who intentionally files a false report of wrongdoing will be subject to discipline up to and including termination.

Whistleblower protections are provided in two important areas - confidentiality and against retaliation. Insofar as possible, the confidentiality of the whistleblower will be maintained. However, identity may have to be disclosed to conduct a thorough investigation, to comply with the law and to provide accused individuals their legal rights of defense. Morton County will not retaliate against a whistleblower. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decreases, or poor work assignments and threats of physical harm. Any whistleblower who believes he/she is being retaliated against must contact the Human Resources Director immediately. The Human Resources Director will notify the Morton County State's Attorney of the alleged retaliation. The right of a whistleblower for protection against retaliation does not include immunity for any personal wrongdoing that is alleged and investigated.

All reports of illegal and dishonest activities will be promptly submitted to the Director of Human Resources who is responsible for notifying the appropriate officials (depending on the circumstance could include – State's Attorney, Sheriff, County Commission) and coordinating corrective action. Employees with any questions regarding this policy should contact the Director of Human Resources.

## **100-005 – Public Records**

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Adopted - [5/24/2016](#)/~~26/2016~~  
Revised - N/A  
Legal Ref - NDCC 44-04-18

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Except as otherwise specifically provided by law, all records of Morton County are public records, open and accessible for inspection during reasonable office hours. As used in this policy, "reasonable office hours" includes all regular office hours of the County.

Upon request for a copy of specific public records, Morton County shall furnish the requester one copy of the public records requested. A request need not be made in person or in writing, and the copy must be mailed upon request. The County may charge up to twenty-five cents per impression of a paper copy. "Paper copy" means a one-sided or two-sided duplicated copy of a size not more than eight and one-half by fourteen inches. For any copy of a record that is not a paper copy, the County may charge a reasonable fee for making the copy. A "reasonable fee" means the actual cost of making the copy, including labor, materials, and equipment. The County may charge for the actual cost of postage to mail a copy of a record. The County may require payment before locating, redacting, making, or mailing the copy and may withhold records pursuant to a request until such time as a requester provides payment for any outstanding balance for prior requests. The County may impose a fee not exceeding twenty-five dollars per hour per request, excluding the initial hour, for locating records, including electronic records, if locating the records requires more than one hour. The County may impose a fee not exceeding twenty-five dollars per hour per request, excluding the initial hour, for excising confidential or closed material (under NDCC 44-04-18.10) from the records, including electronic records. If the County receives five or more requests from the same requester within seven days, it may treat the requests as one request in computing the time it takes to locate and excise the records. This policy does not apply to copies of public records for which a different fee is specifically provided by law.

Automation of public records must not erode the right of access to those records. As Morton County increases its use of and dependence on electronic recordkeeping, it will provide reasonable public access to records electronically maintained and will ensure that exempt or confidential records are not disclosed except as otherwise permitted by law. An electronic copy of a record will be provided upon request at no cost, other than costs allowed in the previous paragraph, except if the nature or volume of the public records requested to be accessed or provided requires extensive use of information technology resources, the County may charge no more than the actual cost incurred for the extensive use of information technology resources incurred by the County. "Extensive" is defined as a request for copies of electronic records which take more than one hour of information technology resources to produce.

Except as provided in this policy, nothing in this section requires the County to create or compile a record that does not exist. Access to an electronically stored record under this policy, or a copy thereof, must be provided at the requester's option in either a printed document or through any other available medium. A computer file is not an available medium if no means exist to separate or prevent the disclosure of any closed or confidential information contained in that file. Except as reasonably necessary to reveal the organization of data contained in an electronically stored

record, the County is not required to provide an electronically stored record in a different structure, format, or organization. This policy does not require the County to provide a requester with access to a computer terminal.

The County may establish procedures for providing access from an outside location to any computer database or electronically filed or stored information maintained by the County. The procedures must address the measures that are necessary to maintain the confidentiality of information protected by federal or state law. Except for access provided to a state-level public entity or political subdivision, the County may charge a reasonable fee for providing that outside access. If the original information is keyed, entered, provided, compiled, or submitted by any political subdivision, the fees must be shared by the state and the political subdivision based on their proportional costs to make the data available.

Any request under this section for records in the possession of Morton County by a party to a criminal or civil action, adjudicative proceeding as defined in NDCC 28-32-01 subsection 1, or arbitration in which Morton County is a party, or by an agent of the party, must comply with applicable discovery rules or orders and be made to the attorney representing Morton County in the criminal or civil action, adjudicative proceeding, or arbitration. The County may deny a request from a party or an agent of a party under this policy if the request seeks records that are privileged under applicable discovery rules.

A denial of a request for records made under this policy must describe the legal authority for the denial and must be in writing if requested.

This policy is violated when a person's right to review or receive a copy of a record that is not exempt or confidential is denied or unreasonably delayed or when a fee is charged in excess of the amount authorized in this policy.

It is not an unreasonable delay or a denial of access under this policy to withhold from the public a record that is prepared at the express direction of, and for presentation to, a governing body until the record is mailed or otherwise provided to a member of the body or until the next meeting of the body, whichever occurs first. It also is not an unreasonable delay or a denial of access to withhold from the public a working paper or preliminary draft until a final draft is completed, the record is distributed to a member of a governing body or discussed by the body at an open meeting, or work is discontinued on the draft but no final version has been prepared, whichever occurs first.

It is not an unreasonable delay or a denial of access to withhold from the public a working paper or preliminary draft until a final draft is completed, or work is discontinued on the draft but no final version has been prepared, whichever occurs first. A working paper or preliminary draft shall be deemed completed if it can reasonably be concluded, upon a good-faith review, that all substantive work on it has been completed.

A disclosure of a requested record under this policy is not a waiver of any copyright held by Morton County in the requested record or of any applicable evidentiary privilege.

**100-006 – Courthouse – Responsible Official**

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Adopted - N/A  
Revised - N/A

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Reserved for future use.

## **100-007 – Marriage License and Solemnization**

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Adopted - 6/30/2015

Revised - N/A

Legal Ref - NDCC 14-03-09; NDCC 14-03-10

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### **Purpose**

This policy is intended to clearly identify the individuals designated by the Morton County Commission to perform duties related to;

1. Issuance of marriage licenses
2. Solemnize marriages.

### **Issuance of Marriage Licenses**

The following individuals are authorized to issue marriage licenses (in alphabetical order);

1. Belinda Eckroth
2. Jane Gross
3. Kathy Krance
4. Valerie Milicevic
5. Kim Pitman
6. Dawn Rhone
7. Nancy Seefeldt

### **Solemnization of Marriages**

The following individuals are authorized to perform wedding/marriage ceremonies (in alphabetical order);

1. Valerie Milicevic
2. Nancy Seefeldt

## **100-008 – Motor Pool**

Adopted - 9/13/2011

Revised - N/A

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### **County Owned Vehicle Use**

1. It is the policy of the County to provide County owned vehicles when the use of such is fiscally possible and is required to facilitate the expedient operation of County business. County Officials who are required to respond to EMERGENCY County related situations “day or night” may be authorized to have a County vehicle at their disposal at all times and to house such vehicle at their residence when off duty, at the discretion of the department head and the portfolio Commissioner(s). Use of county owned vehicles under this condition is subject to the provisions of this Section.
2. Only County employees, elected officials, and authorized service individuals are allowed to operate County owned vehicles. County owned vehicles may not be used for personal use after hours.
3. Only individuals having a business relationship with Morton County are allowed to ride in County owned vehicles.
4. The use of County owned vehicles shall be limited to travel within the State of North Dakota. Exceptions to this policy are:
  - a. When law enforcement is in fresh pursuit as defined in NDCC 29-06-07;
  - b. When transporting prisoners;
  - c. When SWAT/Dive Team members are called to assist another jurisdiction;
  - d. When the County Road/Sheriff’s Department is providing emergency assistance to other government entities;
  - e. When an employee has the approval of the employee’s department head and portfolio Commissioner to travel outside the state with a County owned vehicle.
5. Every County employee should be cognizant and protective of a positive image of County employees. Bearing this in mind, it shall be incumbent upon all County vehicle operators to exercise discretion with regard to driving and parking County vehicles while in furtherance of County business.
6. Employees who are requested to use their personal vehicle to conduct official business shall be authorized to submit a claim for mileage. Payment shall be as authorized by the County Personnel Policy.
7. Violation of this policy may result in disciplinary action, up to and including dismissal. Violation of this policy may also lead to civil and criminal penalties. Employee use of personal autos while on County Business

### **Employee Use of Personal Autos While on County Business**

Use of personal vehicle for County business will be reimbursed only if one of the following conditions are met:

1. There is no County vehicle available on the day(s) of your travel. If there is no vehicle available on the day(s) of your travel, you must notify the Auditor's office that you need a vehicle and there is not one available. If the Auditor deems that the use of a rental vehicle is impractical, the Auditor's office will issue you an "approved" mileage voucher on which you can record your personal vehicle miles for reimbursement.
2. Prior approval was granted by the department head and the auditor for personal vehicle use because of an extraordinary circumstance. Any employee using their personal vehicle on County business must provide the following documentation along with the pre-approved mileage voucher: Proof of automobile insurance showing liability limits of at least \$25,000/\$50,000/\$25,000. If an employee is involved in an auto accident while using their personal vehicle in County business, the employee's insurance policy is responsible for payment of all damages related to the accident. The County insurance policy is designed to pay only in excess of the employees liability limits to cover the County in the event of a lawsuit or to cover in excess of a rental car policy; it does not cover physical damage to personal vehicles. Employees are reminded that current state law states that "The operator of a motor vehicle that is part of traffic may not use a wireless communications device to compose, read or send an electronic message."

**100-009 – Employee Travel**

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Adopted - N/A  
Revised - N/A

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Reserved for future use.

## **200 – Finance and Accounting**

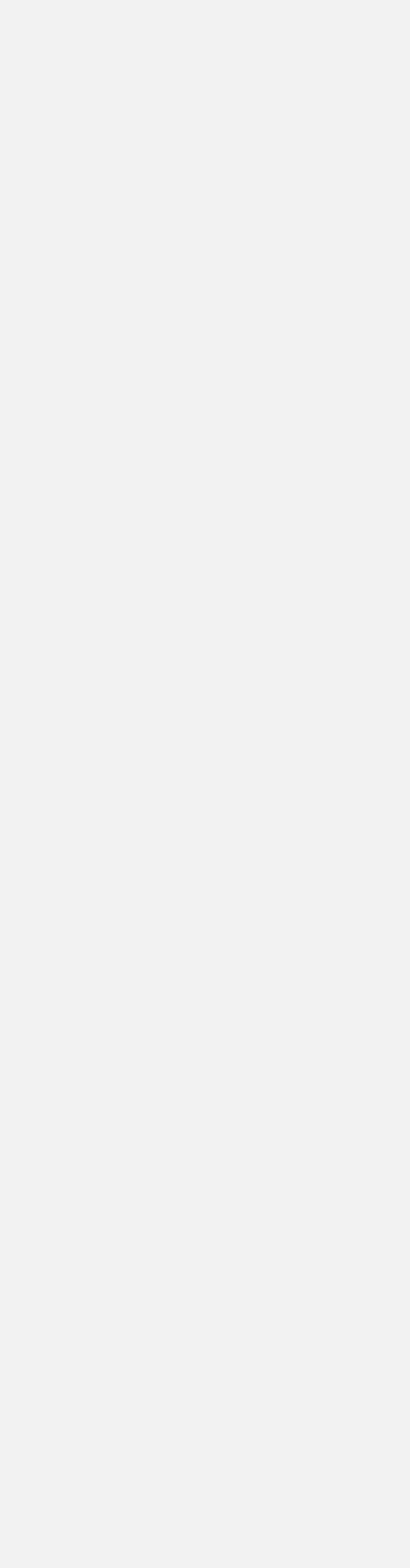
**200-001 – Budget**

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Adopted - N/A  
Revised - N/A

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Reserved for future use.



## **200-002 – Budget Reports**

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Adopted - [5/24/2016](#)/~~26/2016~~

Revised - N/A

Legal Ref - NDCC 11-11-11

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### **Purpose**

One of the primary duties of the County Commission is to “superintend the fiscal affairs of the county”. This policy articulates the procedures by which the County Commission will fulfill that duty with respect to budget oversight through the fiscal year.

### **General Policy**

The County Auditor shall provide Budget Reports to the County Commission at the end of each fiscal quarter; the report after final quarter shall be the fiscal year-end report (prior to budget amendments) and will be presented in conjunction with requested budget amendments. The Budget Reports will, at minimum, contain the following information.

1. Funding budgeted for each department
2. Funding expended to date for each department
3. Percentage of the fiscal year completed
4. Percentage of budgeted funds expended to date for each department

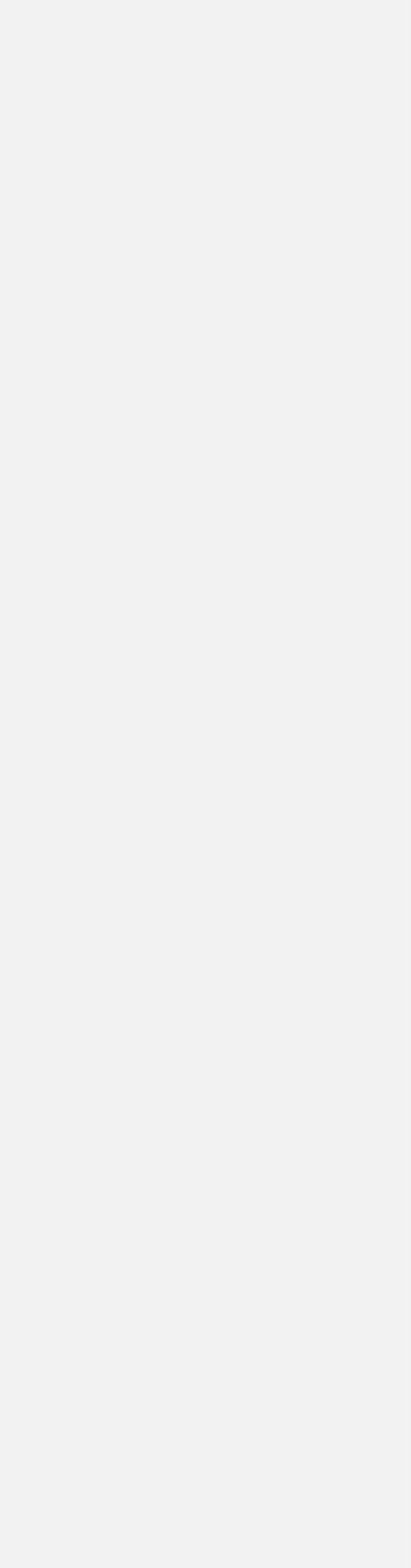
**200-003 – Budget Amendments**

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Adopted - N/A  
Revised - N/A

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Reserved for future use.



## 200-004 – Capital Asset

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Adopted - N/A  
Revised - 2/12/2015

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Assets that have a useful life of more than one fiscal year are considered capital assets. The term capital assets will be identified through the capital improvements planning process, the objectives of capital asset planning are to enhance the accuracy and reliability of Morton County financial statements, amortize the cost of long term assets over their useful lives and allow a systematic replacement of capital investments. Capital asset accounting is required under compliance with GASB Statement 34. Application of this capital asset policy must adhere to GASB, North Dakota Century Code, and the policies of Morton County.

**Capital Asset Process:** The capital improvements planning process will provide the necessary information to identify long term capital assets.

**Designation as a Capital Asset:** The acquisition of an independent asset with an estimated useful life of not less than one fiscal year and an estimated capitalized value of \$5,000.00 or greater will be designated through the capital improvements process and capitalized as a capital asset. Capitalized value will include interest, administrative, professional and or engineering costs, transportation charges, and site preparation. Donated items will be valued at their estimated fair market value at the time of acquisition. Historical items already under the ownership of the County will be valued at a historical value.

### Asset Classifications and Estimated Useful Lives:

<u>CLASSIFICATION</u>	<u>ESTIMATED USEFUL LIFE</u>
Land	Indefinite
Buildings	40 years
Machinery & Equipment	10 Years
Infrastructure	40 years
Vehicles	5 Years
Office Equipment	5 years

Land and land improvements will be recorded at actual or estimated historical cost in the case of purchased land and recorded at fair market value on the date if donated. Land and land improvements will not be subject to annual depreciation expense. Annual review of additions and deletions may warrant changes in estimated useful life.

### Asset Acquisition:

The acquisition of Capital assets will be determined in the capital improvement planning process. Asset acquisitions will be capitalized at cost and effective on the date that they are put into use.

### Asset Disposition:

The disposition of capital assets will be determined by the department head responsible for assigned assets. Asset dispositions must be reported to the Auditor with the explanation for disposition: obsolescence, trade, sale, destruction, or theft. In the event an asset is disposed of

prior to fulfilling the term of its' estimated useful life, a loss on disposal will be calculated and reflected by department. Gain or loss on disposal is calculated as follows:

Cost accumulated depreciation = Net Value

reimbursement received ( if any) = Loss or Gain on Disposal

Dispositions resulting from insured perils will reflect subsequent reimbursements in the disposal transaction. Asset disposals are effective on the date the asset is removed from service. Assets may be transferred from one department to another without disposition as long as both departments agree.

**Implementation of Capital Assets Program:**

Implementation of the capital asset program in compliance with the recommendation of the N D State Auditor's and GASB Statement 34 is tentatively scheduled for January 2012 and reflects in financial statements for the fiscal year ended 12/31/2012. Asset inventory records will be created by department heads and supervisors. Actual acquisition costs will be used when available, assessed or consistently applied values will be used as necessary. Accumulated depreciation will be factored life-to-date of the asset as of 12/31/2012.

**Specific Topics of Capital Assets Program:**

**Demolition Costs:** Demolition costs of an existing are not incorporated into the capitalized cost of the new asset.

**Donated Assets:** Donation of tangible assets will be valued at their estimated fair market value at the time of acquisition plus any eligible costs incurred. In-kind donations cannot be capitalized/depreciated.

**Improvements and Replacements:** Improvement is the substitution of a better asset. Replacement is substitution of a similar asset. The capitalization of a cost incurred is determined when the improvement or replacement increases the future service level as opposed to merely maintaining the existing level of service (estimated useful life).

## 200-005 – Fund Balance Reserves

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Adopted - [5/24/2016](#)/~~26/2016~~

Revised - N/A

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### **Purpose**

To accurately report and classify fund balances in accordance with GASB Statement No. 54 and to ensure the County maintains adequate fund balance reserves for the following:

- a. Provide sufficient cash flow for daily financial needs,
- b. Secure and maintain investment grade bond ratings,
- c. Offset significant economic downturns or revenue shortfalls, and
- d. Provide funds for unforeseen expenditures related to emergencies.

### **Governmental Funds Definition**

Fund type definitions: The following definitions will be used in reporting activities in governmental funds throughout the County's financial statements. The County may or may not report all fund types in any given reporting period, based on actual circumstances and activity.

General Fund is used to account for all financial resources not accounted for and reported in another fund.

Special Revenue Funds are used to account and report the proceeds of specific revenue sources that are restricted or committed to expenditures for specific purposes other than debt service or capital projects.

Debt Service Funds are used to account for all financial resources restricted, committed or assigned to expenditures for principal, interest and debt service related fees.

Capital Projects Funds are used to account for all financial resources restricted, committed or assigned to expenditures for the acquisition of construction of capital assets.

### **Fund Balance Reporting In Government Funds**

Classification: Fund balance classification shall be recorded in accordance with governmental accounting standards as promulgated by the Government Accounting Standards Board (GASB).

Spending: The order of spending and availability of the fund balance shall be to reduce funds from the listed areas in the following order: restricted, committed, assigned and unassigned. Negative amounts shall not be reported for restricted, committed or assigned funds.

Definition - Fund Balance: Shall mean the gross difference between governmental fund assets and liabilities reflected on the balance sheet. Governmental fund assets are those of the General Fund, Special Revenue Funds, Debt Service Funds and Capital Project Funds.

General Fund: The fund balance of the general fund, one of the governmental fund balance types is of primary significance because the general fund is the primary fund, which finances most functions in the County. The fund balance of the general fund shall

mean the gross difference between governmental fund assets and liabilities reflected on the balance sheet.

Fund balance will be reported in governmental funds under the following categories using the definitions provided by GASB Statement No. 54 and the five classifications of fund balance:

1. Non-spendable fund balance shall mean the portion of the gross fund balance that is not expendable (such as inventories or loans receivable) or is legally earmarked for a specific use (such as the self-funded reserves program).

Examples of non-spendable fund balance reserves for which fund balance shall not be available for financing general operating expenditures include:

- Inventories;
- Prepaid items;
- Deferred expenditures;
- Long term receivables; and
- Outstanding encumbrances.

2. Restricted fund balance shall include amounts constrained to a specific purpose by the provider, such as a grantor, by restricted tax levy or by bond indenture. Examples of restricted fund balances include:

- Tax levy funds;
- Construction programs (including related debt service funds restricted); and
- Resources from other granting agencies – restricted state and federal grants/reimbursements.

3. Committed fund balance shall mean the portion of the fund balance that is constrained to a specific purpose by the Commission authority to make commitments. Commitments will only be used for a specific purpose pursuant to a formal action by the Commission enacted by a motion with a majority voting in approval.

Examples of committed fund balances include:

- Potential litigation, claims, and judgments;
- Commission approved projects, grants, programs; and
- Legislative induced restrictions.

4. Assigned fund balance shall mean the portion of the fund balance that is spendable or available for appropriation but has been tentatively earmarked for some specific purpose by the County. In current practice, such plans may change and may not be budgeted, or may result in expenditures in the future. Examples of assigned fund balances include:

- Insurance deductibles;
- Program start-up costs; and
- Other legal use.

5. Unassigned fund balance shall include amounts available for any legal purpose. This portion of the total fund balance in the General Fund is available to finance operating expenditures.

The unassigned fund balance shall be the difference between the total fund balance and the total of the non-spendable fund balance, restricted fund balance, committed fund balance and assigned fund balance.

#### **Minimum Fund Balances**

~~General Fund, General Fund, Social Service Fund, and County Road and Bridge Fund.~~ The County shall maintain a minimum unassigned fund balance in ~~these~~ major operating funds ranging from not less than ~~7-8.5~~ percent to 10 percent of the subsequent year's budgeted expenditures and outgoing transfers. The minimum fund balance is to protect against cash flow shortfalls related to timing of projected revenue receipts and to maintain a budget stabilization commitment.

Replenishing Deficiencies: When the fund balance falls below the minimum 10 percent target range, the County will replenish shortages/deficiencies using the budget strategies and timeframes described below:

- Reduce recurring expenditures to eliminate any structural deficit or;
- Increase revenue, pursue other funding sources, or;
- Some combination of the two options above.

Minimum fund balance deficiencies shall be replenished within the following timeframes:

- Deficient fund balance between 5% and 78.5% shall be corrected within 1 year;
- Deficient fund balance between 0% and 5% shall be corrected within 3 years.

Special Revenue Funds: Special levy funds account for the proceeds of specific revenues. Special Revenue funds will have unique criteria for reserves based on the use and objective of the fund, ~~for special revenue funds other than Social Service and County Road and Bridge Funds as noted above.~~ The County shall maintain a minimum unassigned fund balance from 8.57% to 10% of the preceding year's operating expense with the exception of the Emergency Fund. The Emergency Fund is used to provide funds for emergencies caused by nature. This Fund is the major source of dollars to bridge the time period when funds are expended on emergency measures and the reimbursement of dollars from state and federal agencies which may take several years. As such, the minimum unassigned fund balance will be stated in terms of dollars and be adjusted periodically based upon the history of emergencies and the dollars needed to fund those emergencies. ~~At the current time, a minimum unassigned fund balance will be established at \$250,000.~~

Debt Service Funds: The objective of designated debt service funds is to accumulate principal and interest payments maturing in future years. At a minimum, each debt service fund shall maintain reserves sufficient to meet bond covenants and current year obligations. A viable revenue source must be identified and maintained for all long term obligations. Debt service fund balances, revenues, and expenses will be reviewed during the annual budget process; insufficient revenue and or reserves shall be addressed as part of the annual budget process.

Capital Project Funds: Capital project funds will accumulate costs, any off-setting revenue, and debt proceeds related to long term capital projects. Capital project funds will typically be resolved with permanent long term debt financing, which will be determined prior to incurring any expenditures. At the time of completion the capital project fund will be closed with proceeds from permanent financing, and multiple projects will require separate and distinct capital project funds.

Internal Service Funds: These funds shall systematically retain an unassigned fund balance between 25% and 50% of the preceding year's operating budget. Internal Service funds are required to be self-sufficient in activity and will establish rates sufficient to maintain and grow fund equity. In the event a Commission directive allocates funding from equity, a plan and time frame not to exceed 3 years needs to be included in the budget process to restore the established one year's operating fund equity requirement.

**Expending Fund Balance Reserves**

Fund balance reserves are maintained to prohibit and or minimize interruption in operations, unmet obligations and opportunity costs. Fund balance reserves will only be made available for extraordinary events such as:

- Major projects that are long term in nature.
- Temporary gap financing pending permanent financing and/or grant monies.
- Disaster recovery.
- Potential service disruptions.

Reserves may only be committed upon approval of the County Commission.

## **200-006 – Grant Acceptance**

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Adopted - [5/24/2016](#)/~~26/2016~~

Revised - N/A

Legal Ref - NDCC 11-11-11

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### **Purpose**

One of the primary duties of the County Commission is to “superintend the fiscal affairs of the county”. This policy articulates the procedures by which the County Commission will fulfill that duty with respect to the acceptance of grant funding.

### **General Policy**

Department Heads wishing to receive/use grant funding from an outside source may gain permission to do so by one of two methods.

1. Include the expected revenue (and corresponding expenses) in the yearly budget request submitted to the County Auditor. If the County Commission approves the budget with the grant included, the Department Head has implicit approval to apply for, accept, and expend funds for the approved grant.
2. If the grant was not included in the Department’s approved budget, the Department Head must seek approval from the County Commission to accept and expend funds for a grant.

Whenever possible, Department Heads should include the request for grant funding approval as part of their yearly budget request.

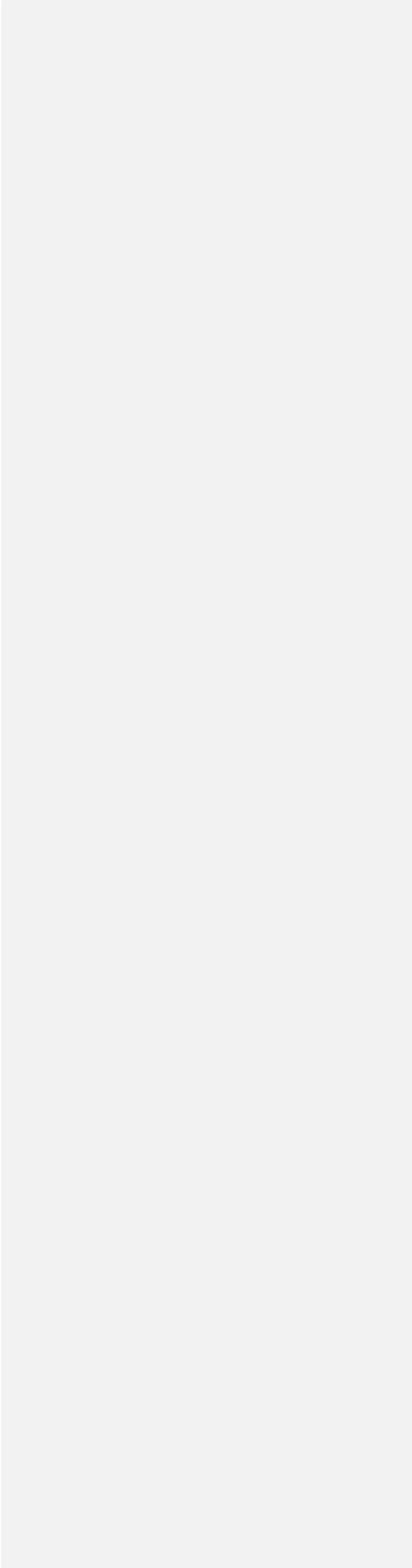
**200-007 – Procurement**

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Adopted - N/A  
Revised - N/A

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Reserved for future use.



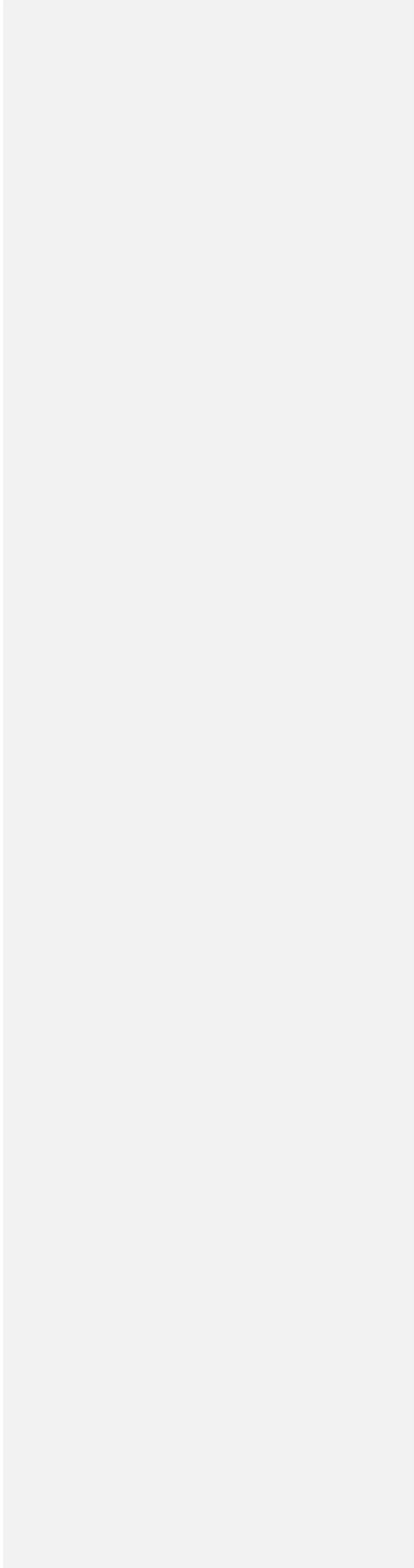
**200-008 – Bills – Approval**

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Adopted - N/A  
Revised - N/A

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Reserved for future use.



## **200-009 – Credit Cards**

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Adopted - 1/7/2008

Revised - N/A

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### **General Policy**

The purpose of our purchasing card program is to simplify the process for purchases as well as a cost savings for the County. To assure the effectiveness of the program, the policy and procedures in this section must be followed by all cardholders. Failure to use the purchasing card in accordance with applicable policies and procedures may result in revocation of the card and may involve appropriate disciplinary action, up to and including, termination and prosecution. Policy and procedure violations include, but are not limited to:

- Purchasing items with the card for personal use
- Failure to return the card when terminated or upon request
- Failure to assign account numbers to transactions by the 10th of each month
- Failure to submit proper transaction documentation to the Auditor's office in a timely manner
- Transferring assignment of the card to another individual

Cardholders will be required to sign a "Cardholder User Agreement" form. By signing the agreement form, cardholders agree to adhere to the guidelines established in this policy manual.

### **Purchases**

The purchasing card program is intended for maintenance, repair, operating and other purchases needed during the course of business. All vendors accepting payment by credit card without additional costs shall be paid with credit cards.

Cards may be used for in-store purchases as well as phone, internet, fax or mail orders.

### **Responsibilities**

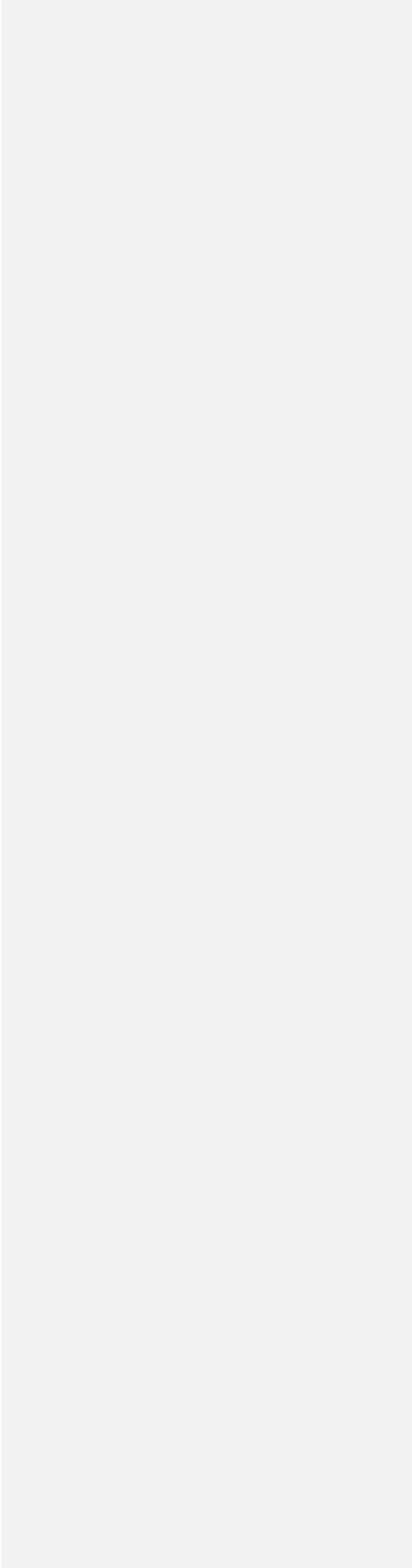
The cardholder is responsible for the following:

- Safeguarding of the card
- Keeping receipts for each purchase
- Reconciling and assigning charge codes to each transaction online
- Notifying the County Auditor in the event of a lost or stolen card
- Turning in the card in the event of termination
- Resolve disputes as described below
- Making only authorized purchases

### **Returns, Credits and Disputed Items**

Cardholders have the responsibility to follow up with the merchant or bank on any erroneous charges, disputed items, sales tax charged on purchases or returns as soon as possible. Disputed billings can result from failure to receive the goods charged, defective merchandise, incorrect amounts, duplicate charges, credit not processed, as well as fraud and misuse. If the cardholder

has a problem with a purchased item or a billing resulting from the use of the purchase card, they should attempt to reach a resolution with the supplier. In most cases, disputes may be resolved directly between the cardholder and the supplier.



## **300 – Human Resources**

### **300-001 – Team Member Handbook**

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Adopted - 9/22/2015

Revised - N/A

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#### **Purpose**

The Morton County Team Member Handbook is a compilation of employee policies, procedures, working conditions, and behavioral expectations that guide employee actions in the workplace. It also includes information about employee compensation and benefits, and additional terms and conditions of employment.

#### **General Policy**

The contents, in their entirety, of the Morton County Team Member Handbook are hereby adopted as Morton County Policy.

### **300-002 – Performance Appraisal**

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Adopted - [5/24/2016](#)/~~26/2016~~

Revised - N/A

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#### **Purpose**

Morton County's Performance Management Program uses regular performance discussions to guide employees to successful performance. This is achieved by collaborative and ongoing discussion between employees and supervisors. These conversations should occur regularly and any guidance/feedback provided should be consistent with our Morton County Core Values and the Morton County Core Competencies.

By November 15<sup>th</sup> of each calendar year, supervisors will prepare a formal performance evaluation recapping prior performance management discussions. Employees will be provided an opportunity to participate in the preparation of the evaluation through the use of the Team Member Feedback Form. The evaluations will be submitted to the Human Resources Director, and may be used to determine eligibility for annual compensation adjustments and/or performance based increases.

This policy is intended to clearly identify the consequences of failure to complete the annual performance appraisals.

#### **General Policy**

The ultimate responsibility for completion of the annual performance appraisals lies with the Department Heads. Therefore, if annual performance appraisals are not completed for employees in a particular department by the November 15<sup>th</sup> deadline; that Department Head will **NOT** be eligible to receive an annual compensation adjustments and/or performance based increase for the upcoming year.

### **300-003 – Nepotism**

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Adopted - [5/24/2016](#)/~~26/2016~~

Revised - N/A

Legal Ref - NDCC 44-04-09

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#### **Purpose**

The purpose of this policy is to address favoritism, bias, conflict of interest, and liability from harassment situations and inappropriate conduct caused by a family or close personal relationships between supervisors or employees with oversight authority of a subordinate employee. All employees have the right to expect fair and impartial treatment from supervisors or employees with oversight authority. A familial, close personal, or financial relationship between a supervisor or oversight authority employee with an employee whom they have direct influence over exposes them to possible charges of conflict of interest, favoritism, bias, and inappropriate conduct that may adversely impact the performance of business functions or the working environment. In the public sector, it is essential to avoid situations, which may lead to any favoritism, bias, conflict of interest or inappropriate conduct. County employees have been entrusted with carrying out the public interest and performing their work in a manner consistent with the highest professional and ethical standards.

#### **General Policy**

A County official or employee, in the exercise of that official's or employee's duties, may not serve in a supervisory capacity over, or enter a personal service contract with, that official's or employee's parent by birth or adoption, spouse, son or daughter by birth or adoption, stepchild, brother or sister by whole or half blood or by adoption, brother-in-law or sister-in-law, or son-in-law or daughter-in-law. As used in this policy, "supervisory capacity" means the authority to appoint, employ, hire, assign, transfer, promote, evaluate, reward, discipline, demote, or terminate. As used in this policy, "evaluate" does not include evaluations by peers or subordinates.

### 300-004 – Difficult Customer

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Adopted - [5/24/2016](#)/~~26/2016~~

Revised - N/A

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#### **Purpose**

This policy is intended to provide Morton County employees with a consistent way to address difficult customers.

As an employee of Morton County, employees will often encounter situations where an individual is emotionally charged. If you encounter this situation, it is important for you to understand what the boundaries are when attempting to diffuse the difficult situation.

#### **Standard Operating Procedure (SOP)**

Below, you will find an SOP. If this fails to diffuse the situation, please turn over the customer to your immediate supervisor.

**Step One:** Listen Patiently. Allow the customer to voice their complaint without judgment. You should only interrupt the customer if the customer becomes directly abusive towards you.

**Step Two:** Maintain your Composure. If the customer is rude, yelling or abusive, respond calmly. Example: "I understand your frustration. I would like to help you but will be unable to move forward with assisting you until you are able to calm down."

**Step Three:** Become Solution-Focused. Focus on the solution rather than what went wrong with the situation. Example" "I understand that this is an unfortunate situation. I would like to assist you in resolving this. This is the most effective way to address your situation."

**Step Four:** Disengage from the Conversation. If the customer fails to interact professionally after you attempted to correct the problem (professionally and compassionately), disengage from the conversation. Example: "I am here to assist you with your concern. I am unable to effectively resolve your concern when you yell, scream, curse or personally attack me. Once you are able to work through this more professionally, I would like to assist you further. Until then, I will be unable to provide you with any further assistance."

**Note:** Apologize Only when Appropriate. At times, a customer wants to know that you care about situation. You may offer an apology in a positive manner. Example: "I apologize for your frustration; let's see if we can turn this around."

**Note:** Document the Incident. Document the phone call in detail and notify the appropriate official.

### **300-005 – Employment Reference**

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Adopted - [5/24/2016](#)/~~26/2016~~  
Revised - N/A  
Legal Ref - NDCC 44-04; NDCC 44-04-18; NDCC 44-04-18.1; NDCC 44-04-18.10; NDCC 44-04-18.11; NDCC 44-04-27; NDCC 44-04-28;

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#### **Purpose**

Morton County strives to ensure accurate, factual and swift recommendations, verifications and references while taking the necessary precautions to respect confidentiality and avoid potential liability. In order to assure the integrity of this process, the County has designated the Human Resources Department and the States Attorney’s Office as the only Departments with authority to offer any form (verbal or written) of referral, recommendation or verification.

The County will release all requested information, as deemed appropriate, while using the guidance and authority granted by North Dakota Century Code Chapter 44-04.

#### **Access to Electronic Public Records**

All records of a public entity are public records and may be accessible during reasonable office hours (regular office hours).

The request does not have to be made in person or in writing by the requestor. The County is not required to create a record that does not exist and is not required to provide an electronically stored record in a different structure, format or organization.

The County must comply with applicable discovery rules or orders in the event the request is related to any form of court action. We may deny a request from a party or an agent of a party if the request seeks records that are privileged under applicable discovery rules. The States Attorney Office would handle this function as well as the functions outlined in N.D.C.C 44-04-18.11 Disclosure Pursuant to a Subpoena or Order.

A denial of a request for records made under this section must describe the legal authority for the denial and must be in writing if requested.

#### **Personal, Medical and Employee Assistance Records**

Records relating to medical treatment or participation in an Employee Assistance Program are considered confidential and not accessible through a records request.

Personal information is not accessible through a records request such as a home address; home telephone number or personal cell phone number; photograph; medical information; motor vehicle operator's identification number; public employee identification number; payroll deduction information; the name, address, telephone number, and date of birth of any dependent or emergency contact; any credit, debit, or electronic fund transfer card number; and any account number at a bank or other financial institution.

Personal information regarding a licensee maintained by an occupational or professional board, association, state agency, or commission is also considered an exempt record and not accessible through a records request.

#### **Disclosure of Public Records**

The County will not deny a request on the grounds that the record contains confidential or closed information. The County will make every effort to redact this information and make a good faith effort to disclose the open information.

Unless otherwise prohibited by federal law, records of a public entity which are otherwise closed or confidential may be disclosed to any public entity or federal agency for the purpose of law enforcement or collection of debts owed to a public entity, provided that the records are not used for other purposes and the closed or confidential nature of the records is otherwise maintained. Confidential records that are authorized by law to be disclosed to another entity continue to be confidential while in the possession of the receiving entity.

#### **Computer Passwords and Security Information**

Security codes, passwords, combinations, or security-related plans used to protect electronic information or to prevent access to computers, computer systems, or computer or telecommunications networks of a public entity are confidential.

#### **Social Security Numbers**

Social security numbers in the possession of a public entity are confidential.

#### **County Procedure**

Upon request, the Morton County Human Resources Department will determine if the request should be handled within the Human Resources Department or the States Attorney's Office. If it involves the States Attorney's Office, the HRD would forward to the Assistant States Attorney responsible for personnel.

#### **General Guidance**

The HRD should address an open records request within five (5) business days of the request depending on the size of the request. If there is a delay, the HRD must document the reason for the delay.

As a general practice, the HRD may only release information documented by the County prior to the request i.e. Classification Title, Salary, Performance Evaluations, Letters of Appreciation, Letters of Accommodations (related to positive performance not disability) and any Constructive Discipline actions, etc... Any information released must contain verifiable documented data determined to be factual.

Each request should be documented by the HRD to include the Requestor's Information (if available, not required), date of request, what was provided and an explanation of any redactions and the date and method the information was sent. The HRD should sign each entry.

**Standard Process** Determine if the record is considered an open or closed record. If the record is considered an open record, evaluate the record, redact closed information and prepare the information for disclosure. Communicate with the requestor reasons for any and all redactions. If the record is considered a closed record, the HRD must communicate to the requestor the reason for denial and reference N.D.C.C. Prior to any denial, the HRD should seek clarification and confirmation from the States Attorney's Office.

Document all disclosures and all denials by recording Requestor Information (if available, not required), what was requested, what was released, date and method of delivery and store a copy of the information released.

Under no circumstances is any other employee authorized to provide information regarding a current, former or future employee to an internal or external party with the exception of the Human Resources Department and the States Attorney's Office.

## **400 – Commissions, Boards and Committees**

## **400-001 – Open/Public Meetings**

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Adopted - [5/24/2016/26/2016](#)  
Revised - N/A  
Legal Ref - NDCC 44-04-19; NDCC 44-04-19.2

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### **Open/Public Meetings**

Except as otherwise specifically provided by law, all meetings of Morton County must be open to the public. That portion of a meeting of the County as defined in NDCC 44-04-17.1 subsection 13 subdivision c which does not regard public business is not required to be open under this policy.

This policy is violated when any person is denied access to a meeting unless such refusal, implicitly or explicitly communicated, is due to a lack of physical space in the meeting room for the person or persons seeking access.

For purposes of this policy, the meeting room must be accessible to, and the size of the room must accommodate, the number of persons reasonably expected to attend the meeting.

The right of a person to attend a meeting under this policy includes the right to photograph, to record on audiotape or videotape and to broadcast live on radio or television the portion of the meeting that is not held in executive session, provided that there is no active interference with the conduct of the meeting. The exercise of this right may not be dependent upon the prior approval of the County. However, the County may impose reasonable limitations on recording activity to minimize the possibility of disruption of the meeting.

For meetings subject to this section when one or more of the members of the governing body is participating by telephone or video, a speakerphone or monitor must be provided at the location specified in the notice issued under NDCC 44-04-20.

### **Confidential/Closed Meetings**

A governing body may hold an executive session to consider or discuss closed or confidential records.

Unless a different procedure is provided by law, an executive session that is authorized by law may be held if:

1. The governing body first convenes in an open session and, unless a confidential meeting is required, passes a motion to hold an executive session;
2. The governing body announces during the open portion of the meeting the topics to be discussed or considered during the executive session and the body's legal authority for holding an executive session on those topics;
3. The executive session is recorded as described in NDCC 44-04-19.2;
4. The topics discussed or considered during the executive session are limited to those for which an executive session is authorized by law and that have been previously announced under this policy;

5. Final action concerning the topics discussed or considered during the executive session is taken at a meeting open to the public, unless final action is otherwise required by law to be taken during a closed or confidential meeting. For purposes of this policy, "final action" means a collective decision or a collective commitment or promise to make a decision on any matter, including formation of a position or policy, but does not include guidance given by members of the governing body to legal counsel or other negotiator in a closed attorney consultation or negotiation preparation session.

The remainder of a meeting during which an executive session is held is an open meeting unless a specific exemption is otherwise applicable.

The minutes of an open meeting during which an executive session is held must indicate the names of the members attending the executive session, the date and time the executive session was called to order and adjourned, a summary of the general topics that were discussed or considered that does not disclose any closed or confidential information, and the legal authority for holding the executive session.

All meetings of the governing body of Morton County that are not open to the public must be recorded electronically or on audiotape or videotape. The recording must be disclosed pursuant to court order under NDCC 44-04-18.11 or to the attorney general for the purpose of administrative review under NDCC 44-04-21.1 subsection 2. The attorney general may not disclose to the public any recording received under this policy and must return the recording to the governing body upon completion of the administrative review. The recording may be disclosed upon majority vote of the governing body unless the executive session was required to be confidential. All recordings under this policy must be retained for a minimum of six months after the executive session that is the subject of the recording.

Morton County may sequester all competitors in a competitive selection or hiring process from that portion of a public meeting wherein presentations are heard or interviews are conducted.

## 400-002 – Commission and Board Appointments

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Adopted - [5/24/2016](#)/~~26/2016~~

Revised - N/A

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### **Purpose**

Morton County encourages all citizens to participate in County government and seeks the most qualified candidates for appointed positions. Morton County's boards and commissions, and the volunteers serving on them, play an important role in ensuring that the County is able to implement policies that serve the needs of the public. The members of boards and commissions exercise important civic responsibilities and promote good government while ensuring the effective and efficient delivery of services to the public.

### **Scope**

This policy applies to all boards and commissions appointed by the Morton County Commission.

### **General Policy**

When a vacancy exists or the current term of a sitting board or commission member expires, the County Auditor will solicit applicants county-wide by announcing the position in the official County newspaper (and other newspapers within the County, at the Auditor's discretion) and the County website. The Auditor will also facilitate the interview process, if necessary, and prepare the agenda packet and supporting documentation necessary for County Commission action.

## 400-003 – Agendas, ~~and~~ Agenda Packets and Minutes

Adopted - [5/24/2016](#)/~~26/2016~~

Revised - N/A

Legal Ref - [NDCC 11-11-37; NDCC 11-23-03; NDCC 11-28-08; NDCC 11-33-09; NDCC 44-04-20](#)

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### Purpose

It is the intent of Morton County to operate in a fashion that complies with the tenants of “Open Government.” Morton County encourages public input, interaction and communication as well as transparency. Open government is the governing doctrine which holds that citizens have the right to access the documents and proceedings of the government to allow for effective public oversight. Transparency in government is often credited with generating government accountability. It allows citizens of a democracy to control their government, reducing government corruption and malfeasance.

This policy identifies the procedures and deadlines for agenda/agenda packet formulation and publication, [and meeting minute submission and publication](#). For open and transparent government to operate effectively, citizens must be notified in a timely manner of the issues that will be debated and decided in the course of public meetings. The public must have the time and opportunity to contact Commission members or comment publicly on issues before they are decided.

### Scope

This policy applies to the agenda/agenda packets [and minutes](#) of all open meetings.

### Procedures and Deadlines

1. [Agenda/agenda packet deadlines are as follows:](#)

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<b>Meeting Day</b>	<b>Deadline - Information to Auditors Office</b>	<b>Deadline - Publication of Agenda Packet</b>
Monday	COB Preceding Wednesday	COB Preceding Thursday
Tuesday	COB Preceding Thursday	COB Preceding Friday
Wednesday	COB Preceding Friday	COB Preceding Monday
Thursday	COB Preceding Monday	COB Preceding Tuesday
Friday	COB Preceding Tuesday	COB Preceding Wednesday

2. [Before addressing a Commission at a public meeting,](#) the interested party must provide a completed “Agenda Item Memo” (Example Attached) and supporting documentation outlining the request, to the Commission Secretary (County Auditor) by the above stated deadline. It will be determined from the information submitted if an item is ready to be placed on the agenda.
3. The Commission Secretary or designee will publish the meeting Agenda Packet (inclusive of all supporting documents) on the county website, and directly notify interested parties, including the media.
4. Additional agenda items and/or documentation will only be considered in emergency or highly unusual circumstances. Additional agenda items and/or documentation will only be allowed if approved by a vote of the full County Commission.
- 4-5. [The minutes of all public meetings of elected and appointed boards and commissions shall be provided to the County Auditor who will publish the minutes on the County website as well as comply with the publishing requirements set forth in NDCC.](#)



Morton County Commission  
Morton County Courthouse  
210 2<sup>nd</sup> Ave NW  
Mandan, ND 58554  
(701) 667.3414

Stewardship of Public Trust | Respect for Diverse Voices & Ideas | Responsive & Comprehensive Customer Service | Leadership with Ethics and Integrity | Culture of Teamwork & Collaboration

**MEETING DATE:** January 15, 2016  
**PREPARATION DATE:** January 1, 2016  
**SUBMITTING DEPARTMENT:** Engineer/Highway Department  
**DEPARTMENT DIRECTOR:** Mike Aubol  
**PRESENTER:** Mike Aubol  
**SUBJECT:** Truck Bids

**STATEMENT/PURPOSE:** To consider bids received on December 31, 2015 for a new truck.

**BACKGROUND/ALTERNATIVES:** Morton County advertised for the request of bids on a new truck with all bids to be received no later than 12:00 p.m. December 31, 2015. We received five bids ranging from \$150,000 to \$200,000. All bids were thoroughly reviewed. Company A with a base bid of \$150,000 and Company B with a base bid of \$165,000 were the two lowest bids.

Staff spoke with representatives from both companies to ensure that all bid specifications were contained within their proposals. The result of the research was that all bid specifications were contained within both proposals.

**ATTACHMENTS:** Bid tabulation Sheet, Equipment Replacement Schedule

**FISCAL IMPACT:** The 2016 budget included \$140,000 for the purchase of a new truck. Should the Commission approve this purchase, the \$10,000 difference between the low bid and the budgeted amount will have to be absorbed through use of cash reserves.

**STAFF IMPACT:** There will be a pre-construction meeting held at the factory in Dallas Texas, that will require a staff member to travel out of state with all expenses to be paid by Company A. In addition, Company A will provide training to all staff at the time the new truck is delivered.

**LEGAL REVIEW:** The State's Attorney's Office has reviewed the bid advertisement, resolution, and bid tabulations and reported that everything is in order.

**RECOMMENDATION:** I recommend the Commission award the bid for a new truck to Company A for a total amount of \$150,000 I also recommend approving a five year annual \$5,000 maintenance agreement with Company Z.

**SUGGESTED MOTION:**

Move to award the bid for a new truck to Company A for a total amount of \$150,000 and approve a five year annual \$5,000 maintenance agreement with Company Z.

## **400-004 – Appointed Commission and Board Compensation**

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Adopted - [5/24/2016](#)/~~26/2016~~

Revised - N/A

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### **Purpose**

Morton County's boards and commissions, and the volunteers serving on them, play an important role in ensuring that the County is able to implement policies that serve the needs of the public. The members of boards and commissions exercise important civic responsibilities and promote good government while ensuring the effective and efficient delivery of services to the public.

### **Scope**

This policy applies to all boards and commissions appointed by the Morton County Commission.

### **General Policy**

Appointed board and commission members shall receive compensation of \$50.00 per regular and special meeting attended. In addition, the member is eligible for reimbursement of mileage and meal costs incurred in the execution of the members' official duties, at a rate equal to that set by the North Dakota Office of Management and Budget for State employees.

## **400-005 – Standards of Behavior – Public Meetings/County Property**

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Adopted - [5/24/2016](#)/~~26/2016~~

Revised - N/A

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### **Purpose**

Morton County has established this Standards of Behavior policy to ensure that any and all individuals display civil behavior while on the premises of Morton County. It is our full intent to provide employees and our citizens with a safe and welcoming environment when utilizing the services of Morton County or while attending any public meeting.

### **Overview**

While visiting the premises of Morton County or conducting business at Morton County by telephone or any other electronic device, individuals are expected to conduct themselves in a manner that promotes civility.

Inappropriate conduct includes any activity that is unreasonably disturbing to other individuals lawfully using County facilities.

Individuals will refrain from:

- Engaging in disruptive, harassing, or threatening behavior i.e. using offensive/ harassing language, gestures or actions;
- Disrupting a public meeting (NDCC 11-11-10);
  - When a member of the public addresses a public hearing, the individual must state their name, address and representation prior to participating in the public meeting;
  - Comments may only be made during the meeting and only when approved by the commission (i.e. no interrupting);
  - All comments must be made directly to the commission and not to any specific individual unless approved by the commission; and/or
  - All comments must remain within the scope of the item on the agenda and be contained to the time allotted for the agenda item.
- Selling, soliciting, surveying, distributing written materials, panhandling or canvassing for any political, charitable or religious organization without prior authorization of the County Commission or designee;
- Bringing any animal except certified or medically prescribed service animal or a Law Enforcement or Emergency Service K9;
- Entering non-public areas of Morton County without permission;
- Possessing, selling, distributing, consuming or being under the influence of alcohol or a controlled substance;
- Promoting, advertising or engaging in any sexual activity, contact, conduct or sexual performance;
- Possessing, selling, distributing, displaying, using or threatening the use of a firearm, dangerous weapon, object or explosive (exception: NDCC 62.1-01-01; 62.1-02-05; 62.1-02-09; Morton County Sheriff or other dually authorized official or person);
- Committing or attempting to commit illegal activity.

### **Response to Infractions**

The Chairperson(s) of the Board (County Commissioners, Planning Commission, County Park Board, Weed Board, etc...) shall have the discretion to take any actions allowed within the framework of this policy to preserve the order of their respective public meetings.

If any individual (employee/citizen) or groups of individuals display behavior that is unreasonably disturbing, Morton County will:

- Upon the initial violation, a Morton County Representative will educate the offender regarding the standards of this policy and inform the individual of the consequences of continued violations.
- If the behavior occurs within an individual Department, a Morton County Official (preferably a Department Head) may request the individual or groups of individuals to leave Morton County property.
- If the behavior occurs within a public meeting, the Chairperson of the Board may request the individual or the group of individuals to leave the premises and potentially impose a fine outlined within NDCC.
- If an individual is excessively and repeatedly disruptive, Morton County will not refuse service but may refuse to offer service in the manner typically offered. As an example, an individual may be banned from the premises; however, alternatives for service will be determined by Morton County on a case by case basis. A letter will be drafted and mailed to the offender with the new arrangements.
- If behavior is so extreme that employee or public safety becomes a concern, Morton County will utilize the services of the Sheriff's Department to assure the safety and security of life and property.
- If an individual displays behavior that threatens the safety or security of Morton County Staff, the Public or Morton County property, the County Sheriff will immediately escort the individual off Morton County premises. The Sheriff will also provide staff with notification of the name and a general description of the concern so staff can remain vigilant in protecting staff and county property.

## **500 – Building and Grounds**

**500-001 – Parking**

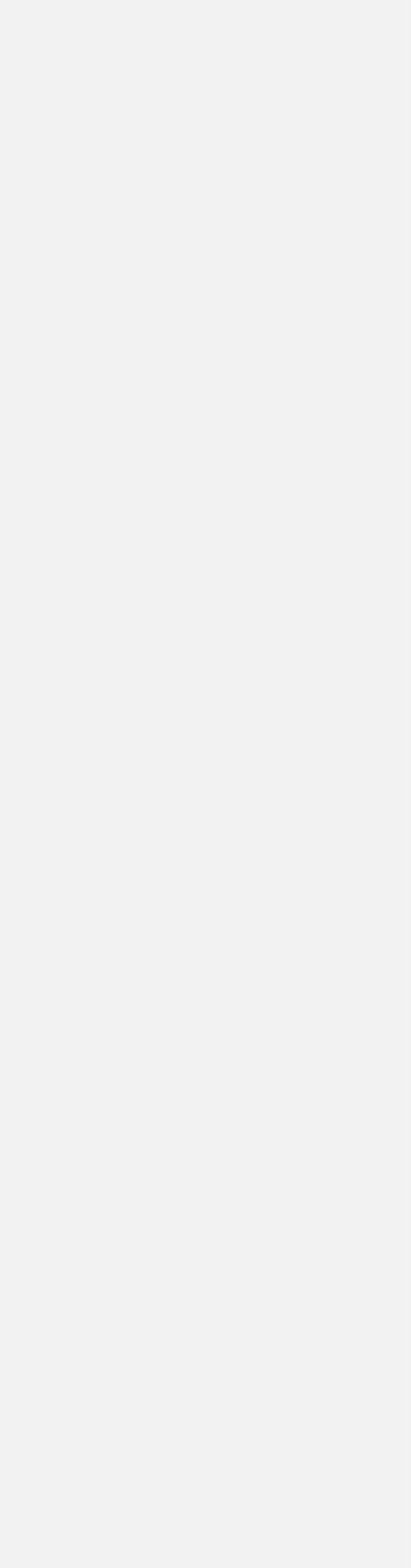
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Adopted - N/A

Revised - N/A

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Reserved for future use.



## **600 – Security**

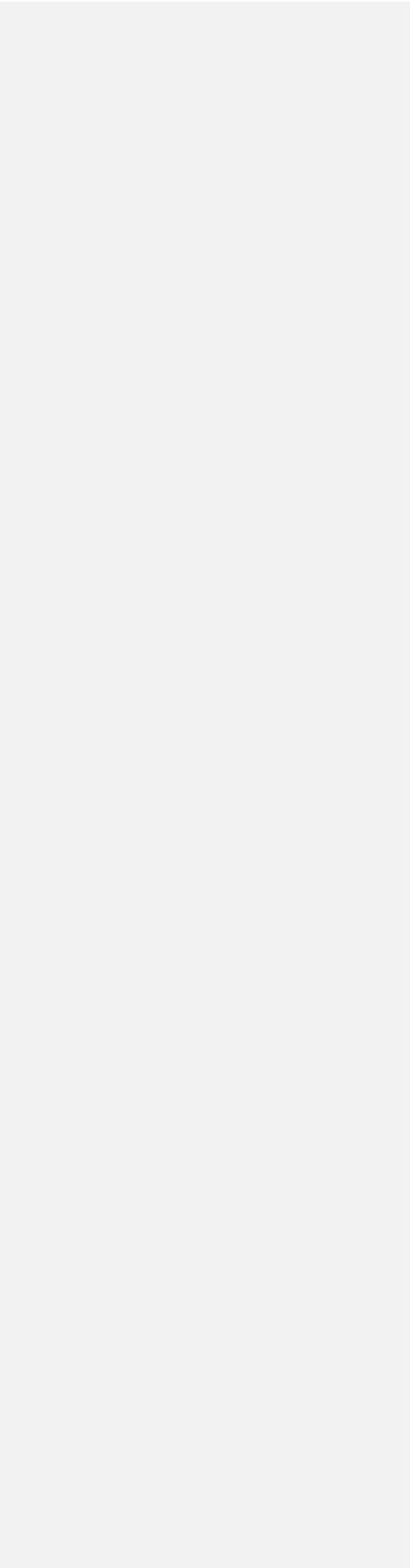
**600-001 – Security**

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Adopted - N/A  
Revised - N/A

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Reserved for future use.



**600-002 – Keys and Pass Cards**

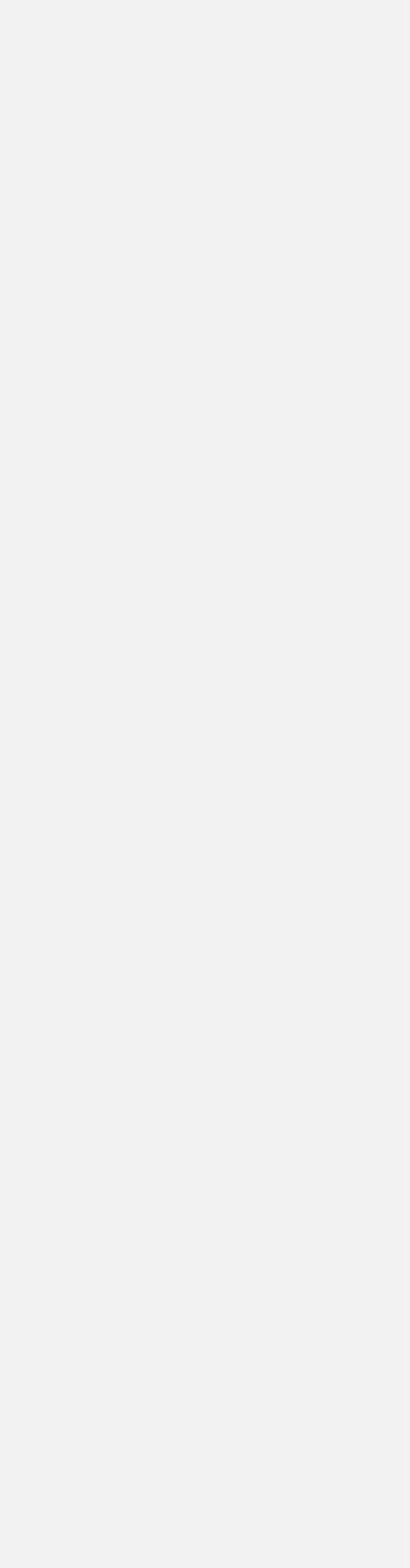
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Adopted - N/A

Revised - N/A

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Reserved for future use.



**600-003 – Courthouse Closure**

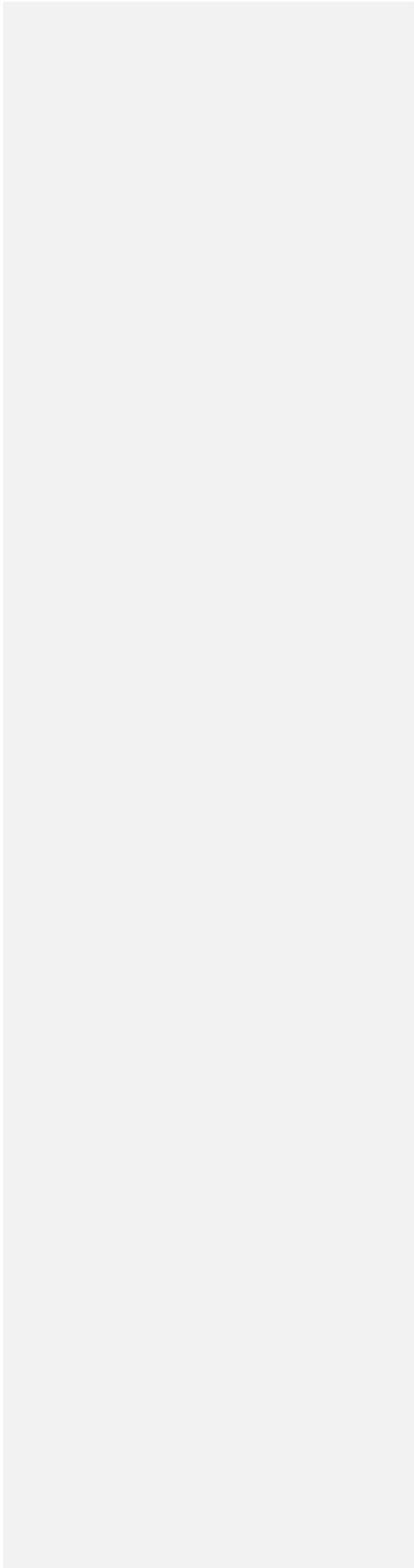
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Adopted - N/A

Revised - N/A

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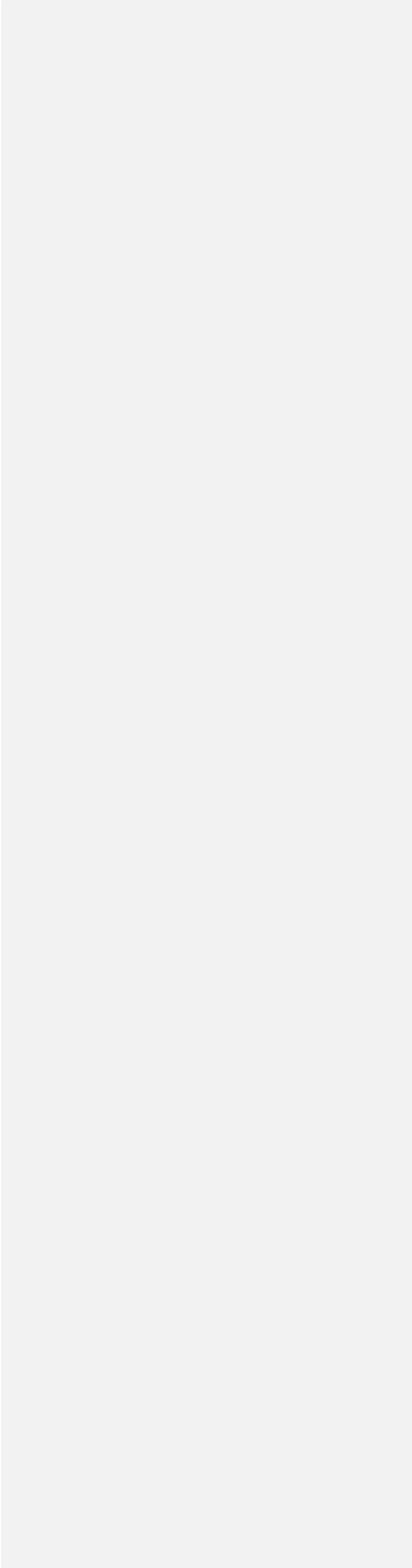
Reserved for future use.



**600-004 – Emergency Evacuation**

Adopted - N/A  
Revised - N/A

Reserved for future use.



## **700 – Engineering and Highways/Roads**

## **700-001 – Roads Commission**

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Adopted - 4/26/2016

Revised - N/A

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### **Purpose**

Morton County shall form a five (5) member Roads Commission to implement the strategic vision and budget set by the County Commission and to provide oversight of and hold accountable the Highway Department and its staff.

### **Membership**

The Roads Commission shall consist of three (3) permanent members – the two (2) County Commissioners that hold the Highway Department portfolio, the County Sheriff, and two (2) members appointed at large by the County Commission. The appointed members will be appointed to four (4) year terms that will be staggered so that one appointment will end December 31<sup>st</sup> of each even year. The County Commission should attempt to appoint members from throughout the geographic area of the County.

Appointed Roads Commission members are eligible for compensation as described in Morton County Policy 400-003.

### **Organization and Process**

1. The Roads Commission will comply with all public notice, open records and open meetings laws and policies.
2. The Roads Commission shall meet monthly. In addition, special meetings may be called by the Roads Commission Chairman.
3. Agenda packets will be published as outlined in Morton County Policy 400-002.
4. At its December meeting the Roads Commission shall schedule its regular meeting dates and times for the upcoming calendar year.
5. Meetings will be conducted according to the most current edition of Robert's Rules of Order Newly Revised.
6. The Chairmanship and Vice Chairmanship of the Roads Commission will rotate yearly between the two (2) County Commissioners that sit on the Roads Commission.
7. The Roads Commission Chairman will appoint a staff member of the Highway Department to act as Roads Commission Secretary. The Secretary will be responsible for preparing agenda packets and keeping meeting minutes. The Secretary will provide the agenda packets and meeting minutes to the County Auditor, who is the official responsible for publishing them.

### **Responsibilities**

1. Implement the strategic vision and budget approved by the County Commission.
2. Provide general oversight to the Highway Department Director and County Engineer.
3. Set priorities and make recommendations to the County Commission for future projects/budgets.

4. Conduct annual performance appraisals for the County Engineer and the Highway Department Director.
5. Review and approve upcoming purchases of equipment and materials. The Road Commission may require equipment or material purchases be “spec’d out” and put out for bid even if the equipment or material is available through the State Bid, WSCA contract or other means. This decision shall be based on the equipment and material needs of the County.
6. Oversee and approve bid specifications.

## 700-002 – Road Report

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Adopted - [5/24/2016](#)/~~26/2016~~

Revised - N/A

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### **Purpose**

The mission of the Morton County Commission is to maintain all County roads and bridges in a safe and convenient condition for public travel while practicing sound financial management, respect for the environment, and sensitivity to community concerns. To do this the County Commission must be aware of all activities of the Road Department and its employees, plans for future activities, and a summary of citizen communications including calls and e-mails.

### **General Policy**

The ~~Morton~~ County ~~Road Superintendent~~[Highway Department Director](#) shall provide the Roads Commission and County Commission with a written monthly report detailing;

8. Activities of the prior month.
9. Planned activities for the upcoming month.
10. Summary of citizen communications for the prior month.

The report should be supplemented with maps and photos when appropriate.

## 700-003 – Shop – Personal Use

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Adopted - [5/24/2016](#)/~~26/2016~~

Revised - N/A

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### Purpose and Scope

The Morton County Highway Department is interested in creating an environment built upon partnership and trust. In an effort to foster this type of environment, we would like to provide the ability for our Team Members to utilize the County Highway Shop after hours for personal use. If a County Team Member utilizes this benefit, it is important that they abide by the Personal Use Rules set forth by this policy.

### Personal Use Rules

11. Any Morton County Team Member utilizing the County Highway Shop for personal use must adhere to the rules established by this policy or face revocation of their personal shop use privileges.
12. To gain Personal Use access, Authorized Morton County Team Members must read and sign a copy of this policy.
13. Prior to beginning personal work, you must sign in and sign out of the Personal Use log and announce your visit.
14. Only Authorized Morton County Team Members may utilize tools, equipment and machinery for personal use. Individuals who are non-County employees will be unable to use or operate equipment or machinery. Exceptions to this standard may be made with approval from the County Highway Director, Human Resources and the Commissioner(S) assigned to the County Highway Portfolio.
15. Morton County Team Members must not lend their key to anyone for County Shop access. Violations will result in the loss of after-hour shop privileges for all parties involved.
16. Preferably, all Personal Shop Use will occur on Friday during regular shop hours. This will allow for you to easily perform the work while using onsite personnel for the Buddy System.
17. The **Buddy System** is to be used at **ALL** times for work done within the County Shop. Another Morton County Team Member must be physically present in the shop.
18. If you bring a non-County employee into the shop, this individual may assist you with non-machining/operating tasks. However, this individual **MAY NOT** use any machinery or equipment.
19. You may not use any type of Morton County materials (grease, oil, etc...) for personal use. If this is needed for your repair job, you must supply that personally.
20. If you break or damage any item within the County Shop during personal use, you must report this so that it can be repaired or replaced in a timely manner. If tools, equipment or machinery is regularly broken during Personal Use periods, privileges may be revoked.
21. Upon completion of work, you must clean area of use and return all tools, equipment and machinery.
22. Prior to departure, you must complete a building security check to assure all entrances are secured.

23. **All Safety Rules** must be adhered to! If you see **ANY** safety rule being violated, it is your responsibility to report it to the Safety Representative as soon as possible.
24. If you are unsure of how to approach or proceed with a job, and it simply cannot wait, do not hesitate to call. There is no need to guess. Guessing with machine operations is one of the most common causes of shop accidents.
25. Should an accident occur, immediately summon help for any injured person/persons by dialing 911 from any phone. Administer appropriate first aid until help arrives, then call the Director and the Safety Representative at that time.
26. If you choose to utilize the County Highway Shop for personal use, you assume all liability for accidents and injuries that occur to you or your guest while on Morton County Property.

## **800 – Information Technology**

**800-001 – Website and Website Maintenance**

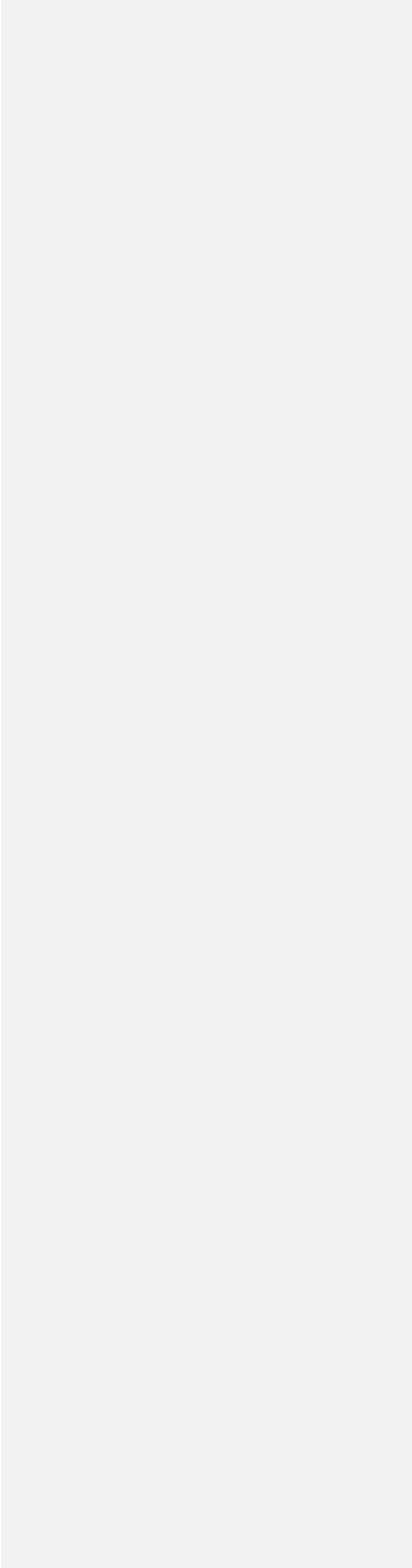
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Adopted - N/A

Revised - N/A

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Reserved for future use.



## **800-002 – Internet Use**

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Adopted - [5/24/2016](#)/~~26/2016~~

Revised - N/A

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### **Purpose**

Use of the Internet by employees of Morton County is permitted and encouraged where such use supports the goals and objectives of the County. However, access to the Internet is a privilege and all employees must adhere to the policies concerning Computer, Email and Internet usage. Violation of these policies could result in disciplinary and/or legal action leading up to and including termination of employment. Employees may also be held personally liable for damages caused by any violations of this policy.

### **General Policy**

Employees are expected to use the Internet responsibly and productively. Internet access is limited to job-related activities only and personal use is not permitted.

All Internet data that is composed, transmitted and/or received by the County's computer systems is considered to belong to Morton County and is recognized as part of its official data. It is therefore subject to disclosure for legal reasons or to other appropriate third parties.

The equipment, services and technology used to access the Internet are the property of the County and the County reserves the right to monitor Internet traffic and monitor and access data that is composed, sent or received through its online connections.

Emails sent via the County email system should not contain content that is deemed to be offensive. This includes, though is not restricted to, the use of vulgar or harassing language/images.

All sites and downloads may be monitored and/or blocked by the County if they are deemed to be harmful and/or not productive.

### **Unacceptable Use**

Unacceptable use of the internet by employees includes, but is not limited to:

- Sending or posting discriminatory, harassing, or threatening messages or images on the Internet or via email service.
- Using computers to perpetrate any form of fraud, and/or software, film or music piracy.
- Stealing, using, or disclosing someone else's password without authorization.
- Downloading, copying or pirating software and electronic files that are copyrighted or without authorization.
- Sharing confidential material, trade secrets, or proprietary information outside of the organization.
- Hacking into unauthorized websites.
- Sending or posting information that is defamatory to the County.
- Introducing malicious software onto the County network and/or jeopardizing the security of the organization's electronic communications systems.

- Sending or posting chain letters, or advertisements not related to business purposes or activities.
- Passing off personal views as representing those of the organization.

If an employee is unsure about what constituted acceptable Internet usage, then he/she should ask his/her supervisor for further guidance and clarification.

All terms and conditions as stated in this policy are applicable to all users of the County's network and Internet connection and reflect an agreement of all parties and should be governed and interpreted in accordance with the policies and procedures mentioned above. Any user violating these policies is subject to disciplinary actions deemed appropriate by the County.

## **800-003 – Cell Phone**

Adopted - [5/24/2016](#)/~~26/2016~~

Revised - N/A

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### **Purpose and Scope**

The purpose of this policy is to establish guidelines for the use of mobile telephones and communications devices, whether issued by the County or personally owned, while on-duty or when used for authorized work-related purposes. This policy generically refers to all such devices as Personal Communication Devices (PCD) but is intended to include all mobile telephones, Personal Digital Devices (PDA) and similar wireless two-way communications and/or portable internet access devices. PCD use includes, but is not limited to, placing and receiving calls, text messaging, blogging and microblogging, e-mailing, using video or camera features, downloading apps, using social media apps and websites, playing games and accessing unauthorized sites or services on the internet.

### **General Policy**

Morton County allows its employees to utilize County-issued PCDs and to possess personally owned PCDs in the workplace, subject to certain limitations. Any PCD used while on-duty or used-off duty in any manner reasonably related to the business of the County, will be subject to monitoring and inspection consistent with the standards set forth in this policy.

The inappropriate use of a PCD while on-duty may impair officer safety. Additionally, members are advised and cautioned that the use of a personally owned PCD either on-duty or after duty hours for business-related purposes may subject the employee and the employee's PCD records to civil or criminal discovery or disclosure under applicable open records laws.

Employees who have questions regarding the application of this policy or the guidelines contained herein are encouraged to seek clarification from supervisory staff.

### **Privacy Policy**

Employees shall have no expectation of privacy with regard to any communication made with, or stored in, or through PCDs issued by the County and shall have no expectation of privacy in their location. The use of any department-provided or funded PCD, computer, Internet service, telephone service or other wireless service while on-duty is without any expectation of privacy, including the content of any such communication. Communications or data reception on personal, password-protected, web-based e-mail accounts and any other services are subject to monitoring if department equipment is used.

In accordance with this policy, supervisors are authorized to conduct a limited administrative search of electronic files without prior notice, consent of a search warrant, on County-issued or personally owned PCDs that have been used to conduct County-related business. Administrative searches can take place for work-related purposes that may be unrelated to investigations of employee misconduct and, as practicable, will be done in the presence of the affected employee. Prior to conducting any search of personally owned devices, supervisors shall consult with the Human Resources Director. All such searches shall be fully documented in a written report.

### **County-Issued PCD**

Depending upon an employee's assignment and the needs of the position, the County may, at its discretion, issue a PCD. County-issued PCDs are provided as an additional tool to facilitate on-duty performance only. Such devices and the associated telephone number shall remain the sole property of the County and shall be subject to inspection or monitoring (including all related records and content) at any time without notice and/or cause.

All County owned PCDs shall be programed with a home screen password or code lock to secure the device should it be lost or mislaid. All County owned PCDs currently share a pool of minutes and therefore personal calls, with the exception of emergencies are unauthorized. Unless an employee is expressly authorized by the Department Head, the PCD is not authorized for off-duty use.

Employees shall notify the County immediately in the event the PCD is lost or stolen.

### **Personally Owned PCD**

Employees may carry their own PCD while on-duty, subject to the following conditions and limitations:

- Carrying a personally owned PCD is a privilege, not a right.
- The County accepts no responsibility for loss of or damage to a personally owned PCD.
- All personally owned PCD and any associated services shall be purchased, used and maintained solely at the employee's expense.
- A personally owned PCD should not be used for work-related purposes except in exigent circumstances (e.g., loss or broken County PCD). Employees will have a reduced expectation of privacy when using a personally owned PCD in the workplace and have no expectation of privacy with regard to any business-related communication.
- Personally owned PCDs shall not be utilized to record or disclose any department business-related information, including photographs, video or the recording or transmittal of any information or material obtained or made accessible as a result of employment or appointment with the County, without the express authorization of the Department head or his/her authorized designee.
- Use of a personally owned PCD used for County business constitutes consent for the County to access the PCD to inspect and copy data to meet the needs of the County, which may include litigation, open records retention and release obligations and internal investigations.
- Depending on a member's assignment, the needs of the position and with prior express authorization from the Department head or his/her authorized designee employees are not obligated or required to carry, access, monitor or respond to electronic communications using a personally owned PCD while off-duty. This does not relieve employees from the mandatory requirement of maintaining an operational phone with numbers provided to the County.

### **Supervisor Responsibilities**

Supervisors should ensure that members under their command are provided with appropriate training on the use of PCDs as it relates to their use consistent with this policy. Supervisors should monitor, to the extent practicable, personal PCD use in the workplace and take prompt

corrective action if an employee is observed or reported using a personal or County owned PCD in violation of this policy.

If, when carrying out any provision of this policy, the need to contact an employee who is off-duty arises, supervisors should consider delaying the contact, if practicable; until the employee is on-duty as such contact may be compensable.

#### **Use While Driving**

The use of a PCD while operating a motor vehicle can cause unnecessary distractions and presents a negative image to the public. Staff operating emergency vehicles should restrict the use of these devices while driving to matters of an urgent nature and should, where practicable, stop the vehicle at an appropriate location when utilizing the device (N.D.C.C. 39-08-23 (3)). Staff is encouraged to utilize the vehicle's hands free devices in lieu of utilizing the handset while driving.

#### **Official Use**

Employees are reminded that PCDs are not secure devices and conversations may be intercepted or overheard. Caution should be exercised while utilizing PCDs to ensure that sensitive information is not inadvertently transmitted. As soon as reasonably possible, employees shall conduct sensitive or private communications on a land-based or other communications network.

#### **Law Enforcement Specific Use of PCD**

The following protocols shall apply to all PCDs carried while on-duty or used to conduct Department business:

- A PCD shall not be carried in a manner that allows it to be visible while in uniform, unless in an approved Department purchased carrier or patrol vest cover.
- All PCDs in the workplace shall be set to vibrate or a low nonintrusive ringtone volume.
- A PCD may not be used to conduct personal business while on-duty, except for brief personal communications (e.g., informing family of extended hours).
- Employees may use a Department PSD to communicate with other personnel, although should not be used as a substitute for a way to avoid or in lieu of regular radio communications.
- Employees are prohibited from taking pictures, audio, video recordings or making copies of any such picture or recording media unless it is directly related to official Department business. Disclosure of any such information to any third party through any means, without the express authorization of the Sheriff or an authorized designee, may result in a disciplinary action.
- Employees will not access social media networking sites for any purpose that is not official Department business and then only with the express authorization of the Sheriff or his designee.
- Using PCDs to harass, threaten, coerce or otherwise engage in inappropriate conduct with any third party is prohibited. Any employee having knowledge of such conduct shall promptly notify a supervisor.

## 800-004 – Social Media

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Adopted - [5/24/2016](#)/~~26/2016~~

Revised - N/A

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### **Purpose**

Use of the Internet by employees of Morton County is permitted and encouraged where such use supports the goals and objectives of the County. However, access to the Internet is a privilege and all employees must adhere to the policies concerning Computer, Email and Internet usage. Violation of these policies could result in disciplinary and/or legal action leading up to and including termination of employment. Employees may also be held personally liable for damages caused by any violations of this policy.

Social media are powerful communications tools that have a significant impact on organizational and professional reputations. Because they blur the lines between personal voice and institutional voice, Morton County has crafted the following policy to help clarify how best to enhance and protect personal and professional reputations when participating in social media.

Social media are defined as media designed to be disseminated through social interaction, created using highly accessible and scalable publishing techniques. Examples include but are not limited to LinkedIn, Twitter, Facebook, YouTube, and MySpace.

Both in professional and institutional roles, employees need to follow the same behavioral standards online as they would in real life. The same laws, professional expectations, and guidelines for interacting with stakeholders, constituents, and the general public apply online as in the real world. Employees are liable for anything they post to social media sites.

### **General Policy**

The following standards of use must be followed at all times.

1. Protect confidential and proprietary information. Do not post confidential or proprietary information. Employees must follow the applicable federal and state laws. Adhere to all applicable privacy and confidentiality policies. Employees who share confidential information do so at the risk of disciplinary action or termination.
2. Respect copyright and fair use. When posting, be mindful of the copyright and intellectual property rights of others.
3. Respect County time and property. County computers and time on the job are reserved for County related business as approved by supervisors and outlined in employee job descriptions.
4. Terms of service. Obey the Terms of Service of any social media platform employed.
5. Think twice before posting. Privacy does not exist in the world of social media. Consider what could happen if a post becomes widely known and how that may reflect both on the poster and the County. Search engines can turn up posts years after they are created, and comments can be forwarded or copied. If you wouldn't say it at a conference or to a member of the media, consider whether you should post it online. If you are unsure about posting something or responding to a comment, ask your supervisor.

6. Strive for accuracy. Get the facts straight before posting them on social media. Review content for grammatical and spelling errors.
7. Be respectful. Understand that content contributed to a social media site could encourage comments or discussion of opposing ideas. Responses should be considered carefully in light of how they would reflect on the poster and/or the County.
8. Remember your audience. Be aware that a presence in the social media world is available to the public at large.
9. On personal sites, identify your views as your own. If you identify yourself as a Morton County employee online, it should be clear that the views expressed are not necessarily those of the institution.
10. All institutional pages must have a full-time appointed employee who is identified as being responsible for content. Ideally, this should be the unit head of the department.
11. Acknowledge who you are. If you are representing the County when posting on a social media platform, acknowledge this.
12. Have a plan. Departments should consider their messages, audiences, and goals, as well as a strategy for keeping information on social media sites up-to-date.

## **Acknowledgement**

I acknowledge that I have received a copy of the Morton County Policy Manual, which describes important information about Morton County and understand that I should consult with my supervisor and/or the Human Resource Department if I have questions. I have entered into employment with Morton County voluntarily and acknowledge that it is for no specified length of time. Accordingly, either I or Morton County may terminate the relationship at will, with or without cause, at any time, for any reason or no reason. I understand that neither this Manual nor any other Morton County policy, practice or procedure is intended to provide any contractual obligations related to continued employment, compensation or employment contract.

Since the information, policies and benefits described here are necessarily subject to change, I acknowledge that revisions to the Manual may occur, except to Morton County's policy of employment-at-will. I understand that Morton County may change, modify, suspend, interpret or cancel, in whole or part, any of the published or unpublished policies or practices, with or without notice, at its sole discretion, without giving cause or justification to any employee. Such revised information may supersede, modify or eliminate existing policies. The Morton County Commission shall have sole authority to add, delete or adopt revisions to the policies in this Manual. Any written or oral statement by a supervisor or department director contrary to a policy manual is invalid and should not be relied upon by any employee.

I understand and agree that I will read and comply with the policies contained in this Manual and any revisions, am bound by the provisions contained therein, and that my continued employment is contingent on following those policies.

\_\_\_\_\_  
Employee Name (Printed)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date